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PROCLAMATION 4381

Captive Nations Week, 1975

By the President of the United States of America

A Proclamation

The history of our Nation reminds us that the traditions of liberty must be protected and preserved by each generation. Let us, therefore, rededicate ourselves to the ideals of our own democratic heritage. In so doing, we manifest our belief that all men everywhere have the same inherent right to freedom that we enjoy today. In support of this sentiment, the Eighty-sixth Congress, by a joint resolution approved July 17, 1959 (73 Stat. 212), authorized and requested the President to proclaim the third week in July of each year as Captive Nations Week.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, do hereby designate the week beginning July 13, 1975, as Captive Nations Week.

I call upon the people of the United States to observe this week with appropriate ceremonies and activities, and I urge rededication to the aspirations of all peoples for self-determination and liberty.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of June, in the year of our Lord nineteen hundred seventy-five, and of the Independence of the United States of America the one hundred ninety-ninth.

Gerald R. Ford

[FR Doc.75-17288 Filed 6-27-75;4:48 pm]

rules and regulations

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

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

Title 1—General Provisions

CHAPTER I—ADMINISTRATIVE COMMITTEE OF THE FEDERAL REGISTER

CFR CHECKLIST

1975 Issuances

This checklist, prepared by the Office of the Federal Register, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the revision date and price of the volumes of the Code of Federal Regulations issued to date for 1975. New units issued during the month are announced on the back cover of the daily FEDERAL REGISTER as they become available.

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20 Parts:	
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700–799	5.65
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Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

ACTION

Section 213.3359 is amended to show that one position of Special Assistant to the Director is excepted under Schedule C.

Effective on July 1, 1975, § 213.3359(r) is amended as set out below:

§ 213.3359 ACTION.

* * * * *

(r) Two Special Assistants to the Director.

* * * * *

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

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

[FR Doc.75-17201 Filed 6-30-75;8:45 am]

PART 213—EXCEPTED SERVICE

Federal Energy Administration

Section 213.3388 is amended to show the change of organizational title from the Office of Public Affairs to the Office of Communications and Public Affairs and to show that one position of Special Assistant to the Director, Office of Communications and Public Affairs is excepted under Schedule C.

Effective on July 1, 1975 § 213.3388(c) is amended and § 213.3388(c)(2) is reestablished to read as follows:

§ 213.3388 Federal Energy Administration.

* * * * *

(c) *Office of Communications and Public Affairs.* * * *

(2) One Special Assistant to the Director.

* * * * *

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

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

[FR Doc.75-17202 Filed 6-30-75;8:45 am]

PART 551—PAY ADMINISTRATION UNDER THE FAIR LABOR STANDARDS ACT

Exemptions

A new Part 551 is being added to Chapter I of 5 CFR, under the provision in section 4(f) of the Fair Labor Standards Act, as amended by Pub. L. 93–259 enacted April 8, 1974, which states:

> Notwithstanding any other provision of this Act, or any other law, the Civil Service Commission is authorized to administer the provisions of this Act with respect to any individual employed by the United States (other than any individual employed in the Library of Congress, United States Postal Service, Postal Rate Commission, or the Tennessee Valley Authority).

Partial regulations governing exemptions are issued at this time, with regulations on other aspects to follow.

These regulations are issued without prior publication in proposed form. Because this is a matter relating to agency management and personnel practices, the provisions of the Administrative Procedure Act (now codified in 5 U.S.C. 553) concerning notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable.

The Civil Service Commission has, however, provided opportunity for all interested parties, including Federal agencies and employee organizations, and the public to comment on the issues covered by the exemption regulations. This opportunity was provided through circulation, in July 1974, to Federal agencies and unions representing Federal employees, of a draft proposing expansion of the interim instruction on exemption criteria with a request for comment, and through a formal public hearing notice of which was published on September 16, 1974 in the FEDERAL REGISTER (39 FR 33255).

The comments received reflected widely divergent views concerning the exemption criteria. The Commission has resolved the issues raised in terms of the policy of integrating exemption criteria with Federal classification systems to the extent possible, while maintaining results consistent with the exemption criteria applied by the Department of Labor.

In accordance with the foregoing, Chapter I of Title 5 of the Code of Federal Regulations is amended by adding a new Part 551, reading as follows:

Subpart A—[Reserved]

Subpart B—Exemptions

Sec.
551.201 Agency authority.
551.202 General principles governing exemptions.
551.203 Exemptions of executive, administrative and professional employees.
551.204 Exemption of employees serving in foreign areas.

AUTHORITY: Sec. 4(f) of the Fair Labor Standards Act as amended by Pub. L. 93–259, enacted April 8, 1974.

Subpart A—[Reserved]

Subpart B—Exemptions

§ 551.201 Agency authority.

The employing agency shall exempt from the overtime provisions of the Fair Labor Standards Act of 1938, as amended, any employee who meets the exemption criteria of this subpart and such supplemental interpretations or instructions as shall be issued by the Civil Service Commission.

§ 551.202 General principles governing exemptions.

In all exemption determinations, the agency shall observe the principles that:

(a) Exemption criteria shall be narrowly construed to apply only to those employees who are clearly within the terms and spirit of the exemption.

(b) The burden of proof rests with the agency that asserts the exemption.

(c) All employees who clearly meet the criteria for exemption must be so exempted.

§ 551.203 Exemption of executive, administrative, and professional employees.

The employing agency shall exempt any employee who is an executive, administrative, or professional employee as defined herein.

(a) An executive employee is a supervisor, foreman, or manager who supervises at least three subordinate employees and who meets all of the following criteria:

(1) The employee's primary duty consists of management or supervision.

(2) The workers supervised constitute a recognized organizational unit.

(3) The employee regularly exercises discretion and independent judgment, under only general supervision, in planning, directing and controlling the work of the unit supervised.

(4) The employee performs significant personnel management duties.

(5) The employee's position is classified no lower than General Schedule grade 5 (GS–5) or the equivalent level in other white collar pay systems, or the employee fully meets or exceeds the "Foreman range of responsibility" defined in the job grading standard for Wage Supervisors, if under the Federal Wage System or equivalent prevailing rate systems.

(6) In addition to the primary duty criterion that applies to all employees, Foreman level supervisors in the Fedearl Wage System or the equivalent in other wage systems, and employees classified below GS–10 or the equivalent in other white collar pay systems, must spend 80 percent or more of the worktime in a representative workweek on supervisory and closely related work.

(b) An administrative employee is an advisor, assistant or representative of management, or a specialist in a management or general business function or supporting service who meets all of the following criteria:

(1) The employee's primary duty consists of work that:

(i) Significantly affects the formulation or execution of management policies or programs; or

(ii) Involves general management or business functions or supporting services of substantial importance to the organization serviced; or

(iii) Involves substantial participation in the executive or administrative functions of a management official.

(2) The employee performs office or other predominantly nonmanual work which is:

(i) Intellectual and varied in nature, or

(ii) Of a specialized or technical nature that requires considerable special training, experience and knowledge.

(3) The employee must frequently exercise discretion and independent judgment, under only general supervision, in performing the normal day-to-day work.

(4) The employee's position is classified no lower than GS–7 or the equivalent level in other white collar pay systems.

(5) In addition to the primary duty criterion that applies to all employees, General Schedule employees below GS–10, or the equivalent in other salary systems, must spend 80 percent or more of the worktime in a representative workweek on administrative functions and work that is an essential part of those functions.

(c) A professional employee is an employee who is practicing a learned or artistic profession and who meets all of the following criteria, or any teacher who is engaged in the imparting of knowledge or in the administration of an academic

program in a school system or educational establishment.

(1) The employee's primary duty consists of:

(i) Work that requires knowledge in a field of science or learning customarily and characteristically acquired through education or training that meets the requirements for a bachelor's or higher degree, with major study in or pertinent to the specialized field as distinguished from general education; or is performing work, comparable to that performed by professional employees, on the basis of specialized education or training and experience which has provided both theoretical and practical knowledge of the specialty, including knowledge of related disciplines and of new developments in the field; or

(ii) Work in a recognized field of artistic endeavor that is original or creative in nature (as distinguished from work which can be produced by a person endowed with general manual or intellectual ability and training) and the result of which depends on the invention, imagination, or talent of the employee.

(2) The employee's work is predominantly intellectual and varied in nature, requiring creative, analytical, evaluative, or interpretative thought process for satisfactory performance.

(3) The employee frequently exercises discretion and independent judgment, under only general supervision, in performing the normal day-to-day work.

(4) The employee's position is classified no lower than GS–7 or the equivalent level in other white collar pay systems.

(5) In addition to the primary duty criterion that applies to all employees, General Schedule employees below GS–10, or the equivalent in other salary systems, must spend 80 percent or more of the worktime in a representative workweek on professional functions and work that is an essential part of those functions.

§ 551.204 Exemption of employees serving in foreign areas.

The employing agency shall exempt from the overtime provisions of the Fair Labor Standards Act any employee whose services during the workweek are performed in a workplace within a foreign country or within territory under the jurisdiction of the United States other than in the following locations: a State of the United States; the District of Columbia; Puerto Rico; the Virgin Islands; Outer Continental Shelf Lands defined in the Outer Continental Shelf Lands Act (67 Stat. 462); American Samoa; Guam; Wake Island; Eniwetok Atoll; Kwajalein Atoll; Johnston Island and the Canal Zone.

Effective date: July 1, 1975.

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

[FR Doc.75–17203 Filed 6–30–75;8:45 am]

Title 7—Agriculture

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

SUBCHAPTER C—SPECIAL PROGRAMS

[Amdt. 10]

PART 780—APPEAL REGULATIONS

Requests for Reconsideration and Appeals Requiring Special Handling

Section 780.11 is being revised to provide that, in addition to the items listed in paragraphs (a) (1) through (8) of this section, administrative determinations made by a State ASC committee with respect to the establishment of rice allotments, are not appealable to the Deputy Administrator.

Section 780.11 of the appeal regulations, 7 CFR Part 780, is amended by revising paragraph (a) to read as follows:

§ 780.11 Requests for reconsideration and appeals requiring special handling.

(a) Determinations made by a State committee with respect to (1) the establishment of farm yields for wheat, feed grain, and cotton, (2) the establishment of wheat allotments, (3) the establishment of farm feed grain allotments, (4) the establishment of upland cotton base acreage allotments, (5) the establishment of conserving bases, (6) matters rising under the tobacco discount variety program, (7) eligibility provisions of the livestock feed program, (8) the disaster provisions of the wheat, feed grain and upland cotton programs that a loss on a farm was due in whole or in part to causes other than the natural disaster or conditions beyond the control of the producer, and (9) the establishment of rice allotments, are not appealable to the Deputy Administrator.

* * * * *

Effective date. The changes in the foregoing amendment of Part 780 relate to its applicability to the 1975 Rice Program and subsequent rice programs for which rice marketing quotas are not in effect. Farmers are completing their plans for the 1975 crop year, and it is essential that the foregoing amendment of Part 780 be made effective as soon as possible. It is hereby found and determined that compliance with the notice and public procedure provisions of 5 U.S.C. 553 is impracticable and contrary to the public interest. Accordingly, this amendment shall become effective on July 1, 1975.

Signed at Washington, D.C. on June 24, 1975.

E. J. PERSON,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.75–17083 Filed 6–30–75;8:45 am]

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

[Milk Order No. 64]

PART 1064—MILK IN THE GREATER KANSAS CITY MARKETING AREA

Order Terminating Certain Provisions

This order of termination is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and of the order regulating the handling of milk in the Greater Kansas City marketing area.

Notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 24019) concerning a proposed termination of the Base-Excess Plan provisions of the order. Interested persons were afforded opportunity to file written data, views, and arguments thereon.

After consideration of all relevant material, including the proposal set forth in the aforesaid notice, data, views, and arguments filed thereon, and other available information, it is hereby found and determined that the following provisions of the order no longer tend to effectuate the declared policy of the Act and are hereby terminated:

§ 1064.32 [Amended]

1. In § 1064.32, *Other reports*, paragraphs (a) and (b) in their entirety.

§ 1064.60 [Amended]

2. Immediately preceding § 1064.60, in the centerhead "UNIFORM PRICES", the letter "S".

§ 1064.61 [Amended]

3. In 1064.61, *Computation of uniform price (including weighted average price and base and excess prices)*, the words "and base and excess prices" as they appear in the definitive heading of the section; and in paragraph (a) (6), the words "for the months of August through January shall be"; and paragraph (b) in its entirety.

§ 1064.62 [Amended]

4. In § 1064.62, *Announcement of uniform prices and butterfat differential*, the letter "s" as it appears in the word *prices* where such word appears both in the definitive section heading and in paragraph (b).

§ 1064.71 [Amended]

5. In § 1064.71, *Payments to the producer-settlement fund*, paragraph (b) in its entirety.

§ 1064.72 [Amended]

6. In § 1064.72, *Payments from the producer-settlement fund*, the references "or (b) (2)" and "or (b) (1)".

§ 1064.73 [Amended]

7. In § 1064.73, *Payments to producers and to cooperative associations*, the letter "s" in the word *prices* where such word appears in the text of paragraph (a) preceding the proviso; and in para-

graph (d)(2), the words "applicable weighted average or".

§ 1064.74 [Amended]

8. In § 1064.74, *Butterfat differential*, the letter "s" in the words *uniform prices*.

§ 1064.75 [Amended]

9. In § 1064.75(a), *Plant location adjustments for producers and on nonpool milk*, the phrase "and the uniform price for base milk pursuant to § 1064.61(b)".

§§ 1064.90, 1064.91, 1064.92, 1064.93 [Removed]

10. Sections 1064.90, 1064.91, 1064.92, and 1064.93 in their entirety, and the centerheading "BASE-EXCESS PLAN" immediately preceding § 1064.90.

Statement of consideration. This action terminates the base and excess plan provisions of the order, effective September 1, 1975.

The base and excess plan is a method of apportioning the total value of milk in the market among producers on the basis of their marketings of milk during a representative period. In the Greater Kansas City market each producer is assigned a base computed from his milk deliveries in the months of September through December each year, and is paid on such base in the following months of February through July.

The termination of the base and excess plan effective September 1 was requested by Mid-America Dairymen, Inc., and is supported by Land O'Lakes, Inc., two cooperatives which together represent a large majority of producers on the Greater Kansas City market.

A large percentage of producers are finding that adjustment of production in relation to the base and excess plan presents difficult herd management problems and generally oppose the continuation of the plan under the order. Under the circumstances, adjustment of herds to a fall freshening program could result in a loss of milk production and income for producers on this market. The operation of the base and excess plan was suspended during the months of February through July 1974 for similar reasons.

A further consideration for a group of producers who are located in southern Minnesota is that other dairy farmers in that area are not generally paid under a base and excess plan. This group of producers does not support the base plan because of the disparity in payments compared to dairy farmers in the same area.

This termination action is taken to coincide with the beginning of the September-December period on which new daily bases would be otherwise computed.

This termination is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area in that a substantial majority of producers on the Greater Kansas City order are finding it difficult to adapt their present production patterns to the base-excess plan and thus oppose its continuance.

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

Therefore, good cause exists for making this order effective with respect to producer milk deliveries on and after September 1, 1975.

It is therefore ordered, That the aforesaid provisions of the order are hereby terminated, effective September 1, 1975.

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

Effective date: September 1, 1975.

Signed at Washington, D.C., on: June 26, 1975.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.75-17080 Filed 6-30-75;8:45 am]

[Milk Order No. 131]

PART 1131—MILK IN THE CENTRAL ARIZONA MARKETING AREA

Order Suspending a Certain Provision

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

It is hereby found and determined that for the month of July 1975, subparagraph (1) of § 1131.13(c) in its entirety does not tend to effectuate the declared policy of the Act:

STATEMENT OF CONSIDERATION

The suspension will remove during July 1975 the limitation that not more than eight days' production of any producer may be diverted to a nonpool plant from a pool plant during the month.

The suspension was requested by a cooperative association as an interim measure pending completion of amendatory action on its proposal to modify pooling standards for a plant operated by a cooperative. A hearing on that proposal was held at Phoenix, Arizona, on March 12, 1975 and a recommended decision in this matter was issued on June 13 (40 FR 25682).

The cooperative requesting the suspension supplies the market with a substantial part of its fluid milk needs and processes at its manufacturing plant much of the reserve milk supply for the market. In its request proponent indicated that the cooperative's plant would be unable to meet the pooling requirements of the order for the month of July and that in similar circumstances during the preceding year an identical suspension action was made effective for the months of June through August.

While the plant is in nonpool status for the month of July, the cooperative will not be able to maintain producer milk status for all of its member milk under the diversion limitations. Thus, without the suspension, substantial quantities of milk regularly associated with the pool during the preceding months would be excluded from the pool.

It is concluded that the suspension provided herein for the month of July 1975 is necessary to assure the continued orderly disposition of milk for the market.

It is hereby found and determined that notice of proposed rulemaking, public procedures thereon, and thirty day's notice of the effective date hereof are impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area;

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

(c) Producers requested this suspension as an interim action pending the completion of amendatory action.

Therefore, good cause exists for making this order effective on July 1, 1975.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the month of July 1975.

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

Effective date: July 1, 1975.

Signed at Washington, D.C., on: June 26, 1975.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.75-17081 Filed 6-30-75;8:45 am]

Title 9—Animals and Animal Products

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

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

PART 83—SCREWWORMS

Commonwealth of Puerto Rico and U.S. Virgin Islands Declared Free of Screwworms

The purpose of these amendments is to declare the Commonwealth of Puerto Rico and the U.S. Virgin Islands free of screwworms and to remove the Commonwealth of Puerto Rico from the list of areas designated as areas of recurring infestation.

Statement of considerations. Since June 1971, Veterinary Services, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands, with logistic contribution from the U.S. Air Force and the Air Force Reserve have engaged in a cooperative effort to eradicate screwworms from the Commonwealth of Puerto Rico and the U.S. Virgin Islands. Sterile screwworm flies were released over Puerto Rico and the adjacent infested islands and the U.S. Virgin Islands in conjunction with ground support activities, including inspection of livestock and treatment of infestations found. The last sterile flies were released over these areas

May 3, 1975. Animal health officials, in cooperation with the livestock industry, have conducted continuous intensive animal inspection surveillance activities since that date without finding evidence of screwworm infestation. The last confirmed screwworm case was found in the U.S. Virgin Islands February 22, 1972, and in the Commonwealth of Puerto Rico November 5, 1974, with no evidence of continuing infestation. Since more than six months have elapsed since a case of screwworms has occurred in Puerto Rico, and the U.S. Virgin Islands have been without evidence of screwworm infestation for a much longer period, it is therefore determined that screwworms have been eradicated from both the Commonwealth of Puerto Rico and the U.S. Virgin Islands.

Accordingly, Part 83, Title 9, Code of Federal Regulations, is amended in the following respects:

1. In § 83.1 paragraph (l) is amended to read:

§ 83.1 Definitions.

* * * * *

(l) *Controlled Zone.* The States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, South Carolina, Tennessee, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands.

* * * * *

2. In § 83.2, the introductory paragraph is amended and paragraph (e) is deleted:

§ 83.2 Notice relating to existence of screwworms.

Notice is hereby given that screwworm infestations usually exist from April 15 through November 30 of each year in portions of the States of Arizona, California, New Mexico, and Texas designated in paragraphs (a), (b), (c), and (d) of this section. Therefore, the following areas are hereby designated as areas of recurring infestation.

* * * * *

3. In § 83.6, the introductory paragraph is amended to read:

§ 83.6 Interstate movement of livestock from areas of recurring infestation.

The interstate movement of livestock from any area of recurring infestation in the States of Arizona, California, New Mexico, and Texas is prohibited from April 15 through November 30 of each year, unless the conditions specified in paragraph (a) or (b) of this section are met. This restriction also applies to livestock transiting any area (or areas) of recurring infestation to an area free of screwworm infestation.

* * * * *

(Secs. 4–7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791–792, as amended (21 U.S.C. 111, 112, 115, 120, 121); 37 FR 28464, 28477; 38 FR 19141.)

Effective date. The foregoing amendments shall become effective July 1, 1975.

The amendments relieve restrictions no longer deemed necessary to prevent the spread of screwworms and should be made effective promptly in order to be of maximum benefit to affected persons. It does not appear that public participation in this rulemaking proceeding would made additional relevant information available to the Department.

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

Done at Washington, D.C., this 26th day of June 1975.

PIERRE A. CHALOUX,
Acting Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.75-17153 Filed 6-30-75;8:45 am]

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Commuted Traveltime Allowances

The purpose of these amendments is to establish commuted traveltime periods as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which an employee of Veterinary Services performs overtime or holiday duty when such travel is performed solely on account of overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal and Plant Health Inspection Service.

Therefore, pursuant to the authority conferred upon the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service by § 97.1 of the regulations concerning overtime services relating to imports and exports (9 CFR 97.1), administrative instructions 9 CFR 97.2 (1974 ed.), as amended November 27, 1974 (39 FR 41356–41358), December 11, 1974 (39 FR 43294), January 3, 1975 (40 FR 757), February 21, 1975 (40 FR 7620), March 11, 1975 (40 FR 11346) and May 8, 1975 (40 FR 20065), prescribing the commuted traveltime that shall be included in each period of overtime or holiday duty, are hereby amended by adding to or deleting from the respective lists therein as follows:

§ 97.2 Administrative instructions prescribing commuted travel time.

* * * * *

WITHIN METROPOLITAN AREA

ONE HOUR

Delete: Plentywood, Montana.

OUTSIDE METROPOLITAN AREA

ONE HOUR

Delete: Raymond, Montana (served from Plentywood, Montana).

TWO HOURS

Delete: Portal, North Dakota (served from Kenmare, North Dakota).

THREE HOURS

Add: Beloit, Wisconsin (served from Madison, Wisconsin).

Delete: Antler, North Dakota (served from Minot, North Dakota).

Delete: Port of Morgan (served from Malta, Montana).

Delete: Scobey, Montana (served from Plentywood, Montana).

FIVE HOURS

Delete: Antler, North Dakota (when served from Portal, North Dakota).

Delete: Opheim, Montana (when served from Plentywood, Montana).

Delete: Port of Opheim (served from Plentywood, Montana).

SIX HOURS

Delete: Antler, North Dakota (when served from Bismarck, North Dakota).

(64 Stat. 561; 7 U.S.C. 2260.)

Effective date. The foregoing amendments shall become effective July 1, 1975.

It is to the benefit of the public that these instructions be made effective at the earliest practicable date. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 25th day of June, 1975.

PIERRE A. CHALOUX,
Acting Deputy Administrator, Veterinary Services Animal and Plant Health Inspection Service.

[FR Doc.75-17082 Filed 6-30-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 68-WE-8-AD; Amdt. 39-2247]

PART 39—AIRWORTHINESS DIRECTIVES

General Dynamics Model 340, 440 and C-131E Airplanes Including Those Incorporating Turbopropeller Power

Amendment 39-597 (33 FR 7110), AD 68-10-4, as amended by Amendment 39-1305 (36 FR 19493), requires inspection of the front spar lower rail for cracks between wing stations 240 and 270 and between wing stations 360 and 490 on General Dynamics Models 340, 440 and C-131E airplanes including those using turbo-propeller power. After issuing Amendment 39-1305, the agency determined that at least one operator has reported finding cracks near a leading edge joint at 275. Therefore, the AD is being amended to require inspection for cracks between wing stations 240 and 490 until modified in accordance with the manufacturer's Service Engineering Report.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-597 (33 FR 7110), AD 68-10-4, as amended by Amendment 39-1305 (36 FR 19493), is further amended as follows:

Amend paragraph (c) in pertinent part, to read: Remove the wing leading edge and visually inspect the wing front spar lower rail between wing stations 240 and 490 for cracks.

This amendment becomes effective July 30, 1975.

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

Issued in Los Angeles, Calif., on June 18, 1975.

LYNN L. HINK,
Acting Director,
FAA Western Region.

[FR Doc.75-17067 Filed 6-30-75;8:45 am]

[Docket No. 75-SO-69, Amdt. 39-2249]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed Model 382 Series

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an airworthiness directive was adopted on June 13, 1975, and made effective immediately as to all known operators of Lockheed Model 382 Series airplanes. The directive requires an inspection of the outer wing lower aft beam cap, beam web, and aft lower panel.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of Lockheed Model 382 series airplanes by individual telegrams dated June 13, 1975. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

Pursuant to the authority of the Federal Aviation Act of 1958, delegated to me by the Administrator, the following airworthiness directive applicable to operators of Lockheed Model 382 Series Airplanes certificated in all categories is effective immediately upon receipt of this telegram because of cracks in the outer wing lower aft beam cap and web. Lockheed. Applies to all Model 382 series Airplanes, serial numbers 3946 and 4101 through 4541, except those airplanes which have been modified in accordance with ECP 954, or equivalent, or repaired in accordance with FAA approved instructions. For airplanes with 15,000 hours or more total time in service, within the next 50 hours' time in service, and thereafter at intervals not to exceed 500 hours in service from the last inspection fluorescent dye penetrant inspect (1) Outer wing lower aft beam cap aft horizontal flange from OWS 105 to 108, paying particular attention to the filet radius, (2) Lower three inches of aft face of outer wing aft beam web from OWS 105 to 108, and (3) Aft two inches of outer surface of the outer wing lower aft skin panel from OWS 105 to 108.

This amendment is effective July 3, 1975, and was effective June 13, 1975, for all recipients of the telegram dated June 13, 1975, which contained this amendment.

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

Issued in East Point, Ga., on June 19, 1975.

LONNIE D. PARRISH,
Acting Director, Southern Region.

[FR Doc.75-17068 Filed 6-30-75;8:45 am]

[Airspace Docket No. 75-WA-11]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Redesignation of Jet Route

The purpose of this amendment to Part 75 of the Federal Aviation Regulations is to renumber the U.S. portion of J-509 between Long Lake, N.Y., intersection and Montreal, Quebec, Canada, to J-570. Canada is taking similar action to renumber the portion of J/HL509 that lies within their airspace. Additionally, this amendment corrects the regulatory description of the jet route to use the name Montreal, Quebec, rather than St. Eustache, Quebec. There is no change in route alignment.

This redesignation is part of an overall plan to simplify routes and air traffic clearances for air traffic on high level airways serving the North Atlantic routes.

Since a change in route identification is a minor amendment upon which the public is not particularly interested, notice and public procedure thereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 9, 1975, as hereinafter set forth.

In § 75.100 (40 FR 705) Jet Route No. 509 is deleted and the following is added:

1. JET ROUTE NO. 570

From the INT of Albany, N.Y., 343° and Montreal, Quebec, 188° radials to the INT of the Montreal 188° radial with the United States/Canadian border.

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

Issued in Washington, D.C., June 25, 1975.

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

[FR Doc.75-17069 Filed 6-30-75;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release Nos. IA-463, IC-8826, File No. 4-149]

PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

PART 275—RULES AND REGULATIONS, INVESTMENT ADVISERS ACT OF 1940

Variable Life Insurance; Rescission of Exemptive Rules

Notice is hereby given that the Securities and Exchange Commission ("Commission") has determined to rescind Rule 3c-4 (17 CFR 270.3c-4) under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.) ("Investment Company Act") and Rule 202-1 (17 CFR 275.202-1) under the Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.) ("Advisers Act") (hereinafter collectively referred to as "Rules"). These Rules exempted issuers of variable life insurance contracts which met certain specific requirements and certain investment advisers thereto from the provisions of the Investment Company and Advisers Acts.[1]

On February 27, 1975 the Commission announced withdrawal of proposed amendments to the Rules and proposed to rescind the Rules.[2] While rescission of the Rules would result in the application of the Investment Company and Advisers Acts to variable life insurance contracts, their issuers and related persons, the Commission also announced its intention to propose a rule under section 6(e) (15 U.S.C. 80a-6(e)) of the Investment Company Act which would conditionally exempt certain variable life insurance separate accounts from certain sections of this Act and the rules thereunder while requiring full compliance with all other provisions of this Act and rules.[3]

Rule 3c-4 defined the term "insurance company" as used in section 3(c)(3) (15 U.S.C. 80a-3(c)(3)) of the Investment

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[1] Securities Act Rel. No. 5360, Securities Exchange Act Rel. No. 9972, Investment Company Act Rel. No. 7644, Investment Advisers Act Rel. No. 359 (January 31, 1973), published in the FEDERAL REGISTER on February 13, 1973 (38 FR 4315).

[2] Investment Company Act Rel. No. 8690, Investment Advisers Act Rel. No. 439 (February 27, 1975), published in the FEDERAL REGISTER on March 12, 1975 (40 FR 11613). The comment period for the proposal was to expire on March 31, 1975 but was extended to April 18, 1975 (Investment Company Act Rel. No. 8706, Investment Advisers Act Rel. No. 443 (March 5, 1975)), and further extended to June 2, 1975 (Investment Company Act Rel. No. 8761, Investment Advisers Act Rel. No. 453 (April 16, 1975), published in the FEDERAL REGISTER on April 24, 1975 (40 FR 18007)).

[3] Investment Company Act Rel. No. 8691, Investment Advisers Act Rel. No. 440 (February 27, 1975), published in the FEDERAL REGISTER on March 12, 1975 (40 FR 11614). The comment period for this matter was to expire on April 18, 1975 but was extended to June 2, 1975 (Investment Company Act Rel. No. 8760, Investment Advisers Act Rel. No. 452 (April 16, 1975), published in the FEDERAL REGISTER on April 24, 1975 (40 FR 18007)).

Company Act to include a separate account which was employed as the funding medium for variable life insurance contracts. For this purpose, the Rule defined a variable life insurance contract as any contract of insurance issued by an insurance company which, so long as premiums were paid when due, provided a death benefit which varied to reflect the investment experience of a separate account established and maintained by such insurance company and which met the four additional criteria specified in paragraph (b) of the Rule.

Rule 202–1 excluded from the definition of the term "investment adviser" set forth in section 202(a)(11) (15 U.S.C. 80b–2(a)(11)) of the Advisers Act, an insurance company, or any affiliated company thereof to the extent that any advisory services performed were incidental to the conduct of the business of issuing any variable life insurance contract as defined in Rule 3c–4 under the Investment Company Act or any interest or participation in a separate account issued in connection with such contract.

In adopting the rules, and later in considering amendments thereto, the Commission expressed concern that regulations be developed by state insurance authorities which would provide investor protection substantially equivalent to relevant protections afforded by the Investment Company and Advisers Acts, and that such regulations be adopted prior to the sale to the public of variable life insurance contracts. Specifically, the Commission indicated that if substantial regulatory deficiencies existed and were not likely to be remedied, the Commission would consider whether it was necessary or appropriate to modify or rescind the Rules.[4] These concerns prompted the Commission on September 20, 1973 to request comments,[5] and on January 31, 1974, to order a public hearing on proposed amendments to the Rules and on the Model Variable Life Insurance Regulation adopted by the National Association of Insurance Commissioners in December 1973.[6]

Based on the comments and testimony received in response to these releases, as well as the extensive prior submissions made throughout the Commission's consideration of the status of variable life insurance under the federal securities laws, and the comments submitted in response to the proposal to rescind the Rules, and in light of the difficulties which have been and would be encountered in developing and enforcing a regulatory pattern administered by diverse authorities which would afford protections to investors substantially equivalent to protections available under the Investment Company Act, the Commission has concluded that the exemptions provided by Rules 3c–4 and 202–1 would not assure necessary investor protections, including, but not limited to, prohibitions against excessive management fees, administrative fees and sales charges, controls to prevent unfair contract provisions with respect to redemption of contractholder interests, management accountability to investors and independent review of the operations of the separate account, prohibitions against breaches of fiduciary duty, and private rights of action with respect to investor protection provisions.

Accordingly, the Commission has determined that rescission of the Rules is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policies and provisions of the Investment Company and Advisers Acts. Therefore, pursuant to authority granted the Commission in section 6(c) and 38(a) (15 U.S.C. 80a–6(c) and 80a–37(a)) of the Investment Company Act and sections 202(a)(11), 206A and 211(a) (15 U.S.C. 80b–2(a)(11), 80b–6a and 80b–11(a)) of the Advisers Act, the Commission hereby rescinds §§ 270.3c–4 and 275.–202–1 of 17 CFR Chapter II, effective July 30, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

JUNE 18, 1975.

[FR Doc.75–17096 Filed 6–30–75;8:45 am]

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

[Docket No. R–472; Order No. 531]

PART 3—ORGANIZATION; OPERATION; INFORMATION AND REQUESTS; MISCELLANEOUS CHARGES; ETHICAL STANDARDS

PART 260—STATEMENTS AND REPORTS (SCHEDULES)

Natural Gas Curtailments

JUNE 25, 1975.

By Notice issued May 12, 1975, and published in the FEDERAL REGISTER on May 16, 1975, (40 FR 21492) in Docket No. R–472 pursuant to section 553 of Title 5 of the United States Code and the Natural Gas Act, sections 4, 5, 7, 8, 10, 14, 15 and 16, (52 Stat. 822, 823, 824, 825, 826, 828, 829, 830; 56 Stat. 83, 84; 61 Stat. 459; 76 Stat. 72; 15 U.S.C. 717c, 717d, 717f, 717g, 717l, 717m, 717n, 717o) the Federal Power Commission (FPC) proposed to add a new form which is to be filed by all interstate pipeline companies subject to its jurisdiction that supply natural gas, including LNG and SNG, directly to end-use customers. This new form is required in order to determine the extent to which alternate fuels may be utilized to meet the requirements of those end-use customers who will not be able to continue to satisfy their energy needs with natural gas due to the imposition of increasing levels of curtailment upon such customers by interstate pipeline companies or foreign suppliers of natural gas. In order to obtain this information, the Commission will add a new § 260.15 to Part 260 (Statements and Reports (Schedules)) of Subchapter G (Approved Forms, Natural Gas Act) of Chapter I of Title 18 of the Code of Federal Regulations.

The Commission in its Order No. 523 issued in Docket No. R–472 on February 6, 1975, withheld passing upon the inclusion of Schedule 1B and Schedule 1C in FPC Form No. 16 in deference to numerous comments that had been submitted by interested parties.[1] It was noted in the Order that the comments urged our postponement of any action on those schedules in this proceeding until agreement was reached among the Commission, the Federal Energy Administration (FEA) and the National Association of Regulatory Utility Commissioners (NARUC) on expanded information desired by the FEA. FPC-Form No. 69 was developed by the Federal Power Commission in coordination with the FEA, NARUC, and other governmental agencies after a series of informal conferences as provided for in Order No. 523 were conducted on these matters. Form No. 69 seeks the type of data that was initially sought under the aforementioned proposed schedules 1B and 1C of FPC Form No. 16. The acquisition of the data sought in FPC Form No. 69 and the similar complementary form to be promulgated by the FEA is an essential prerequisite to any subsequent measures that may be taken to offset the disruptive impact envisaged under the increased curtailments of natural gas.

Form No. 69 will be filed with this Commission only by judisdictional suppliers. Suppliers of natural gas who are not subject to the jurisdiction of the Federal Power Commission will not be affected by the promulgation of Form No. 69, but will be required to file a similar and complementary form with the FEA. Those suppliers of natural gas subject to FPC jurisdiction would file only with the FPC. In this manner, a single

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[4] Securities Act Rel. No. 5360, Securities Exchange Act Rel. No. 9972, Investment Company Act Rel. No. 7644, Investment Advisers Act Rel. No. 359 (January 31, 1973) at page 5, published in the FEDERAL REGISTER on February 13, 1973 (38 FR 4315, 4317).

[5] Investment Company Act Rel. No. 8000, Investment Advisers Act Rel. No. 391 (September 20, 1973), published in the FEDERAL REGISTER on September 26, 1973 (38 FR 26816).

[6] Investment Company Act Rel. No. 8216, Investment Advisers Act Rel. No. 399 (January 31, 1974), published in the FEDERAL REGISTER on February 11, 1974 (39 FR 5209).

[1] Schedule 1A that was incorporated into FPC Form No. 16 by Order No. 523 only shows system-wide summary information concerning pipeline company supply, requirements and curtailments.

Proposed Schedule 1B to the latter form, upon which action was deferred in Order No. 523, would have required each curtailed distributor receiving 100,000 Mcf per year or more to provide the names of the customers curtailed by such distributor, the volumes involved, certain end-use data, alternate fuel information, location, and SIC code.

The proposed Schedule 1C, also deferred, would have required pipelines to provide end-use, location, SIC code and alternate fuel information for each large direct customer curtailed by the pipeline. (SIC Code relates to the Standard Industrial Classification issued by the Office of Management and Budget.)

coordinated form may be filed by those required to report with the Federal Power Commission, and thereby satisfy the mutual requirements of both the FPC and the FEA for this data. This will reduce the burden on those persons required to report and will further enable better coordination of information between the FPC and the FEA as well as with the members of NARUC.

The FEA under its statutory obligations is primarily concerned with information relating to the alternate fuels and the quantities of the specific alternates fuels that can serve to satisfy the needs of those portions of this nation's industrial and commercial complex that previously utilized natural gas as a fuel but will not be able to satisfy their energy needs with natural gas as a result of the increasing severity of curtailment anticipated by interstate pipeline companies.

Similarly, this Commission has a need for this information in order to meet its responsibilities under the Natural Gas Act where it has a mandate to require that those pipeline companies subject to its jurisdiction adopt curtailment plans that are in the national and public interest.[3] The Commission requires this information in support of its continuing endeavor to develop curtailment plans for interstate pipelines and their customers that are required and in the public interest and to determine both in specific cases and on a general basis how to minimize the harmful impact that the gas supply deficiency may have on the various sectors of the nation's industrial complex.

Hence, both this Commission and the FEA require this information in order to fulfill the important statutory obligations with which they are charged. The information as required by Form No. 69 must be provided on a continuing and routine basis due to the fact that the natural gas supply situation requires continual revision of curtailment forecasts by interstate pipeline companies to their customers. The information concerning what alternate fuels, if any, can be substituted for the natural gas supplies that will be or are being curtailed by interstate pipelines relative to service to their direct end-use customers is a matter required to assist the Commission in formulating its over-all curtailment policy as well as specific curtailment plans for individual interstate pipeline companies.

Nine responses to the notice of proposed rulemaking have been received. Four of the responses oppose the adoption of Form No. 69 and request that the Commission terminate the instant proceeding.[3] The National Association of Regulatory Utility Commissioners (NARUC) indicated in its response that it strongly favors the promulgation of this form and El Paso Natural Gas Company stated that it does not oppose the adoption of Form No. 69. Mountain Fuel Supply Company filed late comments favorable to the coordinated efforts envisaged by the promulgation of Form No. 69.[4]

The Commission does not concur in the statements of Texas Gas, INGAA, and Iowa-Illinois that the FEA should proceed alone under its statutory prerogatives and obtain the data directly from the end-use customers of natural gas pipeline companies. Form No. 69 represents only part of a coordinated effort undertaken by this Commission and the FEA to acquire essential data on a national basis which is required by both agencies in fulfilling their statutory obligations.

The collection of data by the Commission, through Form 69, is directed only to those areas within this Commission's sphere of jurisdiction and relates to the acquisition of information needed by it in these critical times of natural gas shortage. The FEA will collect complementary information from suppliers of gas not subject to this Commission's jurisdiction regarding the gas uses and requirements of their end-use customers. The coordinated effort by the FPC and FEA is intended to avert duplication of effort and lighten the reporting burden of the companies involved, and yet assure each agency of obtaining information necessary to its respective functions.

Iowa-Illinois and INGAA contend that pipeline suppliers of natural gas do not have access to certain information concerning end-use customers called for by Form No. 69 with respect to alternate fuels, SIC designations, and workdays lost as a result of natural gas curtailments. The Commission is cognizant of the fact that jurisdictional pipelines might not be intimately acquainted with every aspect of the operations of their direct sales customers. However, those pipelines have a close working relationship with this type of customer. Since the imposition of curtailments by this Commission, natural gas pipelines have been required on numerous occasions to provide many different types of data necessary for Commission decisions relative to the problems associated with the natural gas shortage, including the imposition of curtailment plans. Unfortunately, the critical natural gas shortage makes it necessary for the collection of this data as expeditiously as possible. The Commission must therefore require that those natural gas pipeline companies subject to its jurisdiction undertake to collect from their end-use customers the information called for in Form No. 69. It seems obvious that in the event a pipeline supplier does not have available in its own files information required by Form No. 69, that such information would be readily accessible upon communication with its direct end-use customer.

Iowa-Illinois and INGAA contend that they might have difficulty in certifying to the truth and accuracy of some of the information obtained from their direct end-use customers. However, the certification goes only to the best knowledge of the certifier. The instructions now include the statement that respondents are expected to use reasonable care in assuring the completeness and accuracy of the data supplied by the end-use customers, but respondents are not required to conduct an independent investigation of the data so supplied. We do not believe the certification places an unfair burden upon the jurisdictional companies.

In the Notice we requested comments "on the question of whether the information obtained on Form No. 69 could be provided to the FEA and other Federal or state agencies, or placed in the Commission's public files in aggregate or disaggregate form without breaching any right to confidentiality which respondents might claim with respect to the information set out in their report."

The only comments tendered registering opposition to any distribution of the information obtained from Form No. 69 where in the responses submitted by Texas Gas and Phelps Dodge. Phelps Dodge contends that it considers its fuel usages to be confidential. Texas Gas is of the opinion that some of the data solicited might be competitive information which should not be made public. It urges that such information should be filed with the Commission or FEA on a confidential basis. It contends that the direct customers may see fit to release this information to other agencies but stresses that this is not within this Commission's purview.

El Paso notes that it has no objection to the release of the data to be collected on Form No. 69. El Paso further notes that it has contacted its major direct customers and that such customers have advised it that they do not regard this data as being confidential. It does caution however that one or more of its other direct customers may desire that this information be kept confidential.[5]

The comments received on this issue do not demonstrate that the dissemination of data from Form No. 69 by this

[3] "FPC v. Louisiana Power and Light Company," 406 U.S. 621 (1973).

[3] Texas Gas Transmission Corporation (Texas Gas), Interstate Natural Gas Association of America (INGAA) and Iowa-Illinois Gas and Electric Company oppose the adoption of Form No. 69. Phelps Dodge Corporation (Phelps Dodge) also indicated opposition to this form.

[4] Late comments were also received from Arkansas Louisiana Gas Co. asking that only semi-annual reports be filed 45–60 days after the end of the quarter, aggregated reporting by state, and elimination of the worker-days lost information requirement and Public Service Electric and Gas Co. in New Jersey stating the information sought is too voluminous. Our instructions however make clear that the data is to be furnished on all Schedules only for those customers that were or are to be curtailed. This should reduce the volume of data to be reported.

[5] Mountain Fuel in its untimely comments states that industrial customers often have confidential processes and strongly urges the Commission to limit access to specific company reports to Federal and State agencies exhibiting specific need for the information and that such information be made public only after the adoption of measures that would protect the identity of the specific company involved.

Commission to the FEA, or other Federal and state agencies, or the public would be necessarily detrimental to private interests. No response has been received directly from any person, except Phelps Dodge, claiming a need to maintain the information confidential.

The FEA is authorized by law to obtain this information in its own right. And, as the Commission has previously found with respect to other information gathering programs necessary to alleviate or mitigate the effects of the gas shortage, such data should be available not only to all other governmental agencies but the public as well since the value to the public of this information far outweighs any demonstrated pecuniary interest in confidentiality.[6] Just as with energy supplies, there is a great public interest in the potential alternative energy requirements of this nation's industries. Our comments in Opinion No. 687–A are similarly applicable here:

> * * * In Opinion No. 687 we explained that we could not guarantee the confidentiality of the data as against Congressional demands and stated our opinion that the data should be placed in the public file where it would be available to the natural gas industry and to Federal and State agencies, as well as the general public. We now take notice that at the present time because of the gas shortage and energy crises there is great public interest in the potential energy supplies of the United States, who owns them and what use is being made of them. Without this knowledge the public would be unable to appraise and react intelligently towards the actions of government agencies having a responsibility in the field of energy, including this Commission. In our opinion the public, which is asked to curtail the use of energy and to pay at a higher rate for smaller supplies, has the right and need to know who is or is not responsible for the present situation so that it may understand and judge the measures which This Commission and other government agencies are taking to alleviate the situation. Such knowledge, in our opinion, will be directly contributory to the effectiveness of regulatory steps taken by this Commision within its statutory responsibilities.[7]

The information collected on Form No. 69 can in any event be made public by staff where relevant in any litigated proceeding or when relevant may be made available upon request to any party to a proceeding.[8] Consequently, the information gathered on Form No. 69 will be routinely provided the FEA for use in its activities and placed in the public file for use by other governmental agencies and the public.

In its comments, Texas Gas also contends that the base period chosen may not be representative in that many of the pipelines were actually in curtailment at that time. The Commission recognizes this fact and did not intend that it serve as a limit upon the requirements of direct end-use customers, as is normally the case under the curtailment plans being implemented by jurisdictional pipeline companies. The base period prescribed is intended for purposes of general analysis and to provide some insight into the impact the increased incremental curtailment may have on alternate fuel requirements.

Although Form No. 69 as promulgated herein is not similar in appearance to the proposed Form No. 69 attached to our Notice of rulemaking issued on May 12, 1975, the change in appearance does not substantively change the form as it was initially noticed. The data and information requested remains the same. The change in the lay-out of the form and the expanded instructions were coordinated with FEA and will make it compatible with automatic data processing and is intended to ease the task of providing the information requested.

In our notice of proposed rulemaking we called for a return of the form to the Commission by August 15, 1975. However, in the light of the national natural gas curtailments anticipated this winter, we feel compelled to shorten the return date of the initial submission of this form to August 1, 1975, in order to ensure analysis of the data in a timely manner and to enable early reports on the alternative fuels required due to gas curtailments this winter. The subsequent quarterly reports will be due thirty days after the end of the quarter.

The Commission has reviewed all of the other comments submitted by the respondents who opposed our adoption of Form No. 69 and finds that they are without merit and should be denied.

The Commission finds. (1) The notice and opportunity to participate in this proceeding through the submission in writing of data, views, comments, and suggestions in the manner described above and by participation in the public meeting heretofore described are consistent and in accordance with the procedural requirements in 5 U.S.C. 553.

(2) FPC Report Form No. 69 relating to the alternate fuel demand of direct end-use customers of interstate pipeline companies due to natural gas curtailments as set forth in Appendix A hereto is necessary and appropriate in carrying out the provisions of the Natural Gas Act.

(3) FPC Report Form No. 69 herein promulgated will provide the Commission periodically with information showing what alternate fuel, if any, can be substituted for the natural gas supplies that are presently being curtailed or will be curtailed by interstate pipeline companies relative to the service rendered to their direct end-use customers.

The Commission acting pursuant to the provisions of the Natural Gas Act as amended, particularly sections 4, 5, 7, 8, 10, 14, 15 and 16 thereof (52 Stat. 822, 823, 824, 825, 826, 828, 829, 830; 56 Stat. 83, 84; 61 Stat. 459, 76 Stat. 72; 15 U.S.C. 717c, 717d, 717f, 717g, 7171, 717m, 717n, 7170), orders:

(A) Section 3.170 of Part 3, Organization; operation; information and requests; miscellaneous charges; ethical standards, Subchapter A, General Rules, Chapter I, Title 18 of the Code of Federal Regulations, is revised, effective as of the date of the issuance of this order, to read as follows:

§ 3.170 Approved Forms, etc.:

(a) The following is a list of approved forms, statements, and reports, under the Natural Gas Act, descriptions of which have been published in Subchapter G, Parts 250 and 260 of this chapter.

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(28) Form No. 69 report of alternate fuel demand due to natural gas curtailments § 260.15 of this chapter.

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(B) The Commission's regulations, Part 260, Statements and Reports (Schedules), in Subchapter G, Approved Forms, Natural Gas Act, Chapter I, Title 18 of the Code of Federal Regulations is revised, effective as of the date of the issuance of this order, by adding a new § 260.15, prescribing a new FPC Form No. 69, Report of Alternate Fuel Demand Due to Natural Gas Curtailments, in the form set out in Appendix A hereto. New § 260.15 will read:

§ 260.15 Form No. 69 Report of Alternate Fuel Demand Due to Natural Gas Curtailments.

(a) The form Alternate Fuel Demand Due to Natural Gas Curtailments designated as FPC Form No. 69 is prescribed.

(b) Each natural gas company making direct sales in interstate commerce of natural gas (including SNG and LNG) to customers consuming such gas shall prepare and file with the Commission an original and four copies of Report of Alternate Fuel Demand Due to Natural Gas Curtailments, FPC Form No. 69 on or before August 1, 1975, for the actual annual period from April 1, 1974, to March 31, 1975, and for the quarterly period ending June 30th and thereafter on a quarterly basis on or before April 30th, July 30th, October 30th, and January 30th of each year.

(C) FPC Report Form No. 69, Relating to the alternate fuel demand of direct end-use customers of interstate pipeline companies due to natural gas curtailments, is adopted in the form set forth in Appendix A hereto.[9]

(D) The proceeding in the instant docket, noticed on May 12, 1975, is concluded.

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[6] Investigation Of Rates Charged For Nonjurisdictional Sales Of Natural Gas By Natural Gas Companies Subject To The Jurisdiction Of The Federal Power Commission, Order No. 521, Order Establishing Data Collection System To Investigate Rates Charged For Nonjurisdictional Sales of Natural Gas By Natural Gas Companies Subject To The Jurisdiction Of The Federal Power Commission, issued January 9, 1975, p. 6, citing "F.P.C v. Schreiber." 381 U.S. 279, 298 (1965) and Opinion And Order Requiring Production Of Gas Reserve Data, Opinion No. 687, Docket No. R–405–A,—F.P.C.—(issued February 4, 1974), as amended, Opinion And Order Denying Rehearing, Opinion No. 687–A, Docket No. R–405–A,—F.P.C.—(issued April 3, 1974).

[7] See note 6, above, mimeo, pp. 1–2.

[8] See 18 CFR 2.72, Availability of Information Acquired by Staff Investigation, Docket No. RM74–24, Order No. 509–B, Issued August 23, 1974.

[9] Appendices A, B, and C filed as part of the original document.

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

By the Commission.

[SEAL] MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17064 Filed 6-30-75;8:45 am]

Title 20—Employees' Benefits

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

[Regs. No. 1, 22]

PART 401—DISCLOSURE OF RECORDS AND OFFICIAL INFORMATION

PART 422—ORGANIZATION AND PROCEDURES

Subpart E—Availability of Information and Records to the Public

POLICIES ON PROTECTING CONFIDENTIALITY OF RECORDS AND AVAILABILITY OF INFORMATION TO THE PUBLIC

On April 23, 1975, there was published in the FEDERAL REGISTER (40 FR 17849) a Notice of proposed rule making and proposed amendments to Regulations No. 1 and 22 of the Social Security Administration.

The proposed amendments provided that the only information in the records of the Social Security Administration that will be protected from disclosure by Regulation No. 1 is information relating to individuals. At present, the language of Regulation No. 1 protects from disclosure all information, including information which does not relate to individuals, obtained by the Department which relates to or is used in the Social Security Administration programs, except as otherwise provided in the regulation.

The proposed amendments also provided that the question of whether other information not protected by Regulation No. 1 can be made available to the public will be governed by the regulations of the Department of Health, Education, and Welfare on availability of information to the public, pursuant to the Freedom of Information Act (45 CFR Part 5) and Subpart E of 20 CFR Part 422 of this Chapter (Social Security Administration Regulations No. 22). This information would thus be available to the public unless exempted from disclosure by that law and these implementing regulations.

There are now 22 exceptions to the prohibition against disclosure in Regulation No. 1. The proposed amendments would have deleted three of these exceptions since they cover information that does not relate to individuals. Since two of the three exceptions do not cover any individual information, there is no need to list them as exceptions. These exceptions proposed for deletion are found in paragraphs (o) and (t) of § 401.3 of Regulation No. 1. These paragraphs cover the disclosure of information relating to agreements and modifications of agreements for the coverage of State and local employees entered into pursuant to section 218 of the Social Security Act and disclosure of information relating to payments to providers furnishing services under title XVIII of the Social Security Act. This information will remain available to the public even though regulations may no longer specifically so state. For the reason given below, the third exception, paragraph (k) of § 401.3 of Regulation No. 1, is being retained.

Subpart E of Regulations No. 22 governs the availability of information to the public. The proposed amendments to Subpart E provide for disclosure to the public of Medicare survey reports and cost reports submitted by title XVIII providers and for disclosure of information about charges made by providers to State agencies for administration of titles V and XIX grants-in-aid programs and to the Department of the Army for the administration of its Civilian Health and Medical Program of the Uniformed Services.

Interested persons were given the opportunity to submit within 30 days, comments, views, or arguments with regard to the proposed amendments. Comments were received from a variety of sources including representatives of national, state, and local organizations. The comments received are discussed below. Some writers approved the changes. Most objections concerned records dealing with the Medicare program.

Several writers objected generally to the proposal to limit the scope of protection of privacy afforded by Regulation No. 1. It was suggested that protection continue to be extended to persons, both natural and legal, rather than simply natural persons. To adopt this suggestion would effectively rescind the proposed rule making. A major purpose of the proposal was to remove the blanket of protection now extended to other than natural persons. This broad protection is in basic conflict with the Freedom of Information Act. It should be emphasized that all records pertaining to corporations and other artificial persons will not automatically become available for public inspection; however, whether a specific record will be made available will depend upon whether the Freedom of Information Act will permit the Social Security Administration to refuse to make the document available.

Another comment supported the proposed revisions but suggested they did not go far enough in that official reports and other formal evaluations dealing with physicians and other practitioners should be subject to disclosure. It is not certain what reports and evaluations the writer had in mind beyond those made available by § 401.3(v), as the Social Security Administration has no regular procedure for reporting upon and evaluating physicians. Even if such reports existed, it is questionable whether the Privacy Act (5 U.S.C. 552a) would permit their disclosure without the consent of the individual concerned when the pertinent provisions of that act go into effect on September 27, 1975.

Several protested the release of Joint Commission on Accreditation of Hospitals (JCAH) survey reports. Such reports have not been released and release of such reports is not a matter of administrative discretion. A specific statute (section 1865(a)(2) of the Social Security Act) requires that JCAH survey reports in the possession of the Social Security Administration be kept confidential. However, other JCAH documents are not within the scope of section 1865(a)(2) and would be released under this regulation.

Concern was also expressed about the release of data and information obtained by professional standards review organizations (PSRO). The confidentiality of PSRO data is outside the scope of the proposal. It will be the subject of a separate regulation which will deal specifically with that subject.

Objections were lodged to provisions of §§ 401.3(v)(2) and 422.435(b)(2) which permit the disclosure of names of physicians and providers of services who have been found by a Medicare carrier or intermediary to have been furnishing services substantially in excess of medical needs. The writer recognized this as simply a restatement of existing regulation, but suggested there was a lack of assurance of due process. Due process is observed because both existing and proposed regulations provide that the carrier or intermediary may act only after consultation with the appropriate peer group and only after the physician or provider has been given an opportunity to offer evidence in his behalf.

It was noted that §§ 401.3(u) and 422.434 seemed duplicative as both dealt with disclosure of essentially the same information and further that § 422.434 seemed misplaced as Part 422 deals with disclosure to the public but § 422.434 permitted release only to certain Federal and State agencies. Concededly, there is an appearance of duplication; however, § 401.3(u) was intended to deal with individuals (e.g., physicians) while § 422.434 is intended to deal with legal entities (e.g., hospitals; "physicians" is included in this section to deal with those who have formed professional associations and whose precise status as a natural or legal person is open to question).

One writer noted that §§ 422.430(b)(19) and 422.433 (a), (b), and (c) provide for disclosure of certain reports regarding institutions and facilities together with any "pertinent" written statements furnished by the institution or facility on the report, but that no criteria defining "pertinent" were set out. It was suggested that the institution or facility should be given an opportunity to select what it considers pertinent statements. As a matter of practice, all statements furnished by the institution or facility are released. Thus, it follows that "pertinent" is whatever the institution chooses to so consider.

In the same vein, two writers suggested that deficiency reports were often poorly drafted or contained errors, and that such reports be edited before release to include only those deficiencies ultimately found to be valid. It is extremely doubtful that the Freedom of Information Act will permit such editing; the

complete report must be released. However, the writter may have overlooked the fact that written comments made by the institution on the report are included in the material released to the public. It is assumed that the institution would comment upon any errors it considers serious.

The remainder of the comments concerned release of Medicare cost reports. Most writers either objected to the proposal or sought to place restrictions upon the conditions under which the reports would be released. Arguments made against release of reports were: "the reports were complex and beyond the full understanding of the general public * * * their release will lead to much confusion, misunderstanding, and will not serve any meaningful or productive purpose." "A violation of the Freedom of Information Act." "Cause irreparable harm to the health care industry from such situations as disclosure to labor unions, consumer groups, and others who can use the information to virtually destroy these facilities." "It does not concern the public. It can be used only by a competitor." "Many are privately owned and their owners have a right to privacy." "Discriminatory in that it does not apply to all providers of services among whom are physicians and others."

The argument that the Freedom of Information Act prohibits disclosure is incorrect as the gist of that Act is to direct disclosure. The Freedom of Information Act would seem to require that these records be made available, except that they may be withheld to the extent that they contain commercial or financial information which is privileged or confidential. However, the Social Security Administration has concluded that it is not in the public interest to withhold the reports from the public. The reimbursement of provider costs, the amount of which is determined through analysis of cost report data, is a public business, and, as such, the records involved in the process of implementing this part of the program should be public records. Providers participating in Medicare and submitting such reports received a total of $6,821,463,000 for fiscal year 1973. An expenditure of public funds of this magnitude carries with it a corollary that the public assure itself the funds are properly paid.

Disclosure of cost reports of institutional providers of services but not about individual providers of services is not discriminatory as these two classes of providers do not participate in the program under the same circumstances. Participating providers of services under Part A (Hospital Insurance Benefits) of Medicare sign a formal agreement and agree to reimbursement under the terms of the agreement. It is the reports they submit to justify reimbursement which are the subject of disclosure. Physicians and suppliers of services under Part B (Supplementary Medical Insurance Benefits) have no such agreement and submit no comparable cost reports.

The writer who alleged that disclosure would cause irreparable harm to the health care industry offered no evidence in support of this assertion. The Social Security Administration knows of no evidence and does not accept the assertion that labor unions and consumer groups are seeking to destroy the hospitals of the United States.

Several types of limitations suggested by commenters were: release only to those who have a legitimate and beneficial use, and do not release to competitors. These limitations are inconsistent with the Freedom of Information Act. An agency generally has no authority to inquire why a member of the public wishes a particular record.

Inquiries were made as to whether the Secretary will continue to give 10 days advance notice prior to release, as was stipulated in the case of American Hospital Association v. Caspar W. Weinberger, Civil Action No. 74-727 in the U.S. District Court for the District of Columbia. The 10 day notice will be given as long as the stipulation remains in effect. However, this is a separate issue, and the final regulations do not reflect this agreement.

It was suggested that reports prepared prior to May 1, 1974, not be released until 90 days after this regulation goes into effect. (On that date the Secretary made generally known his proposal to release the reports.) It is not perceived that any useful purpose would be served by such proposal. Providers who wish to comment upon their reports will be notified under the 10-day stipulation that their report has been sought, and they can address their comments directly to the requester.

Finally, it was suggested that the provider be given the option of preparing an abstract of the complete cost report and that this abstract be released to the public. The Social Security Administration considers this contradictory to the basic purpose underlying the provision. It would enable the provider to conceal from the public any information it chose.

It was proposed to revoke section (k), which deals with disclosure of statistical data. However, this section also authorizes disclosure of certain individually identifiable information to other Federal agencies for use in statistical and planning work only. Since revocation would rescind this authority, the section will not be revoked at this time. It will be rewritten at a later date to distinguish between personal and nonpersonal information.

Accordingly, the amendments are adopted with minor editorial changes.

(Secs. 205, 1102, and 1106 of the Social Security Act, 53 Stat. 1368, as amended, 49 Stat. 647, as amended, 53 Stat. 1398, as amended; 42 U.S.C. 405, 1302, and 1306.)

Effective date. These amendments shall be effective July 31, 1975.

(Catalog of Federal Domestic Assistance Program Nos. 13.800-13.807, Social Security Programs.)

Dated: June 11, 1975.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: June 20, 1975.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

Parts 401 and 422 of Chapter III of Title 20 of the Code of Federal Regulations are amended as set forth below.

1. Section 401.1 is revised to read as follows:

§ 401.1 Prohibition against disclosure.

Except as hereinafter authorized by this part or as otherwise expressly authorized by the Commissioner of Social Security, disclosure shall not be made, directly or indirectly, of (a) any return or portion of a return (including information returns or other written statements) filed with the Commissioner of Internal Revenue under the provisions of the Federal Insurance Contributions Act or the Self-Employment Contributions Act (and their predecessors), or under regulations made under authority thereof, which has been transmitted to the Department of Health, Education, and Welfare by the Commissioner of Internal Revenue, or (b) information relating to individuals obtained at any time by or from the Department or any officer or employee of the Department, or any person, agency, or organization with whom the Social Security Administration (or the pertinent agency of a State) has entered into an agreement or contract to perform certain functions, including the performance of medical examinations, in the administration of titles II, XVI, and XVIII of the Social Security Act. The release of other information is governed by the regulations of the Department of Health, Education, and Welfare on availability of information to the public, pursuant to the Freedom of Information Act (45 CFR Part 5), and by Subpart E of Part 422 of this chapter. Any file or record which would be available pursuant to such regulations but for the inclusion of information not disclosable under this part, will be made available with the nondisclosable information omitted.

2. Section 401.3 is amended by revising the introductory material preceding paragraph (a) and by revoking and reserving paragraphs (o) and (t), and by revising paragraphs (u) and (v).

§ 401.3 Disclosure of information relating to individuals.

Disclosure of information relating to individuals is hereby authorized in the following cases and for the following purposes:

* * * * *

(o) [Reserved]

* * * * *

(t) [Reserved]

* * * * *

(u) To any officer or employee of an agency of the Federal or a State government lawfully charged with the administration of a program receiving grants-in-aid under titles V and XIX of the Social Security Act for the purpose of administration of such titles, or to any officer or employee of the Department of the Army, Department of Defense, solely for the administration of its Civilian Health and Medical Program of the Uniformed Services (CHAMPUS), the following information, except that the re-

lease of such information shall not be authorized by a fiscal intermediary or carrier:

(1) Information, including the identification number, concerning charges made by physcians and other individuals, and amounts paid under title XVIII of the Act for services furnished to beneficiaries by such physicians and other individuals to enable the agency to determine the proper amount of benefits payable for medical services performed in accordance with such programs; or

(2) Information as to physicians or other individuals that has been disclosed under paragraph (l)(1) or (q) of this section.

(v) To the public: The name of any provider of services, physician, or other person furnishing services to beneficiaries under title XVIII of the Act who—

(1) Has been found by a Federal court to have been guilty of submitting false claims in connection with title XVIII; or

(2) Has been found by a carrier or intermediary, after consultation with a professional medical association functioning external to program administration or, if appropriate, the State medical authority, to have been engaged in a pattern of furnishing services to such beneficiaries which are substantially in excess of their medical needs; except that the name of any such provider of services, physician, or other person shall not be disclosed pursuant to a finding under this subparagraph (2), unless such provider, physician, or other person, as the case may be, has first been afforded a reasonable opportunity to offer evidence on his behalf.

* * * * *

3. Section 401.4 is amended by revising paragraph (f) to read as follows:

§ 401.4 Definitions.

As used in this part, the term:

* * * * *

(f) "Individual" means only a natural person.

4. Section 422.401 is revised to read as follows:

§ 422.401 Scope and purpose.

The regulations in this subpart relate to the availability to the public, pursuant to 5 U.S.C. 552, of records of the Social Security Administration and its components. They set out what records are available and how they may be obtained. These regulations do not revoke, modify, or supersede the regulations of the Social Security Administration relating to disclosure of information published in Part 401 of this chapter. Further, the regulations in this subpart supplement the regulations of the Department of Health, Education, and Welfare relating to availability of information pursuant to 5 U.S.C. 552, codified in 45 CFR 5.1 et seq., and do not replace or restrict them.

5. Section 422.402 is revised to read as follows:

§ 422.402 Record defined.

As used in this subpart, the term "record" has the same meaning as that provided in 45 CFR 5.5.

6. Section 422.426 is amended by revising paragraph (a) to read as follows:

§ 422.426 Information or records that are not available.

(a) *Specific exemptions from disclosure.* Pursuant to paragraph (b) of 5 U.S.C. 552, certain classes of records are exempt from disclosure. For some examples of the kinds of materials which are exempt, see Subpart F of the public information regulation of the Department of Health, Education, and Welfare (45 CFR Part 5) and the appendix to such regulation.

* * * * *

7. Section 422.430 is amended by revising paragraph (b)(19) to read as follows:

§ 422.430 Materials available at district offices and branch offices.

(b) *Materials available for inspection and copying.* The following materials are available or will be made available for inspection and copying at the district offices and branch offices:

* * * * *

(19) Statements of deficiencies based upon survey reports of health care institutions or facilities prepared after January 31, 1973, by a State agency, and such reports (including pertinent written statements furnished by such institution or facility on such statements of deficiencies), as set forth in § 422.433(a). Such statements of deficiencies, reports, and pertinent written statements shall be available or made available only at the district office and the regional office servicing the area in which the institution or facility is located, except that such statements of deficiencies and pertinent written statements shall also be available at the local public assistance offices servicing such area.

* * * * *

8. A new section § 422.433 is added to read as follows:

§ 422.433 Availability of official reports on providers of services, State agencies, intermediaries, and carriers under title XVIII of the Social Security Act.

The following shall be made available to the public under the conditions specified:

(a) *Statements of deficiencies and survey reports on providers of services prepared by State agencies.* (1) Statements of deficiencies based upon official survey reports prepared after January 31, 1973, by a State agency pursuant to its agreement entered into under section 1864 of the Social Security Act and furnished to the Social Security Administration, which relate to such State agency's findings on the compliance of a health care institution or facility with the applicable provisions in section 1861 of such Act and with the regulations, promulgated pursuant to such provisions, dealing with health and safety of patients in such institutions and facilities; and (2) such State agency survey reports. Such statement of deficiencies or report and any pertinent written statements furnished by such institution or facility on such statement of deficiencies shall be disclosed within 90 days following the completion of the survey by such State agency, but not to exceed 30 days following the receipt of such report by the Administration. (See § 422.430(b)(19) for places where statements of deficiencies, reports, and pertinent written statements shall be available.)

(b) *Social Security Administration reports on providers of services.* Upon request in writing, official reports and other formal evaluations (including followup reviews), excluding references to internal tolerance rules and practices contained therein, internal working papers or other informal memoranda, prepared by the Social Security Administration and completed after January 31, 1973, which relate to the performance of providers of services under title XVIII of the Social Security Act: *Provided*, That no information identifying individual patients, physicians, or other practitioners, or other individuals shall be disclosed under this paragraph. Such reports and other evaluations shall be disclosed within 30 days following the final preparation thereof by the Social Security Administration during which time such providers of services shall be afforded a reasonable opportunity to offer comments, and there shall be disclosed with such reports and evaluations any pertinent written statements furnished the Social Security Administration by such providers on such reports and evaluations.

(c) *Contractor performance review reports.* Upon request in writing, official contractor performance review reports and other formal evaluations (including followup reviews), excluding references to internal tolerance rules and practices contained therein, internal working papers or other informal memoranda, prepared by the Social Security Administration and completed after January 31, 1973, which relate to the evaluation of the performance of (1) intermediaries and carriers under their agreements entered into pursuant to sections 1816 and 1842 of the Social Security Act and (2) State agencies under their agreements entered into pursuant to section 1864 of such Act (including comparative evaluations of the performance of such intermediaries, carriers, and State agencies). The latest Contract Performance Review Report pertaining to a particular intermediary or carrier, prepared prior to February 1, 1973, may also be disclosed to any person upon request in writing. Such reports and evaluations shall be disclosed within 30 days following the final preparation thereof by the Social Security Administration (or 30 days following the request therefor, in the case of the contract

performance review report prepared prior to February 1, 1973), during which time such intermediaries, carriers, and State agencies, as the case may be, shall be afforded a reasonable opportunity to offer comments, and there shall be disclosed with such reports and evaluations any pertinent written statements furnished the Social Security Administration by such intermediaries, carriers, or State agencies on such reports and evaluations.

9. A new § 422.434 is added to read as follows:

§ 422.434 Release of title XVIII information to State and Federal agencies.

(a) Except as provided in paragraph (b) of this section, the following information may be released to an officer or employee of an agency of the Federal or a State government lawfully charged with the administration of a program receiving grants-in-aid under title V and XIX of the Social Security Act for the purpose of administration of such titles, or to any officer or employee of the Department of Army, Department of Defense, solely for the administration of its Civilian Health and Medical Program of the Uniformed Services (CHAMPUS):

(1) Information, including the identification number, concerning charges made by physicians, other practitioners, or suppliers, and amounts paid under title XVIII of the Act for services furnished to beneficiaries by such physicians, other practitioners, or suppliers, to enable the agency to determine the proper amount of benefits payable for medical services performed in accordance with such programs; or

(2) Information as to physicians or other practitioners that has been disclosed under § 401.3(i)(1) or § 401.3(q) of Part 401 of this chapter.

(3) Information relating to the qualifications and certification status of hospitals and other health care facilities obtained in the process of determining whether, and certifying as to whether, institutions or agencies meet or continue to meet the conditions of participation of providers of services or whether other entities meet or continue to meet the conditions for coverage of services they furnish.

(b) The release of such information shall not be authorized by a fiscal intermediary or carrier.

10. A new § 422.435 is added to read as follows:

§ 422.435 Release of title XVIII information to the public.

The following shall be made available to the public under the conditions specified:

(a) Information as to amounts paid to providers and other organizations and facilities for services to beneficiaries under title XVIII of the Act: *Provided*, that no information identifying any particular beneficiaries shall be disclosed under this paragraph.

(b) The name of any provider of services or other person furnishing services to beneficiaries under title XVIII of the Act who—

(1) Has been found by a Federal court to have been guilty of submitting false claims in connection with title XVIII; or

(2) Has been found by a carrier or intermediary, after consultation with a professional medical association functioning external to program administration or, if appropriate, the State medical authority, to have been engaged in a pattern of furnishing services to such beneficiaries which are substantially in excess of their medical needs; except that the name of any provider or other person shall not be disclosed pursuant to a finding under this subparagraph (2), unless such provider or other person has first been afforded a reasonable opportunity to offer evidence on his behalf.

(c) Upon request in writing, cost reports submitted by providers of services pursuant to section 1815 of the Act to enable the Secretary to determine amounts due such providers.

[FR Doc.75-16866 Filed 6-30-75;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

[Docket No. 75N-0128]

PART 510—NEW ANIMAL DRUGS

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Tylosin

The Commissioner of Food and Drugs has evaluated a new animal drug application (98-970V) filed by the Rath Packing Co., PO Box 330, Waterloo, IA 50704, proposing safe and effective use of tylosin premix for the manufacture of swine feed. The application is approved, effective July 1, 1975.

The Commissioner is amending Parts 510 and 558 (formerly Parts 135 and 135e prior to recodification published in the FEDERAL REGISTER of March 27, 1975 (40 FR 13802)) to reflect the approval as set forth below.

Therefore, under provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))), and under authority delegated to the Commissioner (21 CFR 2.120), Parts 510 and 558 are amended as follows:

1. In Part 510, § 510.600 (formerly § 135.501) is amended by alphabetically inserting a sponsor listing in paragraph (c)(1) and numerically inserting a sponsor listing in paragraph (c)(2), to read as follows:

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

* * * * *

(c) * * *

(1) * * *

Firm name and address:	*Drug listing No.*
* * * * *	
The Rath Packing Co., P.O. Box 330, Waterloo, IA 50704	028260
* * * * *	

(2) * * *

Drug listing No.:	*Firm name and address*
* * * * *	
028260	The Rath Packing Co., P.O. Box 330, Waterloo, IA 50704.
* * * * *	

2. In Part 558, § 558.625 (formerly § 135e.10) is amended by adding paragraph (b)(34) to read as follows:

§ 558.625 Tylosin.

* * * * *

(b) * * *

(34) To 028260: 0.8 gram per pound, paragraph (f)(1)(vi)(*a*) of this section.

* * * * *

Effective date. This order shall become effective July 1, 1975.

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

Dated: June 25, 1975.

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

[FR Doc.75-17070 Filed 6-30-75;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI 621]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The purpose of this notice is the identification of communities with areas of special flood/or mudslide/or erosion hazards in accordance with Part 1915 of Title 24 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001-4128). The identification of such areas is to provide guidance so that communities may adopt appropriate flood plain management measures to minimize damage caused by flood losses and to guide future construction, where practicable, away from locations which are threatened by flood hazards.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special flood hazards that is located within any community currently participating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazard areas have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after

that date, no such financial assistance can legally be provided for acquisition and construction in these areas unless the community has entered the program and flood insurance has been purchased.

Prior to July 1, 1975, where a community is not participating in the National Flood Insurance Program as of the date of identification, the Federal Insurance Administrator finds that comment and public procedure are impracticable and unnecessary under the meaning of 5 U.S.C. 533(b) and the use of delayed effective dates in identifying communities with areas of special hazard would be contrary to the public interest, since this identification is merely for the purpose of informing the public of the location of areas with special flood hazards and has no binding effect on the sale of insurance or the commencement of construction. Therefore, notice to the public is unnecessary, and contrary to the public interest.

After July 1, 1975, or where a community has been participating in the National Flood Insurance Program, even though no areas with special flood hazards in the community had previously been identified, the identification makes mandatory the purchase of insurance. Therefore, the effective date of identification will be on or before July 31, 1975, or the effective date of the Flood Hazard Boundary Map, whichever is later.

This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish that the community either is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The six months period shall be considered to begin on the effective date of publication in the FEDERAL REGISTER where the community is not participating prior to July 1, 1975. After July 1, 1975, or where the community is participating in the program, the six months period shall be considered to begin on or before July 31, 1975, or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin on or before July 31, 1975, or the effective date of the Flood Hazard Boundary Map, whichever is later.

Where several dates appear in the column set forth below marked Effective Date of Identification, the first date is the date of initial identification, and all other dates represent modification by additions or deletions to identified areas with special hazards.

Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of communities with special hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Arkansas	Pope	London, city of	H 060340 01 through H 060340 02	Division of Soil and Water Resources, State Department of Commerce, 1020 West Capitol Ave., Little Rock, Ark. 72201. Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72204.	Mayor, City of London, London, Ark. 72847.	Aug. 29, 1975
California	San Mateo	Burlingame, city of.	H 065019A 01 through H 065019A 04	Department of Water Resources, P.O. Box 388, Sacramento, Calif. 95802. California Insurance Department, 107 South Broadway, Los Angeles, Calif. 90012.	City Manager, City Hall, 501 Primrose Rd., Burlingame, Calif. 94010.	Do.
Colorado	Chaffee	Poncha Springs, town of	H 080230 01	Colorado Water Conservation Board, Room 102, 1845 Sherman St., Denver, Colo. 80203. Colorado Division of Insurance, 106 State Office Bldg., Denver, Colo. 80203.	Town Manager, Town of Poncha Springs, Poncha Springs, Colo. No ZIP Code.	Do.
Do	Garfield	Carbondale, town of.	H 080234 01	do	Board of Trustees, 15 8th St., Carbondale, Colo. 81623.	Do.
Idaho	Bonneville	Irwin, city of	H 160143 01 through H 160143 02	Department of Water Administration, State House, Annex 2, Boise, Idaho 83707. Idaho Department of Insurance, Room 206, Statehouse, Boise, Idaho 83707.	Mayor, City of Irwin, Irwin, Idaho 83446.	Do.
Do	do	Swan Valley, city of.	H 160154 01 through H 160154 04	do	Mayor, City of Swan Valley, Swan Valley, Idaho 83252.	Do.
Do	Franklin	Preston, city of	H 160186 01 through H 160186 02	do	Mayor, City of Preston, Preston, Idaho 83263.	Do.
Illinois	Du Page	Lombard, village of.	H 170212A 01 through H 170212A 04	Governor's Task Force on Flood Control, 300 North State St., Room 1010, P.O. Box 475, Chicago, Ill. 60610. Illinois Insurance Department, 525 West Jefferson St., Springfield, Ill. 62702.	Village President, Municipal Building, 48 North Park Ave., Lombard, Ill. 60148.	July 19, 1974. Aug. 29, 1975.
Do	Vermilion	Henning, village of.	H 170666 01	do	Mayor, City Hall, Henning, Ill. 61848	Do.
Indiana	Miami	Converse, town of.	H 180167A 01	Division of Water, Department of Natural Resources, 608 State Office Bldg., Indianapolis, Ind. 46204. Indiana Insurance Department, 509 State Office Bldg., Indianapolis, Ind. 46204.	Chairman, Town Board, Converse, Ind. 46919.	May 17, 1974. Aug. 29, 1975.
Do	Perry	Troy, town of	H 180198A 01	do	Chairman, Town Board, Troy, Ind. 47588.	May 31, 1974. Aug. 29, 1975.
Iowa	Polk	Des Moines, city of.	H 190227A 01 through H 190227A 19	Iowa Natural Resources Council, James W. Grimes Bldg., Des Moines, Iowa 50319. Iowa Insurance Department, Lucas State Office Bldg., Des Moines, Iowa 50319.	City Manager, City Hall, East 1st and Locust, Des Moines, Iowa 50307.	Sept. 6, 1974. Aug. 29, 1975.
Do	Greene	Churdan, town of.	H 190398 01 through H 190398 05	do	Mayor, Town of Churdan, Churdan, Iowa 50050.	Do.
Do	do	Jefferson, city of	H 190396 01 through H 190396 02	do	Mayor, City of Jefferson, Jefferson, Iowa 50129.	Do.
Do	Monona	Castana, city of	H 190462 01	do	City Manager, City of Castana, Castana, Iowa 51010.	Do.
Do	Ringgold	Diagonal, town of	H 190501 01	do	Town Manager, Town of Diagonal, Diagonal, Iowa 50845.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Kossuth	Bancroft, city of	H 190550 01	do	Mayor, City of Bancroft, Bancroft, Iowa 50517.	Do.
Do	Sioux	Boyden, town of	H 190556 01	do	Town Manager, Town of Boyden, Boyden, Iowa 51234.	Do.
Do	Clayton and Delaware	Edgewood, town of	H 190573 01	do	Town Manager, Town of Edgewood, Edgewood, Iowa 52042.	Do.
Do	Dubuque	Farley, town of	H 190578 01	do	Town Manager, Town of Farley, Farley, Iowa 52046.	Do.
Do	Marion	Knoxville, city of	H 190602 01 through H 190603 03	do	City Manager, City of Knoxville, Knoxville, Iowa 50138.	Do.
Do	Lyon	Larchwood, city of	H 190606 01	do	Mayor, City of Larchwood, Larchwood, Iowa 51241.	Do.
Do	Sac	Odebolt, city of	H 190633 01	do	Mayor, City of Odebolt, Odebolt, Iowa 51458.	Do.
Do	Boone	Ogden, town of	H 190634 01	do	Town Manager, Town of Ogden, Ogden, Iowa 50212.	Do.
Do	Jasper	Prairie City, city of	H 190642 01	do	Mayor, City of Prairie, Prairie, Iowa 50228.	Do.
Do	Fremont	Sidney, town of	H 190657 01	do	Town Manager, Town of Sidney, Sidney, Iowa 51652.	Do.
Do	Wapello	Blakesburg, town of	H 190704 01	do	Town Manager, Town of Blakesburg, Blakesburg, Iowa 52536.	Do.
Kansas	Wilson	Neodesha, city of	H 200339A 01	Division of Water Resources, State Board of Agriculture, Topeka, Kans. 66612. Kansas Insurance Department, 1st Floor Statehouse, Topeka, Kans. 66612.	Building Inspector, 114 South 4th St., Neodesha, Kans. 66757.	Jan. 9, 1974. Aug. 29, 1975.
Do	Marshall	Beattie, city of	H 200389 01	do	Mayor, City of Beattie, Beattie, Kans. 66406.	Do.
Do	Rush	Bison, city of	H 200391 01	do	City Manager, City of Bison, Bison, Kans. 67520.	Do.
Do	Jewell	Esbon, city of	H 200410 01	do	Mayor, City of Esbon, Esbon, Kans. 66941.	Do.
Do	Klowa	Mullinville, city of	H 200440 01	do	Mayor, City of Mullinville, Mullinville, Kans. 67109.	Do.
Do	Marshall	Waterville, city of	H 200556 01	do	Mayor, City of Waterville, Waterville, Kans. 66548.	Do.
Louisiana	Winn Parish	Calvin, village of	H 230266 01	State Department of Public Works, P.O. Box 44155, Capitol, Station, Baton Rouge, La. 70804. Louisiana Insurance Department, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Village Manager, Village of Calvin, Calvin, La. 71410.	Do.
Do	Sabine Parish	Converse, village of	H 230268 01 through H 230268 02	do	Village Manager, Village of Converse, Converse, La. 71419.	Do.
Michigan	Gratiot	Perrington, village of	H 260407 01	Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48926. Michigan Insurance Bureau, 111 N. Mosmer St., Lansing, Mich. 48913.	Village President, Village of Perrington, Perrington, Mich. No ZIP Code.	Do.
Minnesota	Goodhue	Wanamingo, city of	H 270147A 01	Division of Waters, Soils, and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-210 State Office Bldg., St. Paul, Minn. 55101.	Mayor, City of Wanamingo, Wanamingo, Minn. 55983.	May 10, 1974. Aug. 29, 1975.
Do	Pine	Askov, city of	H 270345A 01	do	Mayor, City of Askov, Askov, Minn. 55704.	Oct. 25, 1974. Aug. 29, 1975.
Do	Wadena	Menahga, city of	H 270403A 01 through H 270403A 02	do	Mayor, City of Menahga, Menahga, Minn. 54464.	Apr. 12, 1974. Aug. 29, 1975.
Mississippi	Quitman	Falcon, town of	H 280138 01	Mississippi Research and Development Center, P.O. Drawer 2470, Jackson, Miss. 39205. Mississippi Insurance Department, 910 Woolfolk Bldg, P.O. Box 79, Jackson, Miss. 39205.	Falcon Water Association Office, Town of Falcon, Falcon, Miss. 38628.	Do.
Missouri	Webster and Greene	Rogersville, city of	H 290658 01	Water Resources Board, P.O. Box 271, Jefferson City, Mo. 65101. Division of Insurance, P.O. Box 690, Jefferson City, Mo. 65101.	Mayor, City of Rogersville, Rogersville, Mo. 65742.	Do.
Montana	McCone	Circle, town of	H 300198 01	Montana Department of Natural Resources, and Conservation, Water Resources Division, Sam W. Mitchell Bldg., Helena, Mont. 59601. Montana Insurance Department, Capitol Building, Helena, Mont. 59601.	Town Manager, Town of Circle, Circle, Mont. 59215.	Do.
Nebraska	Cuming	West Point, city of	H 310048A 01 through H 310048A 02	Nebraska Natural Resources, Commission, P.O. Box 94725, State House Station, Lincoln, Nebr. 68509. Nebraska Insurance Department, 1335 L St., Lincoln, Nebr. 68509.	Mayor, City of West Point, West Point, Nebr. 68788.	Jan. 9, 1974. Aug. 29, 1975.
Do	Jefferson	Diller, village of	H 310360 01	do	Village Manager, Village of Diller, Diller, Nebr. 68342.	Do.
Do	Platte	Monroe, village of	H 310304 01	do	Village Manager, Village of Monroe, Monroe, Nebr. 68647.	Do.
Do	Cass	Elmwood, village of	H 310364 01	do	Village Manager, Village of Elmwood, Elmwood, Nebr. 68349.	Do.
Do	Dixon and Wayne	Wakefield, city of	H 310404 01	do	Mayor, City of Wakefield, Wakefield, Nebr. 68784.	Do.
New Mexico	Curry	Texico, town of	H 350117 01	State Engineer's Office, Batuan Memorial Bldg., Santa Fe, N. Mex. 87501. New Mexico Department of Insurance, P.O. Box 1269, Santa Fe, N. Mex. 87501.	Town Manager, Town of Texico, Texico, N. Mex. 88135.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
New York	Suffolk	East Hampton, town of.	H 360794 01 through H 360794 20	New York State Department of Environmental Conservation, Division of Resources Management Services, Albany, N.Y. 12201. New York State Insurance Department, 123 William St., New York, N.Y. 10038.	Mayor, Town of East Hampton, East Hampton, N.Y. No ZIP Code.	Do.
Ohio	Belmont	Holloway, village of.	H 390028A 01	Ohio Department of Natural Resources, Fountain Sq., Columbus, Ohio 43224. Director of Insurance, State of Ohio Department of Insurance, 115 East Rich St., Columbus, Ohio 43215.	Mayor, Municipal Bldg., Holloway, Ohio 43985.	Aug. 23, 1974.
Do.	do	Powhattan Point, village of.	H 390030A 01 through H 390030A 02	do	Mayor, Municipal Building, Powhattan Point, Ohio 43942.	Feb. 15, 1974.
Oklahoma	Delaware	Oaks, town of.	H 400314 01	Oklahoma Water Resources Board, 2241 NW. 40th St., Oklahoma City, Okla. 73112. Oklahoma Insurance Department, Room 408 Will Rogers Memorial Bldg., Oklahoma City, Okla. 73105.	Town Manager, Town of Oaks, Oaks, Okla. 74359.	Aug. 29, 1975.
Do.	Caddo	Cement, town of.	H 400356 01	do	Town Manager, Town of Cement, Cement, Okla. 73017.	Do.
South Dakota	Pennington	Box Elder, city of.	H 460080A 01 through H 460080A 03	South Dakota Planning Agency, State Capitol Bldg., Pierre, S. Dak. 57501. South Dakota Department of Insurance, Insurance Department, Pierre, S. Dak. 57501.	City Hall, City of Box Elder, Box Elder, S. Dak. No ZIP Code.	Oct. 25, 1974.
Texas	Cherokee	Alto, town of.	H 480740 01	Texas Water Development Board, P.O. Box 13087, Capitol Station, Austin, Tex. 78711. Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701.	Town Manager, Town of Alto, Alto, Tex. 75925.	Aug. 29, 1975.
Do.	Denton	Argyle, city of.	H 480775 01 through H 480775 02	do	Mayor, City of Argyle, Argyle, Tex. 76226.	Do.
Do.	Ellis	Milford, town of.	H 480802 01	do	Town Manager, Town of Milford, Milford, Tex. 76670.	Do.
Do.	Mills	Goldthwaite, city of.	H 480936 01	do	Mayor, City of Goldthwaite, Goldthwaite, Tex. 76844.	Do.
Do.	Navarro	Kerens, town of.	H 480995 01 through H 480995 02	do	Town Manager, Town of Kerens, Kerens, Tex. 75144.	Do.
Do.	Panola	Beckville, town of.	H 480967 01	do	Town Manager, Town of Beckville, Beckville, Tex. 75631.	Do.
Do.	Taylor	Tuscola, town of.	H 481017 01	do	Town Manager, Town of Tuscola, Tuscola, Tex. 79562.	Do.
Do.	Gregg	Lakeport, town of.	H 481169 01	do	Town Manager, Town of Lakeport, Lakeport, Tex. No ZIP Code.	Do.
Virginia	Culpeper	Culpeper, town of.	H 510042A 01 through H 510042A 04	Bureau of Water Control Management, State Water Control Board, 2nd Floor, Davenport Bldg., 11 South 10th St., Richmond, Va. 23219. Virginia Insurance Department, 200 Blanton Bldg., P.O. Box 1157, Richmond, Va. 23209.	Town and Co. Zoning Administrator, Davis St., Culpeper, Va. 22701.	June 28, 1974. Aug. 29, 1975.
Washington	Pierce	Wilkeson, town of.	H 530308 01	Department of Ecology, Olympia, Wash. 98501. Washington Insurance Department Insurance Bldg., Olympia, Wash. 98501.	Town Manager, Town of Wilkeson, Wilkeson, Wash. 98396.	Do.
Wisconsin	Dodge	Reeseville, village of.	H 550105A 01	Department of Natural Resources, P.O. Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 212 North Bassett St., Madison, Wis. 53701.	Village President, Village of Reeseville, Reeseville, Wis. 53579.	Nov. 15, 1974.
Do.	Grant	Lancaster, city of.	H 550120A 01	do	Mayor, City Hall, Lancaster, Wis. 53813.	May 31, 1974.
Do.	Outagamie	Little Chute, village of.	H 550307A 01	do	Village President, Village of Little Chute, Little Chute, Wis. 54140.	June 14, 1974.
Do.	Portage	Nelsonville, village of.	H 550339A 01	do	Village President, Nelsonville, Wis. 54458.	Jan. 23, 1974. Aug. 29, 1975.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Pub. L. 91-152, Dec. 24, 1969) (42 U.S.C. 4001-4127); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: June 24, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16914 Filed 6-30-75;8:45 am]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

Withdrawal of the New York Plan

Notice is hereby given that the State of New York has withdrawn its approved State plan, effective June 30, 1975. Consequently, subpart L of Part 1952 of Title 29, Code of Federal Regulations, is revoked, as of that date.

The State, in a letter from Governor Hugh L. Carey dated March 14, 1975, has given notice of its intention to withdraw its approved plan effective June 30, 1975. In accordance with 29 CFR 1951.25(d), the State will also terminate its grant approved under section 23(g) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 672) (hereinafter called the Act) effective June 30, 1975.

In accordance with section 18(f) of the Act, the State may retain jurisdiction in any case commenced before June 30, 1975, the effective date of the withdrawal.

This decision does not preclude the submission of another occupational safety and health plan by New York under section 18 of the Act at some future time.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Washington, D.C. this 24th day of June 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-17087 Filed 6-30-75;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER I—FEDERAL PROCUREMENT REGULATIONS

[FPR Amdt. 149]

PART 1-3—PROCUREMENT BY NEGOTIATION

Basic Agreements With Educational Institutions and Nonprofit Organizations

This amendment of the Federal Procurement Regulations prescribes procedures designed to encourage the interagency use of basic agreements for the procurement of research and development from educational institutions and nonprofit organizations. Subpart 1-3.4 heretofore has described the use of basic agreements. However, it has not specifically referred to research and development or to interagency use of such agreements. Recommendation B-11 of the Commission on Government Procurement provided as follows: "Encourage the use of master agreements of the grant and contract types, which when executed should be used on a work order basis by all agencies and for all types of performers." The Commission based this recommendation on the observation that time and effort could be saved by both the Government and the performers of research and development through the use of prenegotiated terms and conditions allowing for new or additional work to be contracted for on a work order basis. After extensive study of this recommendation by the General Services Administration and the Department of Defense, it was determined that the purposes of the recommendation would be served to the maximum extent practicable by encouraging the use of basic agreements with educational institutions and nonprofit organizations. The amendment is designed to implement the Commission's recommendation.

The table of contents for Part 1-3 is amended to add new and revised entries, as follows:

Sec.
1-3.410-2 Basic agreements with educational institutions and nonprofit organizations.
1-3.410-3 Basic ordering agreement.

Subpart 1-3.4—Types of Contracts

Section 1-3.410 is amended by redesignating § 1-3.410-2 as § 1-3.410-3 and adding a new § 1-3.410-2. As amended, the section reads as follows:

§ 1-3.410 Other types of agreements.

* * * * *

§ 1-3.410-2 Basic agreements with educational institutions and nonprofit organizations.

(a) This section sets forth information and procedures regarding basic agreements for the procurement of research and development from educational institutions and nonprofit organizations.

(b) An appropriate basic agreement may be negotiated with each educational institution and nonprofit organization (except Federally Funded Research and Development Centers (FFRDC), including the Federal Contract Research Centers (FCRC) as they are designated in the Department of Defense (DOD)), in accordance with the conditions set forth in § 1-3.410-1. Agencies are encouraged to obtain and utilize the basic agreements entered into by both other civilian agencies and DOD to the maximum practicable extent.

(c) The responsibility for negotiating basic agreements with educational institutions and nonprofit organizations for the DOD has been assigned to the Office of Naval Research, 800 North Quincy Street, Arlington, Virginia 22217. At the beginning of each fiscal year the Office of Naval Research will issue a listing of DOD current basic agreements. Copies of the agreements are maintained by the Office of Naval Research and are available to procurement activities of civilian agencies upon request.

(d) The responsibility for negotiating basic agreements for the civilian agencies rests with each individual agency. Each agency shall report its agreements to the FPR Staff, Office of Procurement Management, AMC, 15 days after September 30, each year.

(e) A list of civilian agency basic agreements will be compiled by the General Services Administration. The list will be combined with the DOD list, and will be published at the beginning of each fiscal year in FPR Bulletins.

§ 1-3.410-3 Basic ordering agreement.

* * * * *

(Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486(c)))

Effective date. This amendment is effective August 11, 1975, but may be observed earlier.

Dated: June 23, 1975.

ARTHUR F. SAMPSON,
Administrator of General Services.

[FR Doc.75-17112 Filed 6-30-75;8:45 am]

CHAPTER 101—FEDERAL PROPERTY MANAGEMENT REGULATIONS

SUBCHAPTER B—ARCHIVES AND RECORDS

[FPMR Amdt. B-27]

PART 101-11—RECORDS MANAGEMENT

Standard and Optional Forms Program

This regulation revises Subpart 101-11.8, Standard and Optional Forms Program, to more clearly define the scope, objectives, and applicability of the program. The major changes are as follows:

(a) The responsibilities of the Federal agencies and GSA/NARS are clearly defined in separate paragraphs of the regulation;

(b) Standard Form 152, Request for Clearance, Procurement, or Cancellation of Standard and Optional Forms, has been revised to provide for clearance by GAO when required, to indicate conformance with applicable Federal Information Processing Standards, and to allow use of other printing specification forms that pertain to specialized printing requirements;

(c) New procedures have been developed for clearing Standard and Optional forms that relate to public and interagency reporting requirements, specifically:

(1) Forms relating to public reporting requirements imposed by regulatory agencies must be cleared with the General Accounting Office;

(2) Forms relating to public reports requested by non-regulatory agencies must be cleared with the Office of Management and Budget; and

(3) Forms relating to reports levied on an executive branch department or agency by another department or agency must be cleared by GSA/NARS.

(d) Agencies are required to consider the applicability of the Federal Information Processing Standards (FIPS) and the provisions of the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act of 1974 (Pub. L. 93-579) when developing new or revised Standard and Optional forms.

The table of contents for Part 101-11 is amended by revising Subpart 101-11.8 and § 101-11.4920 as follows:

Subpart 101-11.8—Standard and Optional Forms Program

Sec.
101-11.800 Scope of subpart.
101-11.800-1 Benefits and objectives.

Sec.

101–11.801 Authority.
101–11.802 Definitions.
101–11.802–1 Form.
101–11.802–2 Standard form.
101–11.802–3 Optional form.
101–11.802–4 Promulgating agency.
101–11.802–5 Sponsoring agency.
101–11.803 Agency program responsibilities.
101–11.804 GSA/NARS responsibilities.
101–11.805 Approval procedures.
101–11.805–1 Standard forms.
101–11.805–2 Optional forms.
101–11.806 Special provisions.
101–11.806–1 Exceptions to Standard forms.
101–11.806–2 Application of Federal Information Processing Standards (FIPS) to Standard and Optional forms.
101–11.806–3 Employee suggestions.
101–11.806–4 Standard and Stock (Optional) forms subject to GAO approval.
101–11.806–5 Standard and Optional forms interface with public reports approved by GAO.
101–11.806–6 Standard and Optional forms interface with public reports approved by OMB.
101–11.806–7 Standard and Optional forms interface with interagency reports approved by GSA.
101–11.807 Procurement of stocks of Standard and Optional forms.
101–11.808 Agency compliance.

Subpart 101–11.49—Forms and Reports

101–11.4920 Standard Form 152, Request for Clearance, Procurement, or Cancellation of Standard and Optional Forms.

AUTHORITY: Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486(c)).

Subpart 101–11.8 is revised as follows:

Subpart 101–11.8—Standard and Optional Forms Program

§ 101–11.800 Scope of subpart.

(a) This subpart sets forth the scope, objectives, guidelines, and procedures required to manage and operate the Standard and Optional Forms Program. This program is a centralized and specialized implementation of the Government-wide forms management policies and guidelines prescribed in § 101–11.208–1, Forms—Agency program responsibilities.

(b) The scope of the Standard and Optional Forms Program is Government-wide and focuses on those forms which are the information or data carriers for standardized systems that are developed and installed throughout the Federal establishment. The benefits which can be accrued from standardization are well known and the Standard and Optional Forms Program has the potential to make a substantial contribution in this area; for example:

(1) Simlar forms and systems frequently are used for essentially the same purpose in different agencies of the Government. In such instances the development of a Standard or Optional form can result in substantial benefits to the Government.

(2) New programs, new legislation, and the establishment of new agencies provide numerous opportunities for beneficial standardization.

(3) The expanded use of computers and communication systems makes the standardization of data elements as well as formats for the interchange of information increasingly more essential.

§ 101–11.800–1 Benefits and objectives.

The benefits of a standardized forms program include uniform and improved procedures for processing forms, reduced printing and stocking costs, reduced training time of employees, and simplified direction and application. The objectives of the Standard and Optional Forms Program are to:

(a) Conduct continuing analysis of Government-wide practices to determine potential for economy and simplification of paperwork by standardizing data elements and systems, with particular attention to systems employing computers and electronic communications;

(b) Assist agencies in studies and projects to consolidate similar forms and systems;

(c) Coordinate these studies and projects with all interested agencies;

(d) Serve as approval authority for the clearance of new and revised Standard and Optional forms; and

(e) Ensure that all applicable laws, statutes, and regulations (e.g., Freedom of Information Act (5 U.S.C. 552), the Privacy Act of 1974 (Pub. L. 93–579), and Federal Information Processing Standards (FIPS) issued under the provisions of Pub. L. 89–306 (79 Stat. 1127) are considered in the development and review of all Standard and Optional forms.

§ 101–11.801 Authority.

(a) The Standard and Optional Forms Program was developed and operated by the Office of Management and Budget (OMB) consistent with the authorities prescribed by the Budget and Accounting Act of 1921. Responsibility for the program was assumed on May 29, 1967, by GSA/NARS through agreement with OMB.

(b) The Standard and Stock forms promulgated by the Comptroller General or those subject to his approval pursuant to the provisions of section 309 of the Budget and Accounting Act of 1921 (31 U.S.C. 49) and section 114 of the Accounting and Auditing Act of 1950 (31 U.S.C. 66(b)) are excluded from the clearance authorities of this program. (However, such forms will be included in the GSA/NARS clearance procedures contained herein.)

§ 101–11.802 Definitions.

§ 101–11.802–1 Form.

A form is any document, including letters, post cards, and memorandums, printed or otherwise reproduced with space for filling in information, descriptive material, or addresses. Certain printed items without fill-in space, such as contract provisions, instruction sheets, notices, tags, labels, and posters, may be considered as forms when it is advantageous to identify and control them as forms for purposes of reference, printing, stocking, distribution, and use with other forms.

§ 101–11.802–2 Standard form.

A Standard form is a form prescribed by a Federal agency, pursuant to its authority, and approved by GSA for mandatory use. Such mandatory use is set forth in regulations of the promulgating agency (§ 101–11.802–4).

§ 101–11.802–3 Optional form.

An Optional form is a form developed for use in two or more agencies and approved by GSA for nonmandatory use. The availability of the form is usually announced by the sponsoring agency (§ 101–11.802–5).

§ 101–11.802–4 Promulgating agency.

A promulgating agency is any Federal agency that develops and prescribes a Standard form as defined in § 101–11.802–2.

§ 101–11.802–5 Sponsoring agency.

A sponsoring agency is any Federal agency that develops an Optional form as defined in § 101–11.802–3.

§ 101–11.803 Agency program responsibilities.

Each agency shall:

(a) Develop each new and revised Standard and Optional form in accordance with the:

(1) Forms design guidelines specified in the applicable forms management handbook in the GSA/NARS Records Management series; e.g., Forms Analysis, Forms Design, Specialty Forms;

(2) Agency's chartered mission, responsibilities, and regulatory authority;

(3) Applicable Federal Information Processing Standards (FIPS) established by the National Bureau of Standards, Department of Commerce, under the provisions of Pub. L. 89–306 (79 Stat. 1127); Executive Order 11717 dated May 9, 1973; and 15 CFR Part 6;

(4) Provisions of the Freedom of Information Act (5 U.S.C. 552); and

(5) Provisions of the Privacy Act of 1974 (Pub. L. 93–579).

(b) Designate an official and an alternate to serve as liaison with NARS on the Standard and Optional Forms Program. Submit in writing the name, title, location, and telephone number of each designee to the General Services Administration (NRI), Washington, D.C. 20408. Submit similar information for each replacement representative to the above address within 30 calendar days after the new appointment is made.

(c) Avoid duplication of existing Standard and Optional forms and encourage originators of forms to consider using an existing form instead of developing a new one.

(d) Periodically review all Standard and Optional forms it originates to (1) cancel those not in use, (2) identify those that need revision, and (3) determine those that could be consolidated with similar Standard and Optional forms originated by other agencies.

(e) Distribute the GSA/NARS approved list of current Standard and Optional forms to appropriate agency forms officials.

(f) Obtain Standard and Optional forms in the manner prescribed in § 101–26.302.

(g) Return all printing proofs to General Services Administration (NRI), Washington, DC 20408, within 5 workdays after receipt.

§ 101–11.804 GSA/NARS responsibilities.

GSA/NARS will:

(a) Review and/or approve all new or revised Standard and Optional forms

(b) Maintain and distribute to all agencies a current list of all approved Standard and Optional forms

(c) Provide technical assistance and consulting services on the management of Standard and Optional forms

(d) Coordinate with GAO and OMB all Standard and Optional forms within their clearance jurisdiction

(e) Develop, initiate, and coordinate special studies on Government-wide forms practices to determine potential areas for economy and simplification of paperwork by standardizing data elements and systems

(f) Ensure that all proposed Standard and Optional forms are in conformance with the provisions of applicable laws, statutes, and regulations (e.g., Freedom of Information Act, the Privacy Act of 1974, Federal Information Processing Standards), and

(g) Return all printing proofs to GSA/Region 3 Federal Supply Service within 10 workdays after receipt.

§ 101–11.805 Approval procedures.

This section prescribes the procedures applicable to Federal agencies and GSA/NARS when establishing, revising, or discontinuing Standard or Optional forms.

§ 101–11.805–1 Standard forms.

(a) *New and revised Standard forms.* (1) Standard forms shall be submitted to NARS by the promulgating agency, using Standard Form 152, Request for Clearance, Procurement, or Cancellation of Standard and Optional Forms, after necessary coordination with those organizations outside the promulgating agency. List the names, titles, and organizations of persons with whom this material was discussed. Indicate concurrences. Summarize any major problems on which agreement could not be reached. (See form illustrated in § 101–11.4920.)

(2) NARS will notify the promulgating agency of its approval or disapproval by an appropriate entry in Section III of Standard Form 152. If the form is approved, one signed copy will be returned to the promulgating agency for its records; the second copy will be furnished to GSA/Region 3 Federal Supply Service to provide printing and stocking specifications for procuring stock of the approved Standard form. (See § 101–26.302.)

(3) When such a Standard form is printed, the Standard form number assigned by NARS, the month and year of promulgation (or the month and year of revision), the name of the promulgating agency, and a reference citation of the agency regulation which requires its mandatory use as a Standard form will appear on the lower right corner of the form.

(b) *Discontinuance of Standard forms.* Before a promulgating agency notifies the using agency that the mandatory use of a Standard form is no longer required, it shall notify NARS of its intention. In such instances, NARS may (1) authorize continued use of the form on an optional basis, (2) make arrangements for the form to be promulgated as a Standard form by another agency, or (3) concur with the promulgating agency that there is no need for the continued use of the form. NARS will inform the promulgating agency of its decision.

§ 101–11.805–2 Optional forms.

(a) Proposed Optional forms or revisions to existing Optional forms shall be submitted to NARS by the sponsoring agency using Standard Form 152. NARS will evaluate such proposals in consultation with interested agencies and will indicate its decision by an appropriate entry in Section III of Standard Form 152. If the form is approved, one copy will be returned to the sponsoring agency for its records; the second copy will be sent to GSA/Region 3 Federal Supply Service to provide printing and stocking specifications for procuring stock of the approved Optional form. (See § 101–26.302–6.)

(b) When such an approved Optional form is printed, the Optional form number assigned by NARS, the month and year of approval (or the month and year of the revision), and the name of the sponsoring agency will appear on the lower right corner of the form. When a form is approved for optional use, announcement thereof will usually be made to potential users by the sponsoring agency.

§ 101–11.806 Special provisions.

§ 101–11.806–1 Exceptions to Standard forms.

In the interest of establishing and maintaining uniformity to the greatest extent feasible, every effort should be exerted to keep exceptions of Standard forms to a minimum. Exceptions affected by paragraphs (a) and (b) of this section will carry the notation "exception to SF–XXX approved by (*final clearing agency*) (*month*) (*year*)" below the form number element. If this is not possible, the exception approval should be printed in an area close to the form number element.

(a) When an agency believes it is not feasible to use a Standard form for its purpose and in the prescribed manner or when it desires to make substantive changes in the content of an approved Standard form which do not affect format or printing specifications, that affected agency shall submit to the promulgating agency identified on the Standard form its request for exception or deviation with an appropriate explanation and justification. The promulgating agency shall, after review, forward its reply to the requesting agency and send a copy of the reply to General Services Administration (NRI), Washington, DC 20408. Such exceptions become void when a Standard form is revised.

(b) When an agency desires to alter the format or change printing specifications of an approved Standard form, that agency shall submit, on Standard Form 152 to the agency identified on the Standard form as the promulgating agency, its request for exception or deviation with an appropriate explanation and justification. The promulgating agency shall, after review, forward the request with its own recommendations to NARS for final clearance.

(c) If overprinting of Standard forms is desired, it is permissible without clearance from the promulgating agency, provided such overprinting is fully consistent with the purposes and intent of the Standard form and procurement is in accordance with § 101–26.302. Overprinting may include names, addresses, or uniform entries.

§ 101–11.806–2 Application of Federal Information Processing Standards (FIPS) to Standard and Optional forms.

Each proposed Standards and Optional form shall be reviewed for applicability and shall be used in conformance with FIPS to the extent they are applicable. FIPS that are applicable to Standard and Optional forms are part of a Government-wide program for standardizing data elements and representations which are used and interchanged in Government data systems. The objective of this standardization program is to make maximum use of the data resources of the Federal Government and to avoid unnecessary duplications and incompatibilities in collecting, processing, and disseminating data. The current FIPS publications will be used in reviewing each proposed Standard and Optional form. (Information concerning these standards and their availability can be obtained from the office of ADP Standards Management, Institute for Computer Sciences and Technology, National Bureau of Standards, Washington, DC 20234.)

(a) *Applicability.* The following types of standards as defined in FIPS publications apply to Standard and Optional forms:

(1) Federal General and Federal Program Data Standards, and

(2) Other ADP standards for media, interchange codes, data transmission, and optical character recognition are applicable when data is to be collected and interchanged in a machine readable form.

(b) *Certification.* After the proposed Standard or Optional form has been reviewed and compared with applicable FIPS, one or more of the following certifications will be indicated in block 12 of SF 152.

(1) "Format and contents are in conformance with FIPS PUB Nos. (enter applicable numbers)."

(2) "Format and contents are not applicable to FIPS."

(3) "Approval has been obtained to deviate from FIPS (attach copy of approval)."

§ 101–11.806–3 Employee suggestions.

Employee suggestions that propose changes in the design, printing specifications, or use of a Standard or Optional form should be sent to the promulgating/sponsoring agency for evaluation.

§ 101–11.806–4 Standard and Stock (Optional) forms subject to GAO approval.

Standard and Stock forms promulgated by or subject to the approval of the Comptroller General are also included in the GSA/NARS clearance procedures contained herein. By agreement between GSA and GAO, Standard and Stock form requests shall be submitted to General Services Administration (NRI), Washington DC 20408, using SF 152.

§ 101–11.806–5 Standard and Optional forms interface with public reports approved by GAO.

(a) Pursuant to the Federal Reports Act of 1942, as amended (87 Stat. 593), GAO is responsible for the clearance of reports requested from the public by regulatory agencies of the executive branch. Proposed new, revised, and exceptions to forms must be cleared by GAO as well as GSA/NARS.

(b) By agreement between GSA and GAO, such Standard and Optional forms public report documents shall be submitted to General Services Administration (NRI), Washington, DC 20408, using Standard Form 83, Clearance Request and Notice of Action. NARS will forward the request documents to GAO for review and approval. Only items 6, 14, 15, and 16 need to be filled in on the SF 83 when it is forwarded with the SF 152.

§ 101–11.806–6 Standard and Optional forms interface with public reports approved by OMB.

(a) Pursuant to the Federal Reports Act of 1942 (44 U.S.C. 3501–3512), OMB is responsible for the clearance of reports requested from the public by nonregulatory agencies of the executive branch and for reports from Federal agencies or employees which are to be used for statistical compilations of general public interest. Proposed new, revised, and exceptions to forms must be cleared by OMB (OMB Circular A–40, Revised), and by GSA/NARS.

(b) By agreement between GSA and OMB, such Standard and Optional forms public report documents shall be submitted to General Services Administration (NRI), Washington, DC 20408, using SF 83. NARS will forward the documents to OMB for review and approval. Only items 6, 14, 15, and 16 need to be filled in on the SF 83 forwarded with the SF 152.

§ 101–11.806–7 Standard and Optional forms interface with interagency reports approved by GSA.

Pursuant to the Federal Records Act (44 U.S.C. 3102) and OMB Circular A–40, Revised, subject: Management of Federal reporting requirements, GSA is responsible for the clearance of reports levied on an executive branch agency by another agency (interagency reports). Standard and Optional forms used for interagency reporting purposes shall be submitted to General Services Administration (NRI), Washington, DC 20408, using Standard Forms 152 and 360, Request for Clearance of an Interagency Reporting Requirement, for review and approval.

§ 101–11.807 Procurement of stocks of Standard and Optional forms.

General procedures for procuring stocks of Standard and Optional forms or modifications thereof are in § 101–26.302, Standard and Optional forms.

§ 101–11.808 Agency compliance.

NARS conducts periodic reviews of each agency to assess its records management programs and achievements as outlined in § 101–11.103, Agency program evaluation. The Standard and Optional Forms Program is one item in the review of agency records management programs.

Subpart 101–11.49—Forms and Reports

Section 101–11.4920 is revised to illustrate the January 1975 edition of Standard Form 152, as follows:

§ 101–11.4920 Standard Form 152, Request for Clearance, Procurement, or Cancellation of Standard and Optional Forms.

NOTE: The form in § 101–11.4920 is filed as part of the original document and does not appear in the FEDERAL REGISTER.

Effective date. This regulation is effective July 1, 1975.

Dated: June 23, 1975.

DWIGHT A. INK,
Acting Administrator of General Services.

[FR Doc.75–17113 Filed 6–30–75;8:45 am]

Title 43—Public Lands: Interior

CHAPTER I—BUREAU OF RECLAMATION, DEPARTMENT OF THE INTERIOR

PART 430—RULES FOR MANAGEMENT OF LAKE BERRYESSA

Policy and Criteria

Effective July 1, 1975, the Bureau of Reclamation will assume recreation management responsibilities of Lake Berryessa, Napa County, California, and will succeed Napa County in administering contracts with the seven (7) separate concessioners.

Under each of the concession contracts, procedures are included which afford the concessioners the right of review if their contracts are terminated for default or unsatisfactory performance. This procedure provides for hearings and actions by the Napa County Board of Supervisors.

Because the Bureau of Reclamation will be replacing Napa County in the concession contracts, the contractual provisions regarding termination for breach needs modifying. The purpose of this notice is to designate an alternative mechanism to assure each concessioner his right of review.

Title VI of Pub. L. 93–493, 88 Stat. 1494, provides for the Secretary of the Interior to make such rules and regulations as are necessary to carry out the provisions of Title VI. Accordingly, title 43 of the Code of Federal Regulations will be amended by adding a new Part 430 as follows:

§ 430.1 Concessioners' appeal procedures.

The procedures detailed in Title 43, Part 4, Subpart G of the Code of Federal Regulations are made applicable to the concessioners at Lake Berryessa, Napa County, California, as the procedure to follow in appealing decisions of the contracting officer of the Bureau of Reclamation, Department of the Interior, or his authorized representatives on disputed questions concerning termination for default or unsatisfactory performance under the concession contracts.

Because Part 430 consists of rules of agency organization, procedure, and practice, adoption of the new Part 430, through the rulemaking procedure prescribed in 5 U.S.C. 553, is not required, and the new Part 430 is, accordingly, adopted without resort to that procedure. In accordance with the public policy expressed in 5 U.S.C. 553 and Part 013, Department of the Interior Manual, Chapter 2, interested persons may, however, submit written comments, suggestions, data, or arguments concerning the new Part 430 to the Commissioner, Bureau of Reclamation, 18th and C Streets, NW., Washington, D.C. 20240, on or before July 31, 1975. All such comments received will be given full consideration. So that the Department of the Interior's new procedures will be in effect when the Bureau of Reclamation assumes management responsibilities at Lake Berryessa, good cause for waiver of the 30-day waiting period for effectiveness exists, and the new Part 430 will take effect on July 1, 1975.

Dated: June 27, 1975.

ROLAND G. ROBISON, Jr.,
Deputy Assistant Secretary, Land and Water Resources.

[FR Doc.75–17200 Filed 6–30–75;8:45 am]

CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5504]

[Colorado 13276]

COLORADO

Withdrawal of Public Lands for the Protection of Wildlife Habitat, and Archaeological and Recreational Values

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

1. Subject to valid existing rights, the following described public lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of disposition under the public land laws, including the mining laws, 30 U.S.C. Ch. 2, but not from

leasing under the mineral leasing laws, and reserved for the management, protection, and production of waterfowl and wildlife, and for the protection of public recreation and archaeological values:

NEW MEXICO PRINCIPAL MERIDIAN

T. 38 N., R. 11 E.,
Sec. 1;
Sec. 2, lots 1 thru 4, S½N½, SE¼;
Sec. 12;
Sec. 13, N½, N½S½, S½SE¼;
Sec. 24, NE¼.
T. 38 N., R. 12 E.,
Secs. 5 and 6;
Sec. 7, lots 1 thru 4, NE¼, E½NW¼, NE¼SW¼, SE¼;
Sec. 8;
Sec. 9, W½.

The areas described aggregate approximately 5,350.87 acres in Alamosa County.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws. However, leases, licenses, or permits will be issued only if the Department of the Interior finds that the proposed use of the lands will not interfere with the purpose of this withdrawal.

JACK O. HORTON,
Assistant Secretary of the Interior.

JUNE 23, 1975.

[FR Doc.75-17116 Filed 6-30-75;8:45 am]

[Public Land Order 5506]

[BLM 048089]

ARKANSAS

Amendment of Public Land Order No. 3836 (Fort Chaffee Military Reservation)

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

1. Public Land Order No. 3836 of September 27, 1965, as amended, which transferred from the Department of the Army to the Department of the Interior, jurisdiction over oil and gas deposits underlying certain acquired lands at Fort Chaffee Military Reservation, is hereby further amended to transfer jurisdiction over the oil and gas deposits within the following described lands:

FIFTH PRINCIPAL MERIDIAN

T. 7 N., R. 30 W.,
Sec. 11, SW¼NW¼, SW¼, and that portion of the SE¼ lying southwesterly of the south right-of-way line of Arkansas State Highway No. 22.
T. 7 N., R. 31 W.,
Sec. 1, that part of Lot 2 of the fractional NW¼ lying northerly of the northerly right-of-way line of the Missouri Pacific Railroad.

The areas described aggregate 434.50 acres.

2. Upon approval of this order the oil and gas deposits underlying the acquired lands described in paragraph 1 above immediately become subject to all of the terms, conditions, and limitations of Public Land Order No. 3836, as amended.

JACK O. HORTON,
Assistant Secretary of the Interior.

JUNE 23, 1975.

[FR Doc.75-17115 Filed 6-30-75;8:45 am]

[Public Land Order 5507]

[I-4733]

IDAHO

Revocation of Executive Orders Nos. 5277, 5481, and Public Land Order No. 1063; Withdrawal of Lands for Research, Historical, and Cultural Purposes

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

1. Executive Orders Nos. 5277 of February 7, 1930, and 5481 of November 14, 1930, and Public Land Order No. 1063 of February 3, 1955, withdrawing the following described lands for experimental and research purposes for the Department of Agriculture, are hereby revoked in their entireties:

BOISE MERIDIAN

T. 11 S., R. 15 E., sec. 23, NW¼.
T. 12 S., R. 15 E., sec. 4, SE¼NW¼, NE¼SW¼.
T. 10 S., R. 22 E., sec. 32, SE¼SE¼.

The area described contains 280 acres in Twin Falls and Cassia Counties.

2. Subject to valid existing rights, the lands described in paragraph 1 of this order are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, 30 U.S.C. Ch. 2, and from grazing under the Taylor Grazing Act, but not from leasing under the mineral leasing laws, for research and historic and cultural purposes. The lands will remain under the jurisdiction of the Bureau of Land Management for administration under the provisions of the Public Land Administration Act, 43 U.S.C. 1361, 1363.

JACK O. HORTON,
Assistant Secretary of the Interior.

JUNE 23, 1975.

[FR Doc.75-17117 Filed 6-30-75;8:45 am]

[Public Land Order 5508]

[Nevada 051742]

NEVADA

Correction of Public Land Order 5497

In FR Doc. 75—11444 appearing at page 18997 of the FEDERAL REGISTER of May 1, 1975, Public Land Order 5497, transferring jurisdiction of the Charles Sheldon Antelope Range, the land description reading Tps. 43, 44, 45, 46, 37 N., R. 23 E., is corrected to read Tps. 43, 44, 45, 46, 47 N., R. 23 E.

JACK O. HORTON,
Assistant Secretary of the Interior.

JUNE 23, 1975.

[FR Doc.75-17122 Filed 6-30-75;8:45 am]

[Public Land Order 5509]

ALASKA

Partial Revocation of Public Land Orders Nos. 5150 and 5180, as Amended

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

1. Public Land Order No. 5150 of December 28, 1971, as amended, which withdrew lands for a utility and transportation corridor, and Public Land Order No. 5180 of March 9, 1972, as amended, which withdrew lands to protect the public interest, are hereby revoked so far as they affect the following described lands:

FAIRBANKS MERIDIAN

T. 12 N., R. 9 W.,
Secs. 1 thru 18, 21 thru 26, and 36.

The areas described aggregate approximately 16,000 acres.

2. The lands described in paragraph 1 of this order are subject to section 11 of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 696, and will not be made available for other types of disposition at this time.

3. While the lands in this order remain withdrawn, they shall be subject to administration by the Secretary of the Interior under applicable laws and regulations and his authority to make contracts, to grant leases, permits, rights-of-way or easements shall not be impaired by this order. Applications for leases under the Mineral Leasing Act will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

JACK O. HORTON,
Assistant Secretary of the Interior.

JUNE 25, 1975.

[FR Doc.75-17114 Filed 6-30-75;8:45 am]

Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 206—APPLICATION, DETERMINATION OF ELIGIBILITY, AND FURNISHING OF ASSISTANCE—PUBLIC ASSISTANCE PROGRAMS

Securing Social Security Numbers for Applicants and Recipients

Notice of proposed rulemaking was published in the FEDERAL REGISTER on October 22, 1974 (39 FR 37505).

A total of 53 comments was received from 18 State welfare agencies, one county welfare agency and one State vocational rehabilitation agency; 1 university health science center; the Governor of Massachusetts, and 31 private citizens from that State. Three of the public agencies fully supported the proposal. All other respondents objected to certain aspects or provisions of the regulation.

The public agencies were concerned primarily because of increased work-load and costs; additional rules to be followed; and the need for clarification of what happens when an applicant or recipient refuses to give or apply for a social security number (SSN).

Under section 137 of Pub. L. 92-603, the Social Security Amendments of 1972, the Secretary is required to assure that SSNs are assigned to appropriate groups of individuals, including applicants for and recipients of Federally financed benefits. The final regulations require that the State agency request each applicant or recipient to furnish his SSN or to apply for one if he does not have one. In accordance with section 7 of the Privacy Act of 1974, such a request may become a requirement only if the State had in existence and operating prior to January 1, 1975, a system of welfare or Medicaid records for which disclosure of SSN was required, by statute or regulation, in order to verify the identity of the individual. The agency is also required to verify any SSN furnished to it and to assist an applicant or recipient to apply for one if he wishes to do so. Granting or continuing assistance to otherwise eligible individuals may not be delayed pending verification of their SSNs by the agency or issuance of their SSNs by the Social Security Administration.

All other respondents objected on the grounds that the requirement constitutes an invasion of privacy and violation of confidentiality, or is philosophically unacceptable.

These objections reflect mutual concern about the potentiality of misuse of automated personal data systems. There is no doubt that safeguards are needed for all systems. SSA records are subject to strong rules for safeguarding of information. Furthermore, SSA does not maintain data on AFDC, or Medicaid or on social services provided to recipients of those programs.

The securing of SSNs is a cooperative effort between SSA, SRS and State welfare agencies. SSA will provide training and guidelines for the verification of age, citizenship or alien status, and true identity, and will plan and schedule mass enumeration in consultation with States.

It should be noted that section 101(c)(5)(C) of Pub. L. 93-647 adds a new section 402(a)(25) of the Social Security Act, effective July 1, 1975, which requires applicants and recipients, as a condition of eligibility for assistance, to furnish social security account numbers to the State agency. The Department has published a regulation to implement the statutory change.

After consideration of all comments, the proposed regulations, with minor technical changes and new content to clarify when a separate application is required for Medicaid, are hereby adopted.

Section 206.10, Part 206, Chapter II, Title 45 of the Code of Federal Regulations is amended by revising paragraph (a)(1)(iv), adding a new subdivision (a)(1)(v), and revising paragraph (a)(9), to read as set forth below:

§ 206.10 Application, determination of eligibility and furnishing of assistance.

(a) *State plan requirements.* A State plan under title I, IV-A, X, XIV, XVI, or XIX of the Social Security Act shall provide that:

(1) Each individual wishing to do so shall have the opportunity to apply for assistance under the plan without delay. Under this requirement:

(i) Each individual may apply under whichever of the State plans he chooses;

(ii) The agency shall require a written application, signed under a penalty of perjury, on a form prescribed by the State agency, from the applicant himself, or his authorized representative, or, where the applicant is incompetent or incapacitated, someone acting responsibly for him;

(iii) An applicant may be assisted, if he so desires, by an individual(s) of his choice (who need not be a lawyer) in the various aspects of the application process and the redetermination of eligibility and may be accompanied by such individual(s) in contacts with the agency and when so accompanied may also be represented by them; and

(iv) (A) Individuals found eligible for financial assistance under a State plan for title I, IV-A, X, XIV, or XVI (AABD) are eligible for medical assistance without a separate application.

(B) Aged, blind, or disabled individuals found eligible for Supplementary Security Income benefits under title XVI of the Act or for State supplemental payments are eligible for medical assistance without a separate application to the extent provided for in agreements between the individual's State of residence and the Social Security Administration; and

(C) Individuals not found eligible as specified in paragraph (a)(1)(iv)(A) or (B) of this section must file a separate application for medical assistance.

(v) (A) For assistance under title XIX, the agency shall request on the application the social security number (SSN) of each individual (including children) for whom assistance is requested. Under this requirement, the agency shall advise the applicant whether disclosure of such number is mandatory or voluntary, by what statute or other authority such number is requested, and what uses will be made of it. Disclosure of the SSN may be made mandatory only if the State had in existence and operating prior to January 1, 1975, a system of welfare or Medicaid records for which disclosure of the SSN was required, by statute or regulation, in order to verify the identity of the individual. If any individual cannot provide a SSN either because he has not been issued one or he does not know his SSN, and wishes to secure one, the agency shall assist him in filling out an application for such number on such forms and under such procedures as may be required by the Social Security Administration (SSA) and shall transmit it to the SSA. Under this requirement, the agency shall also obtain such evidence as may be required under SSA regulations to establish the age, citizenship or alien status, and true identity of such applicant; and, where the case record attests that a previous social security number has been issued, request verification of the number by SSA. Where disclosure of the SSN is voluntary, no individual who is otherwise eligible shall be denied assistance because of failure or refusal to disclose or apply for a SSN, and the individual shall be so informed.

(B) The provisions of paragraph (a)(1)(v)(A) of this section shall apply to title IV-A for the period prior to July 1, 1975.

(C) The agency shall not deny or delay assistance to an eligible individual pending issuance by SSA or verification by the agency of his SSN.

* * * * *

(9) Where an individual has been determined to be eligible, eligibility will be reconsidered or redetermined:

(i) When required on the basis of information the agency has obtained previously about anticipated changes in the individual's situation;

(ii) Promptly, within 30 days, after a report is obtained which indicates changes in the individual's circumstances that may affect the amount of assistance to which he is entitled or may make him ineligible; and

(iii) Periodically, within agency-established time standards, but not less frequently than every 6 months in AFDC, and every 12 months in the other categories, including medical assistance, on eligibility factors subject to change. Under this requirement:

(A) For recipients of assistance under title IV-A or XIX, the agency shall verify that the case record contains a social security number (SSN) for each recipient, including children; if the case record does not contain a SSN, the agency shall follow the procedures set forth in paragraph (a)(1)(v) of this section for the purpose of obtaining a SSN; and

(B) For any recipient whose social security number was established as part of the case record without corroborative evidence of age, citizenship or alien status, and true identity, the agency shall obtain verification thereof under the procedures set forth in paragraph (a)(1)(v) of this section.

* * * * *

Effective date: The regulations in this section shall be effective September 29, 1975.

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302))

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program, 13.761, Public Assistance-Maintenance (State Aid))

Dated: June 13, 1975.

JOHN A. YOUNG,
Acting Administrator, Social and Rehabilitation Service.

Approved: June 20, 1975.

CASPAR W. WEINBERGER,
Secretary.

[FR Doc.75-16868 Filed 6-30-75;8:45 am]

CHAPTER X—OFFICE OF ECONOMIC OPPORTUNITY

PART 1061—CHARACTER AND SCOPE OF SPECIFIC COMMUNITY ACTION PROGRAMS

Subpart—Summer Youth Recreation Programs

The Director of the Community Services Administration proposes to establish the rules, regulations and grant-application procedures set forth below relative to the Summer Youth Recreation Program authorized under section 222(a)(13) of the Community Services Act of 1974.

This subpart is published hereby as an interim regulation which will serve as the basis for initiating the grant application process on a contingency basis. Interested persons are invited to submit comments, data, etc. by July 15, 1975 to: James R. King, Chief, Manpower Team, Office of Operations, Community Services Administration, 1200 19th St., NW., Washington, D.C. 20506.

Effective date: July 1, 1975.

Sec.
1061.20-1 Applicability.
1061.20-2 Definitions.
1061.20-3 Purpose.
1061.20-4 Summer youth recreation program—description and components.
1061.20-5 Eligible sponsors/alternates.
1061.20-6 Eligible participants.
1061.20-7 Funding.
1061.20-8 Application process.
1061.20-9 Expenditure of funds.
1061.20-10 Coordination with other programs.
1061.20-11 General requirements.
Appendices A—E.

AUTHORITY: Sec. 602, 78 Stat. 530; 42 U.S.C. 2942.

REFERENCES:
(a) OEO Instruction 6801-1, Grantee Fiscal Responsibility and Auditing. (b) CSA Manual 2410-1, Accounting System Survey and Audit Guide for CSA Grants. (c) OEO Instruction 6807-2, Grantee Quarterly Financial Reports. (d) OEO Instruction 6807-2 ch-1, Grantee Quarterly Financial Reports. (e) OEO Instruction 7001-01a, Grantee Property Administration. (f) OEO Instruction 6809-01, Bond Coverage of Officials.

BERT A. GALLEGOS,
Director.

§ 1061.20-1 Applicability.

This subpart applies to grantees funded under section 222(a)(13) of the Community Services Act of 1974 if the assistance is administered by the Community Services Administration.

§ 1061.20-2 Definitions.

(a) "Act" shall mean the "Headstart, Economic Opportunity, and Community Partnership Act of 1974" (Pub. L. 93-644).

(b) "Allocation" shall mean the distribution of funds among prime sponsors designated by the Secretary of Labor under section 102 of the CETA Act according to the formulas contained in the Act.

(c) "Certification" shall mean a legally binding statement that certain requirements have been fulfilled.

(d) "CETA Act" shall mean the Comprehensive Employment and Training Act of 1973 (Pub. L. 93-203, as amended).

(e) "Chief elected official" and "chief executive officer" shall include their designees.

(f) "Community Action Agency" shall mean a political jurisdiction, public agency, or private nonprofit agency which has the power and authority and will perform the functions set forth in section 212 of the Act and is determined to be capable of planning, conducting, administering and evaluating a community action program and is currently designated as a community action program by the Director.

(g) "CSA Regional Director" shall mean the ten Regional Directors of the Community Services Administration who are responsible for directing CSA programs in specified geographical areas of the country.

(h) "Director" shall mean the Director of the Community Services Administration.

(i) "Economically disadvantaged" shall mean a person who is a member of a family as defined under CETA income poverty guidelines.

(j) "Summer Youth Program" shall mean the Summer Program for Economically Disadvantaged Youth funded under Title III, section 30b(a)(3) of the Comprehensive Employment and Training Act of 1973 and administered by the U.S. Department of Labor.

§ 1061.20-3 Purpose.

This subpart sets forth the policies, rules and regulations of the Community Services Administration (CSA) in implementing and administering Summer Youth Recreation programs authorized under section 222(a)(13) of the Community Services Act of 1974.

§ 1061.20-4 Summer youth recreation program—description and components.

(a) *Description.* (1) The Summer Youth Recreation program is designed to provide recreational opportunities for economically disadvantaged children during the summer months. The programs will be conducted in conjunction with the Summer Youth Program administered by the U.S. Department of Labor. Summer Youth enrollees should be utilized to the maximum extent possible in the conduct of this program.

(2) The programs shall begin as soon as possible after the Spring closing of school and shall not extend beyond the beginning of the Fall school term. In no case shall the programs continue beyond September 30, 1975.

(3) To the maximum extent possible, Summer Youth Recreation program sites shall be located directly in low-income communities or areas to ensure that disadvantaged youth are the beneficiaries of the programs. Activities shall be conducted in as many low-income areas of the sponsor's jurisdiction as possible within the constraints of effective program management and support.

(b) *Components.* Summer Youth Recreation programs will consist of the following components: (1) Recreation support programs will provide recreation opportunities such as playground activities; organized sports and games, arts and crafts, informational tours, cultural field trips, instruction in the creative arts and special events.

(2) Transportation support programs will provide transportation services to such cultural, recreational, educational or employment activities.

(NOTE: Ten percent of each grant should be allocated for transportation support activities.)

§ 1061.20-5 Eligible sponsors/alternates.

(a) *Eligible agencies.* Agencies eligible to receive summer recreation funds shall be prime sponsors under Title I of the CETA Act.

(b) *Alternate sponsors.* The CSA Regional Director may make provision for the use of an alternative sponsor under Title I of CETA if a sponsor for any reason is unable or fails to establish or maintain an acceptable Summer Youth Recreation Program.

(c) *Delegate Agencies/subgrants.* A Summer Youth Recreation sponsor may enter into contracts or subgrants under the provision set forth in OEO Form 280, Agreement for Delegation of Activities.

§ 1061.20-6 Eligible participants.

Participants in a Summer Youth Recreation program shall be youth too young to obtain employment and be economically disadvantaged. The main target group for the Summer Youth Recreation program shall be disadvantaged youth between the ages of 8 and 13.

§ 1061.20-7 Funding.

(a) *Allocation of funds.* Section 222(a)(13) of the Community Services Act of 1974 states that the allocation of Summer Youth Recreation program funds shall be made by the Director after consultation with the Secretary of Labor on the basis of: (1) The relative number of public assistance recipients in the areas served by such prime sponsor or other agency as compared to the Nation; (2) the relative number of unemployed persons in such area as compared with the Nation; and (3) the relative number of related children living with families with incomes below the poverty line in such area as compared to the Nation. That part of any allotment which the Director determines will not be needed may be re-

alloted at such dates during the fiscal year as the Director may fix, to the extent feasible in proportion to the original allotments. In making Summer Youth Recreation allocations under the Act, the Director shall insure, to the maximum extent possible, that for the program commencing in the fiscal year ending June 30, 1975, and for the program in each succeeding fiscal year no sponsor shall receive an amount less than the amount received for such programs during the fiscal year ending June 30, 1973 or the fiscal year ending June 30, 1974, whichever is higher.

(b) *Non-Federal share; waiver of.* Non-Federal share required by section 225(c) is hereby waived for all programs funded under section 222(a)(13), Summer Youth Recreation Programs. The waiver is automatic and does not require a request for waiver from applicant for grants due to the lateness of the program implementation.

§ 1061.20–8 Application process.

(a) Role of the CAA. The Community Action Agency or Agencies operating within the jurisdiction of the Summer Youth Recreation program sponsor shall be given an opportunity to formally comment on the Summer Youth Recreation program grant application and to recommend approval or disapproval to the CSA Regional Director. Community Action Agencies shall be provided with a copy of the Summer Youth Recreation program grant application at the same time that the proposal is submitted to the CSA Regional Director. The CAAs will have five (5) days within which to recommend approval or disapproval to the CSA Regional Director. The Community Services Administration retains final approval authority.

(b) *Forms/documentation required.* The forms and other documents to be used in applying for Summer Youth Recreation Programs will be made available to eligible sponsors by the CSA Regional Directors. The forms to be used in applying for a Summer Youth Recreation Program are as follows:

(1) OEO Form 301, *Summary of Grant Application*

(2) OEO Form 325, *Budget Summary*

(3) OEO Form 325a, *Budget Support*

(4) OEO Form 394, *Checkpoint Procedure for Coordination*

(5) CAP Form 84, *Participant Characteristics Plan*

(6) Statement of Accounting System Certification, Appendix A to this subpart (for use by public agencies)

(7) OEO Form 280, *Agreement for Delegation of Activities*

(8) Program Narrative Description (See Appendix B)

(Note: Detailed instructions for the preparation of the above documents can be found in Appendix C)

(c) *Deadline for submission of applications.* Summer Youth Recreation grant applications shall be submitted to CSA Regional Directors by June 30, 1975.

§ 1061.20–9 Expenditure of Funds.

(a) *Allowable Costs.* (1) Administration, including salaries, wages and fringe benefits of program administrators (but not program staff); consumable office supplies; rent and utilities; telephone and postage; travel of program administrators and audit costs. No more than 20 percent of the funds may be expended of this category.

(2) Recreation services including but not limited to: purchase of recreation equipment[1] and supplies up to $200 per unit cost to be used in support of the program; rental of recreation equipment and supplies to be used in support of the program; admission to special events; field trip expenses; salaries; wages, fringe benefits and orientation of program staff, such as art instructors and playground supervisors; transportation for participants and program staff; lunches or food provided as an integral part of a recreation activity; recreation clothing and insurance. The standards to be used for the procurement of supplies, equipment and other material and services with Federal grant funds are those described in reference (e).

* * * * *

(3) Transportation services, including but not limited to: bus tokens, and rental of charter buses, taxis, cars and vans.

(b) *Non-Allowable Costs.* (1) Summer Youth Recreation program funds shall not be expended on office equipment, in-place installations, capital improvements, to compensate participants in the program or to purchase transportation vehicles or equipment such as cars, vans, or buses.

(2) Summer Youth Recreation funds shall not be used to finance any other program activities and services not authorized under the Summer Youth Recreational Program such as, but not limited to, work experience, on-the-job training of public service employment activities.

(3) Summer Youth Recreation program funds shall not be used to finance trips outside a 100 mile radius of the sponsor's jurisdiction unless the trip has received the specific written approval of the CSA Regional Director or his designee.

§ 1061.20–10 Coordination with other programs.

(a) The Summer Youth Recreation program will be closely coordinated with the anti-poverty programs of the Community Action Agency serving the jurisdictions covered by the Summer Youth Recreation program with a view to minimizing possible duplication of effort and providing efficiencies in the use of common facilities and services.

(b) Sponsors should coordinate Summer Youth Recreation programs with manpower and social service programs, including the Summer Youth Employment Program and other CETA manpower activities.

(c) The extensive outreach and intake capability of the Community Action Agencies should be utilized to the maximum extent possible. The CAA network of Neighborhood Service Centers in disadvantaged communities provide a ready means of assuring that the disadvantaged are effectively served by the program. In addition, transportation services may be provided as services for participants in the Summer Youth Program and thus supplement transportation support activities carried out under the Summer Youth Recreation Program.

(d) Sponsors may utilize the Summer Feeding Program for low-income chiltional activities as well in most instances) in schools, community centers, parks, playgrounds, storefronts and other settings. (See Appendix E for listing of State School Lunch Directors who can assist you in applying for the program.)

(e) Participants in the Summer Youth Program and other manpower programs, incuding public service jobs incumbents under the CETA Act, should be utilized as program and administrative staff in the Summer Youth Recreation Program to the maximum extent feasible by using the Summer Youth Recreation Program sites as work stations.

§ 1061.20–11 General requirements.

(a) *Maintenance of effort.* No sponsor shall, because of funds granted under section 222(a)(13) of the Act, reduce or decrease funds already planned for Summer Youth Recreation activities of a nature similar to those provided under the aforementioned Section.

(b) *Liability issuance.* An eligible applicant will assure that: (1) General liability insurance (bodily injury type) protects the sponsor against claims arising from bodily injury or death to third parties, including youths participating in the recreation support programs, occurring on its business premises or through its operations, except those arising from motor vehicles away from the premises, those covered by any Workmen's Compensation Law, and other exclusions stated in the policy. The required coverage for bodily injury shall be $50,000 per person and $100,000 per accident. In the case of those organizations which could raise the defense of sovereign immunity, the insurance policy shall provide that this defense will not be raised by the organization of the insurer; and

(2) automobile liability insurance coverage of $100,000 per persons and $300,000 per accident for bodily injury and $5,000 per accident for property damage is provided and that automobile comprehensive and collision of at least $100 deductible is provided.

(c) *Bonding.* Prior to the release of funds to any grantee, public or private, CSA must receive written assurance that arrangements have been made for appropriate bonding of grantee officials. (See Appendix D for CSA's policy statement on Bond Coverage of Officials.)

(d) *Program progress report.* Sponsors shall submit a program progress report on the results of the Summer Youth Recreation Program to the appropriate CSA Regional Office no later than October 20, 1975. Reporting form will be provided by CSA in advance of the reporting deadline.

[1] Disposition of property will be in accordance with the policy stated in CSA Instruction 7001–01a.

(e) *Financial reporting.* A financial report is to be submitted by October 20, 1975 to the appropriate CSA Regional Office in accordance with the requirements and procedures set forth in reference (c).

(f) *Auditing.* Audit requirements for this program are to be met by complying with § 1061.20–8(b)(6) of this subpart and the special conditions that will be incorporated into the grant package.

(g) *Monitoring and evaluation.* Monitoring and evaluation of Summer Youth Recreation Programs will be performed by Community Action Agency(ies) serving the jurisdiction of the Summer Youth Recreation Program sponsor. CAA's will make advance arrangements with program sponsors for monitoring activity. In those cases where there is no CAA serving the jurisdiction of the Summer Youth Recreation Program sponsor, the CSA Regional Office will make alternate monitoring and evaluation arrangements.

(h) *Safety and health conditions.* Participants shall not be exposed to conditions which are unsanitary or hazardous or dangerous to their safety or health.

(i) *Licensing.* All transportation services under this program will be from sources properly licensed and insured to provide carriage of the public, and which are operated in compliance with all applicable local, State and/or Federal statutes covering public transportation.

APPENDIX A

Statement to be submitted by appropriate public financial officer when the applicant is a public agency or when the accounting system of a private-nonprofit agency will be maintained by a public agency.

(Address of Regional or Program Office of OEO, as appropriate)

Dear Sirs:

I am the chief financial officer of (name of public body) and, in this capacity, I will be responsible for providing financial services adequate to insure the establishment and maintenance of an accounting system for the (name of applicant) which is a public (or non-profit) agency charged with carrying out an OEO program in (name of community). The accounting system will have internal controls adequate to safeguard the assets of such agency(ies), check the accuracy and reliability of accounting data, promote operating efficiency, and encourage compliance with prescribed management policies of the agency(ies).

Signature of financial officer

Name of financial officer

Title

Name of public body

Statement to be submitted when applicant is a private-nonprofit agency (or a public agency) whose accounting system will not be maintained by a public agency.

(Address of Regional or Program Office of OEO, as appropriate)

Dear Sirs:

I am a certified or duly licensed public accountant and have been engaged to examine and report on the financial accounts of the (name of applicant), which is a private-nonprofit organization (or public agency) carrying out an OEO program in (name of community).

I have reviewed the accounting system that this agency has established and, in my opinion, it includes internal controls adequate to safeguard the assets of the agency, check the accuracy and reliability of accounting data, promote operating efficiency, and encourage compliance with prescribed management policies of the agency.

Signature of accountant

Name of accountant

Name of firm

APPENDIX B

Narrative Description of Program

The above narrative description will be prepared as shown below. Applicants should present a clear and concise description of each item addressed in the narrative using charts, graphs, maps, etc.

Narrative Description of Program:

A. Prepare a statement regarding the purpose of the Summer Youth Recreation program. This statement should focus on the recreational needs of the economically-disadvantaged youth residing in the area covered by this project.

B. Describe the types of recreational activities and services that will be provided the youth served by the program. Include an estimate of the costs for each activity or service in the program. Specify any field trips, sports events, cultural, recreational or educational trips outside the jurisdiction(s) covered by the applicant agency.

C. Provide a list of the recreational equipment and supplies that will be purchased for the program, particularly any equipment costing over $200.00.

D. Describe the community or geographic area(s) that will be served by the recreational opportunities of the program.

E. Prepare an estimate of the number of recreational opportunities to be offered in the program. Include an estimate of the number of opportunities that each type of activity or service described in B above will provide.

F. Prepare a statement describing the results and benefits to be derived from the recreation program in terms of both the community and participants served, in relation to the recreational needs of the community.

G. Describe how the program will be coordinated and linked with other manpower and social service programs. For example, utilizing administrative staff of Summer Youth Program to administer the recreation program. Using the local CAAs assistance in outreach, intake capability and other support services. In addition, transportation services may be provided through the Summer Youth Program and thus supplement transportation support activities carried out under this program.

H. Describe the method in which participants will be recruited, selected and eligibility is determined (to ensure that those most in need are served by the program).

Applicants are encouraged to discuss the narrative requirements as well as any other application requirements with CSA Regional Office representatives to ensure that the application is as complete and accurate as possible before it is submitted for approval.

APPENDIX C

Instructions for Preparation of Summer Youth Recreation Documents

Eligible applicants should submit the original and two copies of all required forms and documents to the appropriate CSA Regional Director by June 11, 1975. One copy of the grant application shall be submitted to the CAA/s serving the jurisdictions covered by the Summer Youth Recreation program at the same time as the application is submitted to the Regional Office. The following instructions are provided to assist applicants in completing grant application forms:

Summary of Grant Application, OEO Form 301

Item 1. Type of Application—check "new."

Item 2. Name of OEO Project Manager—to be provided by CSA Regional Office.

Item 3. Name of Applicant Agency—enter the name of the applicant, the name of the primary organizational unit which will undertake the grant supported activity.

Item 4. Address—enter the complete address of the applicant.

Item 5. Applicant Agency Program Manager—enter the name of person(s) directly assigned to this project.

Item 6. Telephone Number of Program Manager—enter the telephone number of person(s) directly assigned to this project.

Item 7. Political Jurisdictions in Which OEO Funded Activities Will Take Place:

a. Counties—enter the counties to be served by this project. If the applicant is the state or "balance of the state," the area served may be indicated as the "balance of the state."

b. Cities—enter the cities or city to be served by the project (e.g., City of Chicago, City of Boston, etc.). If the project is serving balance of state, indicate balance of state.

c. Congressional District—enter the congressional district(s) in which the applicant is located.

Item 8. Type of Area Served by Project—check the appropriate block(s) defined in Item 8 to be served by this project.

Item 9. Total Population In Area Served—enter the total population residing in the area to be served by this project.

Item 10. Type of Agency—"not applicable for this project."

Item 11. Internal Revenue Services Employer Identification Number—enter the employer identification number assigned by the U.S. Internal Revenue Service.

Item 12. Applicant Type—check the appropriate block in which the applicant is located (e.g., city government, county government, etc.); check other if applicant type is not shown in Item 12 and specify type of applicant.

Item 13. Applicant Function—check the most applicable block(s). Check "other" if applicant function is not defined in Item 13 and specify function of applicant.

Item 14. Will the Administration of Any Part of the Work Program be Delegated to Another Agency?—check the appropriate block. If "yes," applicant must submit the required form shown in Item 14.

Item 15. Funding Period For Which Funds Are Requested:

a. Beginning Date—enter the approximate date the project is expected to begin.

b. Ending Date—enter the approximate date the project is expected to end. (All projects will terminate by October 1, 1975.)

Item 16. Total Requested Budget Per OEO Form 325:

a. OEO Federal—enter the amount allocated by the Director. CSA Regional Director will provide eligible applicants the amount allocated by the Director.

b. Non-Federal—not applicable.

Section III. Former Office of Economic Opportunity Employees—not applicable.

Sections IV–VII. These Sections are applicable and binding by the applicant on the signature of the chief elected official or the authorized representative of the applicant agency.

The following special instructions for completing the remaining forms are set forth only in those cases where data required is not considered to be self explanatory.

Budget Summary, OEO Form 325

Item 3A. Grant No.—this number to be entered by the CSA Regional Office.

Item 3C. Program Account Title and No.—to be provided by CSA Regional Office.

Section I. Budget Summary—eligible applicants will complete Column C only. Column C corresponds with Columns A (Cost Category No.) and B (Cost Category). Enter the estimated expenditures in Columns C.1 (OEO Federal) and C.2 (Non-Federal), based upon the amount of funds allocated by the Director in each applicable cost category. Total for Column C.1 should agree with the amount allocated the applicant. Column C.2—not applicable.

Section II. Estimated Future Costs—not applicable.

Budget Support Sheet, Part I (Salaries and Wages) and Part II (Budget Support Data), OEO Form 325a.

Part I. Salaries and Wages (Itemization of Cost Category No. 1.1)—enter the appropriate data as specified based upon the amount allocated (e.g., estimate expenditures in support of this project).

Part II. Budget Support Date (Itemization of Cost Categories Other Than Salaries and Wages. Show Subtotal for Each Cost Category)—enter the estimated expenditures for each item as specified.

Checkpoint Procedure for Coordination, OEO Form 394

This form is to be used to solicit comments from the Community Action Agency in the jurisdiction in which the applicant agency is located.

In order to facilitate implementation of the program, we suggest that eligible applicants file a "notice of intent" immediately with their local Clearinghouse using the documents normally required. Applicants should also forward to the Clearinghouse a copy of the grant application as soon as possible with a statement requesting that comments be sent directly to the appropriate CSA Regional Director, due to time constraints on implementation of the program.

Participant Characteristics Plan, CAP Form 84

This form is not to be submitted as part of the grant application; however, prime sponsors must have this document on file.

Agreement for Delegation of Activities Under Grant No. —, OEO Form 280

This form will be used by all eligible applicants when certain activities of the approved grant application (work program) is delegated to another agency or organization.

APPENDIX D

G.5 e. Bond coverage of officials. Prior to the release of funds to any grantee, public or private, for the first initial grant, OEO must receive written assurance that arrangements have been made for appropriate bonding of grantee officials. This assurance may either take the form of a statement that no bond is needed (in line with the conditions below) or it may consist of a letter from a bonding company or agent stating the type of bond, amount and period of coverage, positions covered, and the annual cost of the bond that has been obtained.

A bond does not need to be provided by a grantee, public or private, if funds are to be deposited in a public treasury and disbursed and audited by local or State public officials who normally perform these duties. In this case, the financial role of the officials of the grantee agency must be limited to making withdrawals from the Federal Reserve System for deposit in the public treasury and certifying appropriate expenditures for disbursement. Nor does a grantee which is a public agency need to provide a new bond if all employees who are authorized to sign or countersign checks on the grantee's commercial bank account or to disburse cash are already bonded, in an amount consistent with local requirements and practices.

In all other situations, grantees—whether public or private agencies—must take steps to secure fidelity bond coverage in line with the following guides:

(1) Coverage should be secured in the aggregate amount of $25,000 for persons authorized to sign or countersign checks or to disburse sizeable amounts of cash (such as for payrolls). Persons who handle only petty cash need not be bonded. Nor is it necessary to bond officials who are authorized to sign Payment Vouchers, but who are not authorized to sign or countersign checks or to disburse cash.

(2) Grantees normally should obtain a 3 year bond, payable annually, with an option to cancel in the event the program terminates before three years. Such terms are available from most surety companies.

(3) Grantees are responsible for assuring that appropriate officials of delegate agencies are bonded. Existing bond coverage on officials of delegate agencies which are public agencies shall be considered acceptable. Coverage for officials of delegate agencies which are private organizations shall be equal to the average of funds to be expended each month (up to an aggregate amount of $25,000.) If a delegate agency will expend less than $1,000 per month in program funds, on the average, bond coverage is not required.

(4) Copies of bonds secured by the grantee and by delegate agencies should be filed by the grantee and need not be submitted to OEO.

APPENDIX E

STATE SCHOOL LUNCH DIRECTORS

T. G. Smith, 205–269–6011, Food Service & Local Accounting, Administrative & Finance, State Department of Education, 460 State Office Building, Montgomery, Alabama 36104.

Mr. Marge Dawes, Coordinator, School Lunch Services, State Department of Education, Alaska Office Building, Pouch F, Juneau, Alaska 99801.

Mrs. Frances Sullivan, Supervisor, School Lunch Programs, Department of Education, Pago Pago, Tutuila, American Samoa 96920.

Joanne Hurley, Director, 602–271–5198, School Lunch Program, State Department of Public Instruction, Suite 165, State Capitol, Phoenix, Arizona 85007.

J. A. Niven, State Director, School Lunch Division, West Central, USDA Regional Office, State Department of Education, Education Building, Little Rock, Arkansas 72201.

Mr. Webber, Supervisor,
School Lunch Program,
State Department of Education,
721 Capitol Mall,
Sacramento, California 95814.

Mr. Pohle H. Wolfe, Consultant,
School Food Services,
State Department of Education,
520 State Office Building,
Denver, Colorado 80203.

Ms. Ann R. Tolman,
203–566–2544,
School Lunch Program,
State Department of Education,
State Capitol Building,
Hartford, Connecticut 06115.

Mr. R. L. John,
302–678–4718,
State Supervisor of School Lunch,
Department of Public Instruction,
Box 191,
Dover, Delaware 19901.

Mr. Joseph M. Stuart, Director,
Department of Food Services,
Public Schools of District of Columbia,
Presidential Building, Room 806,
415 12th Street, N.W.,
Washington, D.C. 20004.

Mr. George Hockenbery, Acting Director,
904–488–4186,
School Food Service,
State Department of Education,
Tallahassee, Florida 32304.

Miss Josephine Martin, Chief Consultant,
404–656–3457,
Southeast Regional Office,
School Food Service Program,
State Department of Education,
Room 211, State Annex Building,
156 Trinity Avenue, S.W.,
Atlanta, Georgia 30303.

Mrs. Audrey M. Hansen, School Lunch Consultant, SPC, School Lunch Program,
Department of Education,
Government of Guam,
P.O. Box DE,
Agana, Guam 96910.

Mr. Stanley Doucette, Director,
808–548–6583,
School Lunch Service,
State Department of Education,
P.O. Box 3360,
Honolulu, Hawaii 96804.

Mr. Cecil F. Olsen, Director,
208–384–2411,
School Lunch Program,
State Department of Education,
Room 205, Statehouse,
Boise, Idaho 83701.

Mr. Robert Ohlzen, 217–782–6500, School Lunch Division, Office of the Superintendent of Public Instruction, 316 South Second Street, Springfield, Illinois 62701.

Mr. John Harter, School Lunch Division, State Department of Public Instruction, Room 803, State Office Building, Indianapolis, Indiana 46204.

Mr. Lavern E. Carpenter, Director, School Lunch Program, State Department of Public Instruction, Grimes State Office Building, Des Moines, Iowa 50319.

Miss Ione George, 913–296–2276, School Lunch Program, State Department of Public Instruction, Kansas State Education Building, 120 East 10th Street, Topeka, Kansas 66612.

Mr. C. E. Bevins, Director, 502–564–4210, Division of School Lunch, State Department of Education, Bureau of Pupil Personnel Services, State Office Building, 2nd Floor, Frankfort, Kentucky 40601.

Ronald Carriere, 504–389–6998, School Food Services, State Department of Education, P.O. Box 44064, State Capitol, 20th Floor, Baton Rouge, Louisiana 70804.

Miss Gertrude Griney, Director, 207–289–2371, School Lunch Program, State Department of Education, State House, Augusta, Maine 04330.

Ms. Ruthetta L. Gilgash, School Lunch Program, 301–796–8300, State Department of Education, State Office Building, 301 West Preston Street, Baltimore, Maryland 21201.
Mr. John C. Stalker, Director, Office of School Lunch Programs, 617–727–5764, State Department of Education, 182 Tremont Street, Boston, Massachusetts 02111.
Mr. James L. Borough, Supervisor, School Lunch Section, 517–373–3347, School Management Services, State Department of Education, 1020 South Washington Avenue, Lansing, Michigan 48902.
Mr. C. E. Holt, Director, 612–296–6104, School Lunch Section, State Department of Education, State Centennial Building, 4th Floor, St. Paul, Minnesota 55101.
Mr. John H. Walker, State Supervisor, 601–354–6916, School Lunch Program, State Department of Education, P.O. Box 771, Woolfolk State Building, Room 306, Jackson, Mississippi 39205.
Mr. Wilbert Grannemann, 314–751–3526, School Lunch Section, State Department of Education, Jefferson Building, P.O. Box 480, Jefferson City, Missouri 65102.
Mr. Brisbin Skiles, 406–449–2501, School Lunch Program, State Department of Public Instruction, 805 North Main Street, Helena, Montana 59061.
Mr. Allen A. Elliott, Director, 402–471–2254, Midwest Regional Office USDA, School Food Services, State Department of Education, 411 South 13th Street, 2nd Floor, Lincoln, Nebraska 68508.
Miss Eleanor Bateman, Supervisor, 702–885–5700, West USDA Region, School Lunch Program, State Department of Education, Heroes Memorial Building, Room 208, Carson City, Nevada 89701.
Mr. George Bussell, 603–271–2140, School Lunch Program, State Department of Education, State House, Concord, New Hampshire 03301.
Mrs. Miriam E. Hughes, 609–292–8527, Coordinator of Food Services, Federal Assistance Program, Office of Educational Field Services, State Department of Education, 225 West State Street, Trenton, New Jersey 08625.
Mrs. Gretchen Plagge, Director, 505–827–2591, School Lunch Division, State Department of Education, Capitol Building, Santa Fe, New Mexico 87501.
Mr. Richard O. Reid, 518–474–2121, Mr. Thomas Calvin, 518–474–1566, Assistant for Federally Aided Programs, Division of Educational Finance, State Department of Education, 194 Washington Avenue, Albany, New York 12224.
Mr. Ralph W. Eaton, Director, 919–829–7162, School Food Services, State Department of Public Instruction, P.O. Box 12197, Cameron Village, Raleigh, North Carolina 27605.
Mrs. Roberta Bosch, 701–224–2294, School Lunch Program, West Region USDA, State Department of Public Instruction, State Capitol Building, Bismark, North Dakota 58501.
Mr. Wade D. Bash, Chief, 614–466–2945, School Lunch Program, State Department of Education, 751 Northwest Boulevard, Columbus, Ohio 43212.
Mr. Chester Coulter, Director, School Lunch Division, 405–521–3327, Oliver Hodge, Memorial Education Building Room 340, 2600 Lincoln Boulevard, Oklahoma City, Oklahoma 73105.
Mr. Lyle N. Riggs, Supervisor, 503–378–3579, School Lunch Program, West Region USDA, Oregon Board of Education, Room 324, Public Service Building, Salem, Oregon 97310.
Mr. Kenneth Reinhardt, Jr., Chief, 717–787–1425, School Lunch and Nutrition, Department of Public Instruction, Box 911, Blackstone Building, Room 200, 112 Market Street, Harrisburg, Pennsylvania 17126.
Ms. Mary Blanco, Director, School Lunchrooms Division, Department of Education, 809–764–1100, P.O. Box 1229, Hato Rey, Puerto Rico 00919.
Mrs. Maureen O'Connell, Acting Chief, School Lunch Services, State Department of Education, Roger Williams Building, Hayes Street, Providence, Rhode Island 02908.
Miss Kathleen Gaston, State Supervisor, 803–758–2346, Southeast Regional Office, School Lunch Program, State Department of Education, 916 Rutledge Building, Columbia, South Carolina 29201.
Mr. Paul M. Marschalk, Director, 605–224–3413, Division of Educational Food Services, State Department of Public Instruction, State Capitol Building, Pierre, South Dakota 57501.
Mr. Lawrence Bartlett, Director, Southeast Regional Office, 615–741–2927, School Lunch Program, State Department of Education, C3–303–Cordell Hull Building, Nashville, Tennessee 37219.
Mr. Cole, Chief Consultant, 512–475–4363, West Central Office, School Lunch Program, Texas Education Agency, Capitol Station, Austin, Texas 78711.
Miss Hattie Baker, School Lunch Director, c/o Office of the High Commissioner, Trust Territory of the Pacific Islands, Saipan, Mariana Islands 96950.
Mr. Cluff Snow, 801–328–5471, Division of School Food Services, 1400 University Club Building, 136 East South Temple, Salt Lake City, Utah 84111.
Mr. Edward Ryan, Chief, Educational Field Services, 802–838–3145, State Department of Education, State Office Building, Montpelier, Vermont 05602.
Mr. John F. Miller, Supervisor, 804–776–2604, School Lunch Program, State Department of Education, 9th Street Office Building, Richmond, Virginia 23216.
Mr. Lionel Hilaire, Supervisor, School Lunch Office, Department of Education, Charlotte Amalie, St. Thomas, Virgin Islands 00801.
Mr. John L. Stevens, Supervisor, School Lunch Office, Department of Education, P.O. Box 1, Christiansted, St. Croix, Virgin Islands 00820.
Mrs. Ena Simpson, Supervisor, 206–753–6706, Food Services, West USDA, State Department of Public Instruction, Room 220, Old Capitol Building, Olympia, Washington 98501.
Mrs. Faith Gravenmier, 304–348–6800, State Director of School Lunch, State Department of Education, 310–45 Street, S.E., Charleston, West Virginia 25305.
Mr. Edward J. Post, Administrator, Mid-West Regional Office, 608–266–3509, School Food Service Program, State Department of Public Instruction, 126 Langdon Street, 5th Floor, Madison, Wisconsin 53703.
Mr. Sidney Werner, Acting Director, 307–777–7293, School Lunch Program, State Department of Education, State Capitol Building, Cheyenne, Wyoming 82001.
Miss Eleanor Bateman, Supervisor, 702–885–5700, West USDA Region, School Lunch Program, State Department of Education, Heroes Memorial Building, Room 208, Carson City, Nevada 89701.
Mr. George Bussell, 603–271–2140, School Lunch Program, State Department of Education, State House, Concord, New Hampshire 03301.
Mrs. Miriam E. Hughes, 609–292–8527, Coordinator of Food Services, Federal Assistance Program, Office of Educational Field Services, State Department of Education, 225 West State Street, Trenton, New Jersey 08625.
Mrs. Gretchen Plagge, Director, 505–827–2591, School Lunch Division, State Department of Education, Capitol Building, Santa Fe, New Mexico 87501.
Mr. Richard O. Reid, 518–474–2121, Mr. Thomas Calvin, 518–474–1566, Assistant for Federally Aided Programs, Division of Educational Finance, State Department of Education, 194 Washington Avenue, Albany, New York 12224.
Mr. Ralph W. Eaton, Director, 919–829–7162, School Food Services, State Department of Public Instruction, P.O. Box 12197, Cameron Village, Raleigh, North Carolina 27605.
Mrs. Roberta Bosch, 701–224–2294, School Lunch Program, West Region USDA, State Department of Public Instruction, State Capitol Building, Bismark, North Dakota 58501.
Mr. Wade B. Bash, Chief, 614–466–2945, School Lunch Program, State Department of Education, 751 Northwest Boulevard, Columbus, Ohio 43212.
Mr. Chester Coulter, Director, School Lunch Division, 405–521–3327, Oliver Hodge, Memorial Education Building Room 340, 2600 Lincoln Boulevard, Oklahoma City, Oklahoma 73105.
Mr. Lyle N. Riggs, Supervisor, 503–378–3579, School Lunch Program, West Region USDA, Oregon Board of Education, Room 324, Public Service Building, Salem, Oregon 97310.

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PART 1068—COMMUNITY ACTION PROGRAM GRANTEE FINANCIAL MANAGEMENT

Subpart—Non-Federal Share Criteria

The purpose of this subpart is to update the Community Services Administration's policy on the general subject of non-Federal share. Non-Federal share requirements for specific programs will be found in separate subparts under this Part. These regulations are filed as interim regulations effective July 1, 1975 in order to effectuate the provisions of the Community Services Act of 1974. CSA welcomes comments and suggested changes and will revise its regulations in light of the comments received if warranted. CSA will consider all comments received prior to August 1, 1975. Please address all comments to: Mr. Angel Rivera, Acting Deputy Assistant Director for Operations, Community Services Administration, 1200-19th Street, NW., Washington, D.C. 20506.

Sec.

1068.10–1 Applicability.
1068.10–2 Definitions.
1068.10–3 Background.
1068.10–4 What is Non-Federal share?
1068.10–5 What form may Non-Federal share take?
1068.10–6 Items which may/may not be included as Non-Federal share.
1068.10–7 Who may provide Non-Federal share?
1068.10–8 Valuation of in-kind contributions.
1068.10–9 Accounting for the Non-Federal share.

AUTHORITY: Sec. 602, 78 Stat. 530; 42 U.S.C. 2942.

BERT A. GALLEGOS,
Director.

Effective: **July 1, 1975.**

§ 1068.10–1 Applicability.

This subpart is applicable to grants funded under Titles II, III–B and VII of the Economic Opportunity Act of 1964 as

amended if the assistance is administered by the Community Services Administration.

§ 1068.10–2 Definitions.

(a) Non-Federal Share. That portion of project or program costs not borne by the Federal Government.

(b) Federal Share. That portion of the total costs provided by the Federal Govt.

§ 1068.10–3 Background.

(a) Sections 225(c), 235(b), and 714 of the Community Services Act of 1974 require the contribution of non-Federal share by grantees funded under sections 221, 222(a), 235, and 712 of that Act. In addition the Director of the Community Services Administration may administratively require a non-Federal share contribution from grantees funded under other sections of the Act if the grants are administered by Community Services Administration.

(b) This subpart attempts to incorporate into one policy statement all general information on the subject of non-Federal share, e.g., definitions of Federal and non-Federal share; the form non-Federal share may take, etc. (EXCEPTION: OEO Instruction 6802–1a, Valuation of Volunteered Personal Services for Purpose of Computing the Non-Federal Share, remains in force.) It incorporates some of the policy previously found in OEO Instruction 6802–08; in addition it includes new material, e.g., valuation of in-kind contributions.

§ 1068.10–4 What is Non-Federal share?

In general non-Federal share is that portion of the Community Services Administration-approved project or program costs not borne by Community Services Administration. In all but exceptional cases (see § 1068.10–7) the non-Federal share is from a source other than another Federal agency.

§ 1068.10–5 What form may Non-Federal share take?

(a) The non-Federal share of program costs may be contributed in cash or in-kind. A contribution is treated as a "cash" contribution in any case in which money is disbursed by the grantee or a delegate agency to pay expenses of the program. A contribution may be treated as "in-kind" if it is in the form of real property owned by, donated or loaned to the grantee or a delegate agency; non-expendable personal property; and the value of goods and services directly benefiting the program. Example: A contribution which consists of the imputed rental value of a building shall be considered as an in-kind contribution, but where rent is actually paid by the grantee or a delegate agency from donated funds it shall be treated as a cash contribution.

(b) In-kind contributions may include the cost of staff assigned to the grantee, supporting services which can be identified and priced, and the donation or use of office space, automobiles, office equipment, and other facilities and equipment necessary to the effective operation of and directly benefiting the program.

§ 1068.10–6 Items which may/may not be included as Non-Federal share.

(a) Non-Federal share MAY consist of the following:

(1) Program costs financed with cash contributed or donated to the grantee by public agencies and institutions, private organizations, and individuals.

(2) Charges incurred by the grantee as project costs. (Not all charges require cash outlays by the grantee during the grant period; examples are depreciation and use charges for buildings and equipment.)

(3) Program costs for volunteered personal services and for the use of real and personal property donated by other private organizations, individuals, or public agencies and institutions.

(b) Non-Federal share items MAY NOT include the following:

(1) Time spent on the development, conduct, and administration of a program by members of the governing body or advisory committees of the grantee or a delegate agency, to the extent that such time is spent in their capacity as members of such bodies.

(2) Items such as legal advice which are normally provided to local public or private agencies by other governmental agencies without charge. (To the extent that these services are NOT normally provided without charge they may be included.)

(3) Any cost incurred or contribution of services made prior to the effective date of a grant by the Community Services Administration.

§ 1068.10–7 Who may provide Non-Federal share?

(a) The non-Federal share may be provided by any public or private agency or individual. However, Federal funds provided by other Federal programs may not be used as non-Federal share except where expressly provided for in specific authorizing legislation, e.g. Title I of the Housing and Community Development Act of 1974, Pub. L. 93–383. (See FEDERAL REGISTER, Vol. 39, No. 220, November 13, 1974 for implementing regulations). In such circumstances the grantee must have the appropriate certification from the granting agency and written concurrence of the appropriate Community Services Administration official.

(b) A contribution also may consist of the use of space in a public building or other facility even though Federal public works assistance may have been involved in its original construction.

§ 1068.10–8 Valuation of in-kind contributions.

(a) *Personal Services.* (See § 1068.10–9.)

(b) *Donated expendable personal property.* Donated expendable personal property includes such items as expendable equipment, office supplies, laboratory supplies or workshops and class room supplies. The value assessed to expendable personal property should be reasonable and should not exceed the market value of the property at the time of the donation.

(c) *Donated nonexpendable personal property, buildings and land or use thereof.* (1) The method used for determining what portion of the value of donated nonexpendable personal property, buildings, and land may be charged as non-Federal share depends on the purpose of the grant as follows:

(i) If the purpose of the grant is to assist the grantee in the acquisition of equipment, buildings, or land, the total value of the donated property may be claimed as non-Federal share.

(ii) If the purpose of the grant is to support activities that require the use of equipment, buildings, or land on a temporary or part-time basis, depreciation or use charges for equipment and buildings may be made. The full value of equipment or other capital assets and fair rental charges for land may be allowed provided that the Community Services Administration has approved the charges.

(2) The value of donated property will be determined in accordance with the usual accounting policies of the grantee with the following qualifications:

(i) *Land/buildings.* The value of donated land and buildings may not exceed its fair market value, at the time of donation, as established by an independent appraiser (e.g., certified real property appraiser) and certified by a responsible official of the grantee.

(ii) *Nonexpendable personal property.* The value of donated nonexpendable personal property shall not exceed the fair market value of equipment and property of the same age and condition at the time of donation.

(iii) *Use of space.* The value of donated space shall not exceed the fair rental value of comparable space and facilities in a privately-owned building in the same locality.

(iv) *Loaned equipment.* The value of loaned equipment shall not exceed its fair rental value. The basis for determining the valuation of material, equipment, buildings and land must be documented.

§ 1068.10–9 Accounting for the Non-Federal share.

(a) The Statement of OEO Grant, Form 314, shows the minimum percentage of total program expenditures which non-Federal funds must constitute in the grant period. The grantee is expected to maintain the rate of contribution of the non-Federal share so that throughout the grant period Federal funds will not be used to pay for a substantially larger percentage of project costs than the Federal funds shown on the Statement of OEO Grant constitute.

(b) It is important to note that the Federal share may never exceed either the dollar amount shown on the Statement of OEO Grant or the maximum percentage of the total program expenditures that this constitutes. The grantee must provide only sufficient non-Federal contributions so that the Federal share remains at or below the maximum per-

centage; however, the grantee may choose to provide additional non-Federal share, to insure a margin of safety, in the event that final audits disallow some contributions.

(c) The non-Federal share may be provided in one program account for the entire grant or it may be spread among several program accounts.

(d) Non-Federal share contributions of cash shall be recorded as they occur. It is not necessary to maintain separate ledger accounts for the expenditures of grantee cash.

(e) All in-kind contributions, including those applicable to delegate agencies, must be recorded in the ledger accounts, either in separate accounts or in separate columns, as grant costs when the in-kind services or goods are performed or received. Records, including required supporting documentation, on in-kind services or goods performed or received must be established and maintained on a current basis.

(f) The non-Federal share is subject to audit, as is the Federal share.

[FR Doc.75-17072 Filed 6-30-75;8:45 am]

PART 1068—COMMUNITY ACTION PROGRAM GRANTEE FINANCIAL MANAGEMENT

Subpart—Non-Federal Share Requirements for Title II, sections 221, 222(a) and 231 Programs

The recently enacted Community Services Act of 1974 amending the Economic Opportunity Act revised the non-Federal share contributions required of grantees funded under sections 221 and 222(a) of Title II necessitating the revision of CSA's implementing regulations to reflect this change. These regulations are filed as interim regulations effective July 1, 1975 in order to effectuate the provisions of the Community Services Act of 1974. CSA welcomes comments and suggested changes and will revise its regulations in light of the comments if warranted. CSA will consider all comments received prior to August 1, 1975. Please address all comments to: Mr. Angel Rivera, Acting Deputy Assistant Director for Operations, Community Services Administration, 1200-19th Street, NW., Washington, D.C. 20506.

Sec.

1068.20-1 Applicability.
1068.20-2 Definitions of terms as used in this subpart.
1068.20-3 Program authorities for which Non-Federal share contribution is required.
1068.20-4 Non-Federal share requirements.
1068.20-5 Communities eligible for waivers of non-Federal share.
1068.20-6 Pooling of non-Federal share.
1068.20-7 Maintenance of effort.
Appendix A.
Appendix B.

AUTHORITY: Sec. 602, 78 Stat. 530; 42 U.S.C. 2942.

Effective date: July 1, 1975.

BERT A. GALLEGOS,
Director.

45 CFR Chapter 10, § 1068.1 and 1068.2 is revoked and a new Subpart is added to read as follows:

§ 1068.20-1 Applicability.

This subpart is applicable to grants funded under Title II, sections 221, 222 (a), and 231 of the Economic Opportunity Act as amended if the assistance is administered by the Community Services Administration.

§ 1068.20-2 Definitions of terms as used in this subpart.

(a) *Approved Cost of Assisted Programs.* Combined Federal and Non-Federal Share for all programs authorities under sections 221 and 222(a) which legislatively require non-Federal Share excluding those funds granted under sections for which non-Federal share has been administratively waived and Legal Services.

(b) *Financial Assistance.* Federal funds granted for all program authorities funded under sections 221 and 222(a) which require non-Federal share except Legal Services.

§ 1068.20-3 Program authorities for which Non-Federal share contribution is required.

(a) *Legislatively required.* Section 225 (c) of the Act states that Non-Federal share will be required for assistance provided under sections 221 and 222(a). This would include the following programs:

TITLE II

Local Initiative—Section 221
Legal Services—Section 222(a)(3)
Emergency Food and Medical Services—Section 222(a)(5)
Senior Opportunities and Services—Section 222(a)(7)
Environmental Action—Section 222(a)(10)
Rural Housing Development and Rehabilitation—Section 222(a)(11)
Emergency Energy Conservation Services—Section 222(a)(12)
Summer Youth Recreation—Section 222(a)(13)

(1) *Exceptions to Non-Federal Share Requirements.* (i) *Emergency food and medical services program.* Because the requirement of non-Federal share could pose serious obstacles to meeting program objectives on an emergency basis the non-Federal share requirements have been waived for this program since its inception and will continue to be waived. The waiver is automatic and does not require a request for waiver.

(ii) *Emergency energy conservation program—short term assistance grants.* Non-Federal share requirements are hereby waived for short term assistance grants under section 222(a)(12). This includes loans and grants to grantees for assistance to eligible individuals to help them avoid utility cutoffs and to provide other direct financial assistance of an emergency nature. The waiver is automatic and does not require a request for waiver from applicants.

(b) *Administratively required.* State Economic Opportunity Offices—Section 231 (SEOOs).

§ 1068.20-4 Non-Federal share requirements.

(a) *Legislative requirements.* Section 225(c) of the Community Services Act of 1974 mandates the following changes in Federal assistance to Community Action Agencies or other agencies funded under sections 221 and 222(a):

"Unless otherwise provided in this part, financial assistance extended to a community action agency or other agency pursuant to sections 221 and 222(a), . . . shall not exceed 80 percentum of the approved cost of the assisted programs or activities with respect to fiscal year 1975, and 70 percentum of such costs with respect to fiscal year 1976, and shall not exceed 60 percentum of such cost with respect to fiscal year 1977, except that in the case of community action agencies receiving such financial assistance annually of $300,000 or less, such financial assistance shall not exceed 75 percentum of such costs with respect to fiscal year 1976 and shall not exceed 70 percentum of such costs with respect to fiscal year 1977 . . ."

(1) As a result of this decrease in percentage of Federal financial assistance the percentage of non-Federal share required will automatically increase in direct proportion, e.g., a CAA whose Federal financial assistance for FY 1976 and 1977 is more than $300,000 will be required to provide 30 percent of approved costs of the assisted programs in FY 1976 and 40 percent in FY 1977 while a CAA whose financial assistance is $300,000 or less will provide 25 percent in non-Federal share for FY 1976 and 30 percent in FY 1977. For grantees other than CAAs the non-Federal share will be 30 percent for FY 1976 and 40 percent for FY 1977.

(2) NOTE: In the event that an additional grant action is made subsequent to a program year refunding which increases a grantee's financial assistance to a level in excess of $300,000, the increase in percentage of required non-Federal share shall be applied only to that grant action.

(b) *Administrative requirement.* The Director has the authority to administratively require non-Federal share when providing financial assistance under legislative authorities not covered by section 225(c). Therefore, as in the past, grantees receiving financial assistance under section 231 (SEOOs) will be required to provide non-Federal share in the amount of 20% for FY 1976 and FY 1977.

(c) *How to determine percentage of required Non-Federal share (CAAs only).* (1) The legislation bases the determination of the percentage of Federal share to be contributed to a program on the CAA's annual "financial assistance", i.e. above $300,000 or $300,000 or less. Section 102(3) of the Act defines the term "financial assistance" as used in Title II to include ". . . assistance advanced by grant, agreement, or contract, but does not include the procurement of plant or equipment or goods or services". In essence "financial assistance" is limited to Federal funds only.

(2) Therefore, in computing a Community Action Agency's financial assistance for purposes of determining the percentage of non-Federal share include only those Federal funds provided under the program authorities in Title II which legislatively require non-Federal share. (See § 1068.20-3.) Legal Services funds

need not be included.[1] Since the non-Federal share waiver for the Emergency Food and Medical Services and some Emergency Energy Conservation Programs are administratively and not statutorily directed, funds provided under these authorities WILL be included in determining financial assistance.

(d) *How to Compute the Non-Federal Share.*—(1) *Grants to Community Action Agencies.* (i) Compute the "financial assistance." (See § 1068.20–4(c).) (ii) Use level of financial assistance to determine percentage of Federal share as outlined in the legislation. (See § 1068.20–4(a)).

(iii) Determine "approved cost of assisted program" by: (A) Entering Federal funds granted for each program account which legislatively requires non-Federal share contribution except those funds granted under sections of the Act for which non-Federal share has been waived and Legal Services (see § 1068.20–3(a)); and (B) dividing the Federal funds by the percentage of Federal contribution as determined in paragraph (d)(1)(ii) of this section.

(iv) Subtract the Federal dollars from the approved cost of assisted program for each program account to determine amount of non-Federal share required.

(2) *Grants to Other than CAAs Which Require Non-Federal Share.* (i) Determine "approved cost of assisted program" by: (A) Entering Federal funds granted; and (B) dividing the Federal funds by the percentage of Federal share, i.e. 80 percent for SEOOs funded under section 231; and 70 percent for FY 1976 and 60 percent for FY 1977 for all others.

(ii) Subtract the Federal dollars from the approved cost of assisted program to determine non-Federal share.

§ 1068.20–5 Communities eligible for waivers of Non-Federal share.

(a) *Waiver Criteria.* (1) Section 225(c) of the EOA as amended also provides that "The Director may approve assistance in excess of such percentages if he determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purpose of (Title II)". The objective of CSA's exemption policy has been to assure that the poorest counties in the nation are able to participate in community action programs despite their lack of local economic resources to match Federal grant funds. These exemptions will be continued. Previously the exemption policy was based on per capital income, i.e. communities whose annual per capita income fell below $750 were exempted to the extent that they were unable to raise non-Federal share; a partial exemption was also extended to about 500 low-income rural counties whose annual per capita income was above $750 but below $1,000. Both groups, however, were expected to provide NFS whenever possible. CSA has revised its waiver criteria by eliminating the per capita provisions and substituting criteria which reflect a percentage of the population below the poverty threshold. The 193 counties with 35 percent or more of families poor [2] will be eligible for waivers of a portion of all of the required NFS. In addition those counties (442) with at least 24.5 percent of families poor [2] may request a waiver of a portion of the non-Federal share but must provide at least 50 percent of the required NFS. Appendices A and B provide complete listings of the eligible counties.

(2) The above does not preclude the Director from developing additional waiver criteria for other circumstances; however, in the event that such criteria are developed they will be published in the FEDERAL REGISTER.

(b) *Procedures for requesting waiver.* A request for a waiver should be in the form of a letter accompanying the application for a grant and shall state (1) the amount of the non-Federal share which the community can provide and (2) that the applicant has made a reasonable effort to raise more non-Federal share and has been unsuccessful. CSA may require that additional evidence be submitted in support of these representations.

(c) *Rule for computing NFS for multi-county CAA where one or more counties qualify for waivers.* (1) In a multi-county program determine each county's NFS on the basis of the relative proportion of total target population in the counties. EXAMPLE: A three county CAA with a target population of 100,000 whose "approved costs of assisted programs" is $500,000:

County	Population	Proportion of NFS (percent)	Amount of NFS at 30 percent
A	20,000	20	30,000
B	30,000	30	45,000
C	50,000	50	75,000
Total	100,000	100	150,000

(2) If one or more counties are eligible for waiver the NFS is first computed as noted above. If County A qualifies for and receives a waiver of all NFS the NFS contribution required of that CAA would be reduced by $30,000.

(3) If County C qualifies for a partial waiver, reduce the $75,000 by the approved percentage of NFS waived and reduce the total NFS requirement of that CAA by the resulting dollar figure.

§ 1068.20–6 Pooling of Non-Federal Share.

(4) CSA will permit pooling of non-Federal share between exempt and non-exempt counties served by the same CAA.

(5) Pooling among those program accounts funded by the Community Services Administration during a single program year is acceptable.

(NOTE: This does not allow pooling with other programs authorized under the Community Services Act which are administered by other Federal agencies, e.g. Title V, Headstart and Follow Through, administered by HEW.)

§ 1068.20–7 Maintenance of effort.

(a) Section 225(d) states that no program shall be approved for assistance under sections 221 and 222(a) unless the Director satisfies himself (1) that the services to be provided under such program will be in addition to, and not in substitution for, services previously provided without Federal assistance and (2) that funds or other resources devoted to programs designed to meet the needs of the poor within the community will not be diminished in order to provide any contributions required under section 225(c).

(b) The principal intent of this requirement is to ensure that the on-going level of anti-poverty effort in the community is increased. Federal assistance is intended to supplement and raise existing levels of local support for action against poverty, not to replace it.

(c) To ensure that the requirements of section 225(d) are satisfied, both of the following conditions must be met:

(1) The applicant must demonstrate that the proposed expenditures, including any amounts claimed as non-Federal share, will represent a net increase in the expenditures from non-Federal sources for similar activities for this purpose, the base period to be used for comparison is FY 75.

(2) In addition, the applicant shall assure CSA that the prior level of expenditures or contributions within the community which are concerned with poverty will be maintained in the sense that funds have not been and will not be diverted from other activities focusing on the needs of the poor so as to finance the community action program.

(d) The requirements of section 225(d) apply only with respect to program accounts funded in whole or in part under sections 221 and 222(a) of the Act, and not to activities which are financed under other sections.

[1] Pub. L. 93–355 makes provision for the transfer of the Legal Services Program for the Community Services Administration to a public corporation to be effective 90 days after the first meeting of the Board of Directors. Until such time the Legal Services Program continues to be funded under section 222(a)(3) and as such would, under normal circumstances, be considered in determining annual financial assistance for purposes of the Non-Federal share. However, as a transfer is imminent pending completion of administrative actions and as it is clearly Congressional intent that the Legal Services Program be a separate entity, funds granted under section 222(a)(3) need NOT be considered in calculating annual financial assistance on which to base percentage of NFS.

[2] 1970 Census of Housing and Population, PC–1(C) series.

Appendix A.—Community Services Administration, Counties with 24.5 percent to 35 percent low-income families [1970]

State and county	Percent of families below low income level
PHILADELPHIA REGION	
Maryland:	
Somerset	24.6
Virginia:	
Accomack	25.2
Amelia	26.2
Bath	24.9
Brunswick	25.4
Buchanan	27.2
Buckingham	29.1
Charles City	28.8
Cumberland	33.3
Dickenson	34.0
Fluvanna	27.6
Greensville	29.8
Halifax	26.1
King and Queen	27.1
Louisa	24.5
Mecklenburg	24.7
Middlesex	26.6
Nelson	28.6
Northampton	32.2
Rappahannock	30.5
Richmond	24.6
Russell	25.4
Scott	27.0
Southampton	27.6
Sussex	26.3
Westmoreland	28.9
Wise	27.4
West Virginia:	
Barbour	25.9
Boone	26.5
Grant	28.0
Hardy	26.9
McDowell	29.8
Monroe	29.2
Nicholas	25.2
Pendleton	28.7
Pocahontas	27.7
Preston	26.9
Ritchie	25.0
Roane	27.1
Summers	33.7
Tucker	24.9
Wirt	29.3
ATLANTA REGION	
Alabama:	
Bibb	30.6
Butler	31.5
Chilton	24.8
Clarke	29.8
Clay	28.8
Covington	24.7
Dallas	31.6
De Kalb	29.5
Escambia	25.5
Fayette	25.3
Geneva	25.7
Henry	31.9
Lawrence	27.3
Monroe	34.6
Pickens	32.5
Pike	29.9
Randolph	27.5
Russell	28.2
Washington	31.8
Florida:	
Calhoun	31.0
Dixie	25.9
Franklin	31.3
Gadsden	31.2
Hamilton	31.8
Hardee	24.6
Holmes	32.7
Jackson	30.7
Liberty	28.5
Madison	33.5
Sumter	25.9
Suwannee	28.1
Wakulla	26.9
Walton	26.8
Georgia:	
Taylor	31.1
Telfair	30.9
Thomas	25.5
Toombs	26.5
Towns	31.2
Turner	26.6
Twiggs	33.5
Washington	33.0
Wheeler	32.7
Wilcox	34.1
Wilkes	28.5
Wilkinson	25.3
Worth	32.5
Kentucky:	
Adair	34.6
Allen	30.1
Bath	31.3
Bracken	24.0
Butler	30.5
Carter	28.8
Casey	30.9
Edmonson	28.2
Estill	33.4
Fleming	26.5
Floyd	34.9
Fulton	25.9
Gallatin	24.6
Grayson	28.6
Hart	27.5
Laurel	34.6
Lewis	28.1
Lincoln	29.9
Marion	26.2
Menifee	32.6
Ohio	24.7
Owen	24.9
Pike	32.2
Powell	28.1
Pulaski	29.3
Robertson	28.9
Rowan	26.9
Todd	25.7
Trigg	24.6
Mississippi:	
Adams	28.7
Calhoun	32.8
Chickasaw	32.1
Clarke	33.0
Clay	25.9
Covington	31.8
Grenada	27.9
Itawamba	25.4
Layfayette	28.6
Lamar	27.8
Lincoln	29.0
Neshoba	30.0
Newton	29.6
Oktibbeha	28.8
Pearl River	26.1
Perry	30.8
Pike	30.8
Pontotoc	32.4
Prentiss	24.7
Scott	32.6
Simpson	30.4
Smith	32.9
Tate	33.2
Tippah	31.8
Union	27.6
Washington	34.3
Webster	34.1
Winston	32.9
North Carolina:	
Alleghany	26.6
Anson	27.3
Ashe	28.0
Avery	29.2
Beaufort	25.0
Bladen	30.7
Cherokee	25.2
Chowan	25.0
Clay	34.7
Columbus	28.0
Duplin	29.0
Edgecombe	26.5
Franklin	28.3
Gates	25.7
Graham	24.8
Greene	32.8
Halifax	30.3
Hertford	27.6
Hoke	26.9
Hyde	34.1
Jackson	25.4
Johnston	24.9
Jones	29.8
Macon	24.9
Madison	32.1
Martin	28.9
Mitchell	28.1
Pamlico	29.0
Pender	28.8
Pitt	27.1
Robeson	31.8
Sampson	29.0
Swain	26.9
Warren	34.5
Yancy	30.5
South Carolina:	
Allendale	31.7
Bamberg	28.6
Barnwell	24.7
Berkeley	26.1
Calhoun	34.6
Colleton	31.7
Dillon	33.2
Edgefield	30.3
Fairfield	31.5
Georgetown	29.6
Hampton	31.3
Horry	25.4
McCormick	34.4
Marion	32.1
Marlboro	27.6
Orangeburg	31.4
Sumter	25.9
Tennessee:	
Bledsoe	33.1
Cannon	26.8
Chester	27.1
Cocke	29.3
Crockett	25.1
Cumberland	29.0
Grainger	30.6
Hardeman	31.2
Hardin	30.4
Henderson	25.9
Houston	35.7
Johnson	30.4
Lake	33.2
Lawrence	24.9
Lincoln	25.2
McNairy	30.7
Macon	29.1
Marion	25.1
Meigs	30.0
Monroe	26.1
Morgan	27.6
Perry	27.4
Pickett	33.9
Rhea	25.3
Sequatchie	24.9
Stewart	31.2
Tipton	29.4
Trousdale	30.6
Union	34.6
Wayne	28.2
CHICAGO REGION	
Illinois:	
Alexander	31.8
Pope	29.3
Minnesota:	
Mahnomen	26.4
Todd	24.5
Ohio:	
Adams	27.4
Wisconsin:	
Menominee	34.0
DALLAS-FORT WORTH REGION	
Arkansas:	
Ashley	25.2
Bradley	29.6
Calhoun	29.6
Clay	31.3
Cleburne	33.8
Cleveland	32.1
Crittenden	32.8
Cross	28.7
Dallas	34.7
Desha	34.2
Drew	27.1
Hempstead	28.3
Izard	29.7
Jackson	25.6
Johnson	25.6
Lafayette	33.0
Lawrence	28.5
Logan	27.7
Lonoke	26.2
Madison	33.3
Marion	30.5
Mississippi	29.6
Montgomery	29.7
Nevada	31.9
Ouachita	25.2
Perry	31.2
Pike	24.8
Poinsett	28.6
Prairie	29.4
Randolph	29.7
St. Francis	34.8
Scott	28.5
Sharp	32.9
Van Buren	32.5
White	24.5
Woodruff	34.3
Louisiana:	
Acadia	29.6
Allen	30.1
Assumption	30.4
Bienville	34.1
Caldwell	33.7
Claiborne	33.2
Concordia	32.2
De Soto	34.7
East Feliciana	33.8
Grant	29.2
Iberville	30.6
Jefferson Davis	28.1
Morehouse	32.9
Sabine	34.9
Tangipahoa	33.5
Union	27.1
Vermilion	25.2
Washington	26.3

State and county	Percent of families below low income level
West Baton Rouge	27.3
Winn	31.2
New Mexico:	
De Baca	34.5
Harding	28.3
McKinley	33.7
Rio Arriba	34.7
Socorro	29.5
Torrance	32.6
Union	26.2
Oklahoma:	
Atoka	29.9
Cherokee	28.0
Choctaw	33.4
Coal	34.0
Delaware	31.0
Haskell	26.7
Hughes	29.3
Johnston	31.1
Latimer	29.8
Le Flore	29.4
Love	26.7
McCurtain	32.4
McIntosh	26.8
Okfuskee	34.7
Sequoyah	28.1
Texas:	
Atascosa	28.7
Austin	25.7
Bastrop	27.5
Brewster	27.1
Burleson	26.4
Caldwell	27.7
Camp	32.0
Collingsworth	25.9
Delta	26.9
Falls	34.6
Fayette	28.1
Foard	28.9
Franklin	27.2
Goliad	28.2
Gonzales	28.0
Grimes	34.5
Houston	33.0
Hudspeth	28.2
Jeff Davis	26.5
Jim Wells	26.6
Karnes	32.8
Kenedy	30.1
Kent	25.1
Lamb	25.3
Lavaca	32.2
Lee	26.8
Leon	30.4
Limestone	24.7
Live Oak	26.6
Madison	27.7
Marion	30.9
Martin	25.0
Mason	27.6
Medina	24.8
Menard	27.7
Motley	24.8
Newton	26.0
Panola	24.6
Polk	28.5
Oklahoma:	
McIntosh	26.8
Okfuskee	34.7
Sequoyah	28.1
Texas:	
Atascosa	28.7
Austin	25.7
Bastrop	27.5
Brewster	27.1
Burleson	26.4
Caldwell	27.7
Camp	32.0
Collingsworth	25.9
Delta	26.9
Falls	34.6
Fayette	28.1
Foard	28.9
Franklin	27.2
Goliad	28.2
Gonzales	28.0
Grimes	34.5
Houston	33.0
Hudspeth	28.2
Jeff Davis	26.5
Jim Wells	26.6
Karnes	32.8
Kenedy	30.1
Kent	25.1
Lamb	25.3
Lavaca	32.2
Lee	26.8
Leon	30.4
Limestone	24.7
Live Oak	26.6
Madison	27.7
Marion	30.9
Martin	25.0
Mason	27.6
Medina	24.8
Menard	27.7
Motley	24.8
Merton	26.0
Pamela	24.6
Polk	28.5
Rains	26.5
Real	27.6
Red River	31.8
Sabine	30.9
San Augustine	33.2
San Patricio	25.2
San Saba	30.8
Shelby	26.8
Sutton	26.3
Trinity	28.5
Uvalde	29.0
Val Verde	24.5
Washington	26.4
Wharton	24.7
Wilson	25.7
KANSAS CITY REGION	
Missouri:	
Bollinger	27.4
Butler	27.5
Carter	25.3
Dade	24.8
Dallas	29.6
Douglas	32.5
Dunklin	29.8
Hickory	26.7
Mercer	24.5
Mississippi	33.5
New Madrid	33.4
Ozark	32.9
Pemiscot	34.7
Putnam	28.0
Reynolds	32.6
St. Clair	25.6
Shannon	31.2
Texas	25.6
Washington	25.4
Wayne	30.8
Wright	26.4
Nebraska:	
Boyd	32.4
Cedar	27.7
Keya Paha	31.7
Knox	27.7
DENVER REGION	
Colorado:	
Costilla	34.7
Saguache	32.6
Montana:	
Blaine	25.2
North Dakota:	
Billings	28.0
Rolette	28.9
South Dakota:	
Bennett	26.9
Charles Mix	27.8
Corson	32.4
Dewey	31.5
Hutchinson	24.7
Hyde	25.4
Mellette	26.9
Utah:	
San Juan	33.2
SAN FRANCISCO REGION	
Arizona:	
Navajo	32.9
SEATTLE REGION	
Alaska:	
Barrow	27.7
Bristol Bay Division	32.8
Kobuk	33.0
Nome	31.2

APPENDIX B.—*Community Services Administration, Counties with 25 percent or more low-income families [1970]*

State and County	Percent of families below low-income level
PHILADELPHIA REGION	
Virginia:	
Lee	30.7
West Virginia:	
Braxton	37.4
Calhoun	37.1
Clay	39.6
Gilmer	37.0
Lincoln	38.0
Mingo	36.5
Webster	39.1
ATLANTA REGION	
Alabama:	
Barbour	36.0
Bullock	46.6
Choctaw	35.5
Conecuh	35.5
Crenshaw	38.5
Greene	53.7
Hale	44.7
Lamar	35.0
Lowndes	50.2
Macon	37.4
Marengo	40.3
Perry	41.5
Sumter	45.1
Wilcox	46.6
Florida:	
Jefferson	35.1
Washington	35.9
Georgia:	
Atkinson	41.0
Baker	45.7
Brooks	35.2
Burke	43.1
Calhoun	43.0
Clay	51.7
Crawford	35.9
Dooly	39.2
Early	36.5
Hancock	42.0
Jenkins	35.9
Miller	40.2
Quitman	47.1
Randolph	41.8
Stewart	43.0
Taliaferro	41.0
Terrell	35.5
Treutlen	35.0
Union	35.4
Warren	37.8
Webster	41.2
Kentucky:	
Bell	39.3
Breathitt	54.9
Clay	57.6
Clinton	40.0
Cumberland	39.4
Elliott	43.7
Harlan	36.2
Jackson	50.2
Johnson	38.5
Knott	56.6
Knox	48.4
Lawrence	40.0
Lee	48.4
Leslie	55.5
Letcher	40.1
McCreary	53.7
Magoffin	48.9
Martin	53.4
Metcalfe	39.7
Monroe	40.5
Morgan	43.5
Owsley	61.6
Perry	39.6
Rockcastle	36.1
Russell	35.7
Wayne	50.1
Whitley	39.7
Wolfe	59.0
Mississippi:	
Amite	42.1
Attala	37.3
Benton	38.2
Bolivar	44.7
Carroll	42.9
Choctaw	35.5
Claiborne	42.5
Coahoma	42.8
Copiah	35.9
Franklin	37.8
Greene	38.8
Holmes	53.0
Humphreys	53.8
Issaquena	42.7
Jasper	40.5
Jefferson	59.0
Jefferson Davis	39.8
Kemper	48.6
Lawrence	36.9
Leake	38.5
Leflore	36.4
Madison	39.8
Marion	36.8
Marshall	44.1
Montgomery	37.8
Noxubee	47.5
Panola	38.5
Quitman	49.8
Sharkey	46.8
Sunflower	46.2
Tallahatchie	50.0
Tunica	55.4
Walthall	35.9
Wayne	37.3

State and county	Percent of families below low income level
Wilkinson	47.9
Yalobusha	37.4
Yazoo	42.7
North Carolina:	
Bertie	37.5
Northampton	38.1
Perquimans	35.2
Tyrrell	37.9
South Carolina:	
Clarendon	42.5
Jasper	37.0
Lee	40.1
Williamsburg	49.5
Tennessee:	
Campbell	36.2
Claiborne	38.8
Clay	39.3
Fayette	44.5
Fentress	42.9
Grundy	40.2
Hancock	55.5
Haywood	40.8
Jackson	38.0
Lauderdale	39.6
Overton	35.8
Scott	42.1
CHICAGO REGION	
Illinois:	
Pulaski	35.7
DALLAS-FORT WORTH REGION	
Arkansas:	
Chicot	43.9
Fulton	41.5
Lee	43.8
Lincoln	36.8
Monroe	38.5
Newton	41.9
Phillips	38.1
Searcy	35.4
Stone	41.3
Louisiana:	
Avoyelles	38.3
Catahoula	36.6
East Carroll	51.1
Evangeline	39.4
Franklin	42.1
Madison	45.1
Natchitoches	37.9
Pointe Coupee	36.8
Red River	40.4
Richland	37.4
St. Helena	44.3
St. Landry	38.4
St. Martin	36.2
Tensas	50.1
West Carroll	37.5
West Feliciana	39.4
New Mexico:	
Guadalupe	38.5
Mora	37.3
Sandoval	38.3
San Miguel	39.9
Taos	35.9
Oklahoma:	
Adair	41.9
Pushmataha	37.0
Texas:	
Brooks	42.0
Cameron	38.6
Dimmit	51.0
Duval	43.6
Edwards	35.9
Frio	35.5
Hidalgo	42.2
Jim Hogg	46.3
Kinney	45.7
La Salle	48.8
Loving	46.2
Maverick	44.1
Presidio	40.9
Robertson	36.1
San Jacinto	38.3
Starr	52.3
Webb	38.5
Willacy	46.2
Zapata	50.6
Zavala	43.6
KANSAS CITY REGION	
Missouri:	
Oregon	36.2
Ripley	36.5
DENVER REGION	
Colorado:	
Conejos	36.7
North Dakota:	
Sioux	38.2
South Dakota:	
Buffalo	38.8
Shannon	44.6
Todd	40.8
Washabaugh	49.3
Ziebach	41.0
SAN FRANCISCO REGION	
Arizona:	
Apache	46.5
SEATTLE REGION	
Alaska:	
Angoon	37.2
Bethel	38.9
Kuskokwim	55.2
Wade Hampton	67.8

[FR Doc.75-17073 Filed 6-30-75;8:45 am]

Title 46—Shipping

CHAPTER IV—FEDERAL MARITIME COMMISSION

SUBCHAPTER A—GENERAL PROVISIONS

[Docket No. 75-7; General Order 16, Amdt. 13]

PART 502—RULES OF PRACTICE AND PROCEDURE

Informal Procedures for Adjudication of Small Claims

By notice of proposed rulemaking published in the FEDERAL REGISTER on April 4, 1975, the Commission served notice that it intended to promulgate a rule to amend Subpart S of 46 CFR Part 502 of the Commission's rules of practice and procedure by increasing the jurisdictional limit for the informal adjudication of small claims from $1,000 to $5,000.

The proposed amendment was based on a staff review and analysis of the claims settled during the period from June 1972 to January 1975. That review revealed that the $1,000 limitation set in 1967 has been eroded by general economic pressures, requiring a new limit to meet the increased costs of doing business and to afford a greater opportunity for claimants to elect the informal procedure for adjudication of small claims.

In response to the Notice of Proposed Rulemaking three comments were filed.[1] Eight conferences and their member lines joined by two additional conferences submitted comments in support of the adoption of the proposed amendment. Comments were also submitted by Ocean Freight Consultants Inc. (OFC) who argues that existing negative aspects of Subpart S 46 CFR Part 502 of the Commission's rules will be multiplied if the limitation is increased as proposed. OFC asserts that an increase in the jurisdictional limit from $1,000 to $5,000 will not necessarily expedite claims, and would not safeguard the interests of claimants who OFC states are now unable to petition for review of the decisions of a Settlement Officer. We find no merit in the arguments of OFC.

Small claims determined by informal procedure under Subpart S are so determined with the consent of all the parties who agree to be bound by the decision of the Settlement Officer. If a claimant wishes the opportunity to be able to request a review of a decision, he may do so by initiating a complaint proceeding under § 502.62, Complaints, or Subpart K, 46 CFR Part 502, Shortened Procedure, of the Commission's rules of practice and procedure.

We believe that the proposed amendment which offers a larger number of claimants the opportunity to select the informal procedure will result in the expeditious adjudication of a greater number of claims and a savings in expense to the parties involved.

Therefore, pursuant to section 3 and 4 of the Administrative Procedure Act, 5 U.S.C. 552, 553 and section 43 of the Shipping Act 1916, 46 U.S.C. 841a, the first sentence of § 502.301 of Title 46 of the Code of Federal Regulations be amended to read as follows:

§ 502.3010 Policy.

Claims against common carriers subject to the Shipping Act, 1916, as amended, and the Intercoastal Shipping Act, 1933, as amended, in the amount of $5,000 or less, for the recovery of damages (not including claims for loss of or damage to property), or for the recovery of overcharges, will with the written consent of all parties, be determined, pursuant to this subpart, by Settlement Officers, to be delegated by the Commission, without the necessity for formal proceedings under the rules of this part.* * *

Effective date. Since the amended rule will relieve a restriction on claimants, pursuant to section 4(c)(1) of the Administrative Procedure Act (5 U.S.C. 553), this amendment shall become effective immediately on July 1, 1975.

By the Commission.

[SEAL] FRANCIS C. HURNEY, *Secretary.*

[FR Doc.75-17143 Filed 6-30-75;8:45 am]

[1] Comments were submitted by: (a) North Atlantic Continental Freight Conference, North Atlantic Baltic Freight Conference, North Atlantic French Atlantic Freight Conference, Continental North Atlantic Westbound Freight Conference, North Atlantic United Kingdom Freight Conference, Scandanavia/U.S. North Atlantic Freight Conference, North Atlantic Westbound Freight Association, South Atlantic North Europe Rate Agreement, (b) Continental/U.S. Gulf Freight Association, and United Kingdom/U.S. Gulf Westbound Rate Agreement, and (c) Ocean Freight Consultants Inc.

Title 47—Telecommunication

[Docket Nos. 16004, 18052; FCC 75-636]

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 73—RADIO BROADCAST SERVICES

Field Strength Curves and Field Strength Measurements

Report and Order—proceeding terminated. In the matter of amendment of §§ 73.333 and 73.699, field strength curves for FM and TV Broadcast Stations, Docket No. 16004; amendment of Part 73 of the rules regarding filed strength measurements for FM and TV Broadcast Stations, Docket No. 18052.

1. In the above entitled proceeding[1] the Commission proposed to amend Part 73 of its rules and regulations to effect the following changes:

(1) Adoption of revised F(50,50) field strength curves for the television broadcast service (§ 73.699) and the FM broadcast service (§ 73.333), the adoption of new F(50,10) field strength curves for both services (however, with the exclusion of a "roughness factor" originally proposed in Docket 16004 for modification of the values predicted by the curves where the terrain traversed by the signal is of other than average roughness).[1a]

(2) Revision of the procedure specified in § 73.686 for making field strength measurements in the television broadcast service, and a broader definition of the situations in which the results of such measurements will be considered as of probative value. Also contemplated is the incorporation of similar provisions for field strength measurements in the rules governing the FM broadcast service.

(3) Modification of the F(50,50) field strength values specified in § 73.683 for Grade B service.

(4) Possible changes in the rules to provide for the depiction of areas within the television station's Grade B contour subject to interstation interference.

2. Prior to the consolidation of Dockets 16004 and 18052 by a Further notice of proposed rulemaking, adopted April 14, 1971 (FCC 71-422), 36 F.R. 8699 (1971), comments were received in the separate proceedings concerning the adoption of field strength curves (Docket 16004) and the revision of the rules governing the performance of field strength measurements and their usage (Docket 18052). The Further Notice invited comments on the proposed adoption of amended field strength values defining Grade B service, as a part of a "package" which would include rule amendments to implement the proposals advanced in the aforementioned Dockets, excluding, however, the "roughness factor" offered for adoption in Docket 16004. While disclaiming any requirement of the FCC for such information, the Further Notice sought comments on the usefulness of interference predictions for other purposes, and the technical standards which should be employed if depictions of interference areas within Grade B contours were required.

3. As extended, the deadline for filing comments was set as July 28, 1971, and for filing reply comments as December 29, 1971. In arriving at a decision in this proceeding, we have had before us and have given full consideration to the comments filed in each of the separate Dockets, and those filed in response to the Further Notice, as listed in Appendix A below.

4. As many of the parties have emphasized, there are two major and interrelated questions to be considered in this proceeding:

(1) The validity of these proposals purely from an engineering viewpoint.

(2) The effect of the adoption of the proposals, separately or in combination, on competitive relationships between television broadcast stations and on their relationship to other media (CATV) and other services (e.g., land mobile).

5. An additional consideration is the allegation that an undue burden, economic and otherwise, would be imposed on television stations required to comply with the new standards, regardless of other effects which may be involved.

6. Thus, largely in behalf of broadcast interests, it is argued that the revised F(50,50) field strength curves for VHF are no more accurate, and may be less accurate than the curves presently contained in the rules. A. Earl Cullum and AMST have provided detailed analyses of what they consider to be the faulty or incomplete use of available measurements in the preparation of the revised curves. Opposition to the adoption of the revised F(50,50) curves for UHF is less pronounced. That these curves will permit a better approximation of UHF field strengths than the low band VHF curves presently employed for this purpose is recognized, but it is strongly urged that if the UHF curves are adopted, they should be employed in individual cases with corrections for terrain roughness. However, the method for making these corrections which we had proposed to adopt in Docket 16004 (but later rejected in the Further Notice) is held to be defective in several respects. Cullum suggests that the extreme variability of the UHF signal defies any attempt to depict service provided with such signals by an area concept, and we should give consideration to devising some other means for predicting UHF service.

7. In the above connection, the Department of Commerce urges that, in lieu of revising its field strength curves or amending its rules regarding field strength measurements, the Commission give consideration to computer methods developed by the Department by which realistic estimates of the quality and extent of service provided by each station to various areas can be developed with suitable inputs to the computer of station frequency, effective radiated power, antenna height, and data on pertinent terrain irregularities and meteorological conditions. A technical report of ESSA, fully describing the method, is appended to the Department's comment.

8. As to the engineering merits of the proposed revision of Grade B values, it is held that the Commission has provided insufficient technical support to justify the modification of certain of the parameters used in the Grade B computations; that certain computations (i.e., the method of combining the effects of external and receiver noise) are faulty, and that such information as is available to the parties from other sources indicates the Commission has assumed unrealistically low receiver noise figures and unrealistically high values of antenna gain. The inclusion of the effects of external noise in the computation of the Grade B contour value for low band VHF stations creates a situation where such stations produce Grade B signals at lesser distances than do high band VHF stations of comparable power and antenna height. It is contended that this result is contrary to the findings of TASO, and to common experience.

9. Out to distances which include the normal service range of television broadcast stations, the revised F(50,50) curves for VHF frequencies generally show higher fields from shorter antennas, and lower fields from higher antennas than do the present curves, the crossover point occuring at antenna heights between 500 and 1,000 feet. The differences are not major, however, except for extremely low or extremely high antennas. It is, of course, with the practical effect of adopting these curves on stations using taller than average antennas that most of the concern is expressed. However, it is not argued that the adoption of the VHF curves would seriously affect the viability of television stations operating in this band. Rather, it is offered that the differences between the present and the proposed VHF curves are not sufficiently great as to justify adoption of the new curves, absent convincing engineering evidence that the new curves represent a substantial improvement over the old, but the fact that differences do exist is sufficient to result in substantial expense and hardship to VHF station licensees should the new curves be adopted. Although the Commission has stated that if the proposed rules were adopted, it would require the filing of revised Grade A and B contours only in instances where individual stations are engaged in proceedings in which the location of these contours is a pertinent consideration, the many Commission procedures whose resolution requires such consideration (particularly in CATV matters) will, in a relatively brief period, involve many, if not all stations.

10. The situation with respect to UHF stations is considerably different. Grade A and B contours for these stations, as predicted with the proposed curves, in all cases will fall at distances from their transmitters which are very substantially less than those determined by the present curves. While most of the parties who have commented on this question recognize that the new curves produce a result which is closer to reality than do the present low band VHF curves (some UHF licensees do not concede this to be case), the adverse effects of employing these curves is held by UHF stations and their organizations to be little short of disastrous. The salability of UHF stations to advertisers will be hampered—it is claimed that advertisers look first at the size of the areas included within its Grade A and B contours of a station in assessing its suitability for reaching the audience desired by the advertiser. More importantly, the UHF station's position vis-a-vis CATV systems in its area with respect to carriage and non-duplication, which may have been established

[1] 36 FR 23322, December 8, 1971.

[1a] The revised field strength curves are those contained in Report No. R-6602 of the Research Division of the Office of Chief Engineer of the FCC, issued on September 11, 1966. This Report, which fully describes the development of the curves, and the development and use of the "roughness factor" is a part of the record of this proceeding.

only after prolonged and expensive litigation, will be disrupted seriously. These effects will ensue, regardless of whether or not revised Grade B values are adopted in connection with the revised curves, since the new Grade B contour for each station will still fall short of its old location. Moreover, the Commission has offered nothing which would compensate, even partially, for the foreshortening of the Grade A contour which would occur. It is urged that those UHF licensees who, heeding the prompting of the Commission, have invested large sums in the improvement of their transmitting plants, deserve something better than an untoward result dictated solely by a blind adherence to engineering considerations.[2] Several UHF licensees and ACTS suggest that if the adoption of the new curves is decided upon, we "grandfather" existing CATV carriage and non-duplication rights on the basis of the present predicted Grade A and B contours. While some licensees would be satisfied with such "grandfathering" with respect to existing CATV systems, others hold it is necessary to provide such protection also against systems established in the future.

11. In addition to the deficiencies which Cullum finds in the new curves, even when employed for average terrain and meteorological conditions, he maintains we are remiss in not making provision, at this time, for the special propagation conditions existing in southern California coastal areas and in Puerto Rico, which, he urges, are even more abnormal than those in the Gulf area, whose existence the Commission has recognized in its rules by the specification of larger co-channel station separations in this area than are required in other sections of the country.

12. In contrast to the rather general opposition to the adoption of the new curves expressed by broadcasting interests are the positions of Motorola, Inc., GE, and EIA, which parties, in the interest of "improved spectrum management," which in the context presented appears a euphemism for increased opportunities for land mobile sharing of TV channels, favor adoption of the curves. Motorola would employ these curves with roughness factor corrections when it will "improve spectrum usage." GE and EIA take exception to certain of the parameters which were utilized in the derivation of the new Grade B values. The figures for receiver noise, antenna gain, and transmission line loss are claimed to be too optimistic and the external noise factor included in the low VHF band computation is subject to adverse criticism. EIA, in particular, suggesting it should be substantially increased. However, NCTA and Jerrold Corp., which adopts NCTA's comments, fully support all of the proposals made by the Commission in this proceeding.

13. A number of the comments suggest that we adopt the proposed measurement procedure, but defer adoption of the new curves for a period of a year or more with the thought that such action will result in the making of measurements whose results can be used to settle the controversy as to the accuracy of the new curves.[3]

14. In general, those comments which critically examine the measurement proposal recognize it as offering a marked improvement over the procedure specified in the rules, and would accept it as a substitute for that procedure for the purposes which the rules now permit measurements to be made. However, considerable opposition is offered to our proposal to permit determinations of the extent of service to be made by measurements, with the results of such measurements taking precedence over determinations based on the propagation curves. Several parties hold that, for this purpose, measurements will yield results no more accurate than predictions made with the use of the curves. Pertinent to the suggestion, previously mentioned, that the adoption of rules permitting the expanded use of measurements will result in the accumulation of data by which the accuracy of the new curves may be verified, or their accuracy improved, Cullum holds that any rule which permits, but does not require the use of measurements in lieu of curves will not result in the accumulation of reliable and unbiased data for this purpose, since any measurements made in individual cases will be submitted to the Commission only when the results support the position being advanced by the party undertaking the measurements.

15. While the proposal that we provide in our rules the tools for predicting the extent of interstation interference was originally advanced to the Commission in promotion of UHF television (apparently with the thought that VHF stations, in general, can be shown to be subject to more such interference than UHF stations, and, in consequence of this fact, on a basis of effective service, the disparity between UHF and VHF coverage would be less pronounced), no UHF station or organization supports the adoption of such rules in the instant proceeding. Rather, the only supporters of the proposal are Motorola and EIA, who view it as one more instrument which could be used to further the sharing of TV channels by the land mobile services, and NCTA, which, as previously noted, espouses all of the proposals advanced in this proceeding.

16. Neil Smith, who, in behalf of Kear and Kennedy, participated in the FCC/industry committee whose efforts resulted in the production of the curves, urges their adoption, as well as the measurement proposal, which was originally instituted as a result of a petition filed by Kear and Kennedy. However, Mr. Smith submits a report of a test which he conducted in an attempt to correlate TV picture quality with the strength of received signals, which, he asserts, offers no support for a reduction in field strength values necessary for Grade B service. If, however, the Commission considers that the adoption of such lower values is a necessary part of a package which includes the revised curves and measurement rules, he believes that the virtues of these latter proposals far outweigh the deficiencies of the former.

DECISION

17. Despite the considerable controversy which has swept around the technical merits of the proposals put forward in this proceeding, the task of arriving at a decision in this matter would be immeasurably simplified if such a decision could be made to hinge entirely on an evaluation of the engineering virtues of these proposals. However, in a regulatory system engineering rules are administrative tools, and a decision, at any time, to substitute new tools for old, even though they may be demonstrated to be keener and more precise than the ones presently available, inevitably must take into consideration the practical consequences of such action, both with respect to the efficiency, expeditiousness and finality of regulatory processes, and the impact of the rule changes on those whose activities are under the jurisdiction of the regulatory body.

18. That this is true is recognized either explicitly or implicitly by most of the parties who have commented in this proceeding. Generally, those who favor adoption of the field strength curves and the Grade B contour proposals, separately or together, or the proposal to permit more extensive use of measurements, either ignore or minimize the engineering deficiencies which others profess to see in these proposals, and urge their adoption because such action would facilitate the achievement of ends which the individual parties consider desirable.

19. Parties who concern themselves primarily with the engineering aspects of these matters are not insensitive to the practical problems which might eventuate should the Commission adopt the particular "engineering" proposal which a party recommends, but urge that "non-engineering" solutions be found, as necessary, for such problems.

20. The "package" approach which we advanced in the consolidated docket has gained little support—the majority of the parties have reduced the proposal to its separate elements and picked and chosen among them. Consequently, we have abandoned this approach, and will consider each of the major proposals—propagation curves, Grade B redefini-

[2] Certain of the entities which, in general, favor adoption of the UHF curves believe they should be utilized only with appropriate corrections for terrain roughness. If such corrections were employed UHF stations located in rugged terrain (e.g., the Scranton/Wilkes Barre area or the Pacific Northwest) would sustain a shrinkage of their Grade A and B contours even more drastic than that resulting from the use of the new curves without such corrections. On the other hand, an engineering showing submitted in behalf of UHF station WTOE, Pensacola, Florida, demonstrates that, in smooth terrain, the application of these corrections will appreciably increase the radius of the Grade B contour.

[3] These comments, in most instances, submitted in behalf of VHF stations operating in the high band, also urge that the revised Grade B contour values be adopted at this time.

tion, and measurements—on its individual merits.

21. We shall first discuss the technical virtues and deficiencies of our proposals in these dockets. If we decide that the engineering merits of these proposals have been sufficiently established to justify their adoption solely on this basis, we will then examine the effects of such action on the Commission's regulatory functions, and on the relationships among stations and between television and other services, to ascertain whether dislocations or disruptions of existing procedures and relationships will be of such magnitude that a more advanced engineering approach should be rejected in the name of administrative efficiency, or because the adverse effects on the regulated industry are determined to be unduly great.

THE PROPOSED PROPAGATION CURVES

22. The new propagation curves were developed by the Working Group appointed by an engineering conference called by the Commission. All the methods and procedures employed in the preparation of the curves were approved by the Working Group, which was comprised of engineering representatives from industry, other government agencies, and of Commission engineers.

23. As a data base, the Group had available the results of many recordings of the signals of FM and TV stations made at fixed sites, principally by the FCC, Central Radio Propagation Laboratories,[4] and the National Bureau of Standards, gathered during a period between 1943 and 1954, and of mobile surveys made between 1955 and 1962, the great majority of which were conducted by A. D. Ring and Associates, A. Earl Cullum, Jr. and Associates, and by the FCC.

24. The two last mentioned firms, of course, are the parties who have mounted the principal attack on the adequacy of the proposed curves, with the claim that, insofar as the VHF curves are concerned, the measurement data is more accurately reflected in the curves now contained in our rules than in the proposed curves.[5] Generally, others who oppose the adoption of the curves primarily because of the practical effects of their employment, rely on the showings of these two parties to support a claim that the curves are, in any case, technically deficient.

25. Much of the controversy, it appears, revolves around the weight to be given certain measurement data, and the nature and magnitude of corrections to be applied to this data. Ring believes that a major source of error lies in the application of a linear height-gain factor by the Commission in lieu of a spherical earth factor in the development of the new curves; Cullum agrees that this may be the case.

[4] Now the Institute for Telecommunications Sciences, Office of Telecommunications, U.S. Department of Commerce.

[5] The Ring engineering presentations were submitted in support of AMST pleadings.

26. The Commission has thoroughly reviewed the procedures and data employed by the Committee in the preparation of the curves. It has also studied the extensive technical filings made by Cullum and Ring in the current and earlier phases of this proceeding, in an attempt to ascertain the reasons their conclusions in this matter are at variance with the Commission's.

27. Insofar as the Commission can determine, neither party in his analysis, made adequate use of long term measurement data at fixed locations. There are a number of such data points at pertinent distances, which the Commission feels must be considered in any critique of the proposed curves. Cullum apparently ignored this data; Ring used it, but failed to reduce the measured fields in accordance with the "preferred location bias" which the Ad Hoc Committee agreed was reasonably applicable.

28. Cullum places particular weight on mobile measurements on WFAA, which were made in June, at which time propagated fields may be expected to be considerably higher than average, while rejecting measurements made on Channels 2 and 7 in New York City in the FCC UHF experiment. We consider the New York City data as among the most reliable and accurate of the available mobile measurements.

29. Ring recognized that atypically high fields exist in mid-California at ultra high frequencies because of unusual terrain conditions, but apparently failed to take into account that the conditions responsible for the abnormal signal levels at UHF are operative in the high VHF band. Thus, measured unweighted data obtained in this area cannot be accepted for verification of propagation curves prepared for typical terrain.

30. In any derivation of propagation curves, it is necessary to provide smooth trends with distance, transmitting antenna height, time fading and frequency. If a technique is employed which fails to take into account all of these parameters there will be no satisfactory trends for the parameters not taken into consideration. For instance, 10 percent measurement data would have lead to propagation curves with lower values of field strength than the 50 percent best fit curves of Cullum—a result which is manifestly insupportable.

31. In any undertaking such as this, which inevitably involves, in many areas, the exercise of a considerable degree of expert judgment, it is possible for experts to disagree with particular aspects of the procedure employed. It was to develop a consensus on the important points at issue that the Ad Hoc Committee was formed. It performed its task in a careful and competent manner. That the results, considered purely from a technical viewpoint, have not received universal acceptance, is unfortunate, but not fatal. As indicated above, we believe that the criticisms leveled at the curves are subject to logical rebuttal, and that the determinations of the Ad Hoc Committee must prevail over the opinions of individual engineers, even highly competent engineers such as Ring and Cullum, to whom the Committee is greatly in debt for much of the raw mobile measurement data which were used in the preparation of the curves.

32. The Commission is firmly of the opinion that the proposed curves represent a substantial improvement in prediction accuracy, and their adoption, as an improved allocations tool, is fully justified.

33. We have given full attention to the comments of those parties who maintain that regardless of the technical merits or deficiencies of the proposed curves, they should not be adopted because their employment will result in a redetermination of the locations of principal city, Grade A and Grade B contours, and may lead to a review of determinations and decisions arrived at in reliance on previously established locations of these contours. We stated in the Further Notice, and we now reiterate that we have no intention of allowing this to happen, and such actions will be "grandfathered".

34. Contours of UHF stations, when predicted with the use of the new propagation curves of course will be reduced substantially in average radii. However, it appears that this circumstance would have an adverse impact on a UHF station's ability to operate viably only insofar as contour locations remain a major factor in determining its rights for carriage and network program nonduplication on CATV systems. The Commission is presently in the process of eliminating the use of contours for this purpose. Thus, in a "First Report and Order" in Docket 19995, adopted April 3, 1975 (FCC 75–413) the cable rules were amended to prescribe zones of fixed radii, in lieu of contours, for determining the areas over which television stations are entitled to protection from network program duplication. In a "Notice of Proposed rulemaking" in Docket 20496, adopted May 29, 1975 (FCC 75–635), we look toward the substitution of a zone of fixed radius for the Grade B contour in the cable rules governing signal carriage. Pending the conclusion of this proceeding, carriage requirements will continue to be determined by the procedures heretofore applying, including the determination of contours by use of the old curves. In the light of the above, we believe that the adverse effects on UHF stations in their cable relationships foreseen, should the new curves be adopted, would not occur.

35. In other situations where the locations of the service contours of TV stations are a pertinent consideration we do not believe that the setting of UHF stations' contours on a more realistic basis will result in substantially adverse effects on their economic health or general status. Time buyers of the present day possess sufficient sophistication that, in decisions regarding their television advertising efforts, only secondary importance is placed on data showing the extent of each station's contours; they

rely primarily on audience survey data made available by ARB and other similar services. Determinations of contour locations by means of the new curves obviously, in many cases, will make easier the task of the station licensee in meeting the requirements of the rules in multiple ownership cases, whether TV/TV or TV/CATV cross ownership is contemplated. In summary, we are of the view that the adoption of the new curves will not result in significant economic harm to existing television broadcast stations. Accordingly, we will amend our rules to incorporate the new curves therein.

36. We have decided also to adopt the terrain roughness factor, originally proposed in Docket 16004 for use in the adjustment of results obtained by application of the propagation curves. While, as pointed out in the comments, the proposed factor does not take into account all terrain characteristics which may affect signal propagation over a particular path, such as terrain tilt or sequence, or the attenuation caused by foliage, it does offer a practical means for making, in particular cases, gross first order corrections of predictions based on the use of propagation curves which assume terrain of average roughness, thus improving the accuracy of predicted values—especially at the higher television frequencies. In the immediate absence of a more sophisticated, and not unduly burdensome method of assessing the effects of a variety of terrain anomalies, we believe that the procedure proposed is a worthwhile addition to our allocation tools.

37. Some parties appeared to believe that an undue burden and expense would be imposed on television station licensees by a requirement that they prepare revised contour maps based on the new curves. We fail to see why this should be the case. While the effort required is more than nominal, it is certainly not one of major proportions. Nevertheless, to mitigate the impact, such as it is, of this requirement, we had previously suggested that the submission of revised contour maps would be expected only of licensees involved in cases in which the location of their station's contours is a matter of probative importance. We have given further thought to this matter, however, and now are of the opinion that the indefinite existence of a situation where the contours of some stations are based on the old curves, and of others on the new, is undesirable. We believe that the present usefulness of contour information can best be preserved, and confusion minimized, only if all television broadcast stations are required to file updated contour maps with the Commission within a reasonable period of time. We have decided, therefore, to require each station to submit to the Commission revised maps at the time it applies for its first renewal of license subsequent to the effective date of these rule amendments.

38. We will not impose a similar requirement on the licensees of FM broadcast stations. There appears to be no pressing need that revised contours for all of these stations be made available in the immediate future. However, in any Commission proceeding in which a pertinent consideration is the location of the contours of specific FM stations, the parties concerned are expected, of course, to submit showings involving the contours and coverage of these stations, as determined in accordance with the amended rules.

39. In his original comments in Docket 16004, and as reiterated in his filings in this consolidated proceeding Cullum maintains that the Commission should be faulted in not making some provision for the now demonstrated fact that meteorological conditions in Southern California and Puerto Rico favor long distance propagation of interfering signals to an extent even greater than has long been known to exist along the Gulf Coast. This condition in the latter area was recognized in the present television allocation by the specification of greater than standard co-channel separations between stations. He suggests that a similar procedure be adopted for Southern California and for Puerto Rico.

40. Had the abnormal propagation conditions existing in Puerto Rico and Southern California been evident prior to the promulgation of the Sixth Report and Order of April, 1952, which adopted the existing allocation rules, consideration might more feasibly have been given to the adoption of special separation standards for these areas. Now, however, except for stations in the UHF spectrum, the matter seems largely academic. VHF assignments are fully occupied, service areas in the face of the greater-than-normal interference have been established, and it cannot be considered within the realm of practicability that existing stations could be uprooted and moved to locations affording more favorable separations.

41. Moreover, even if this practical impediment to the implementation of greater separations did not exist, we are not at all sure that, taking all pertinent factors into account, we would opt for greater geographical separations in Southern California and Puerto Rico. We note that our present rules provide for two departures from the separation requirements applicable to the major portion of the country (Zone II); the greater separations prescribed for the Gulf Coast area (Zone III) for the reasons which have been discussed, and the lesser separations set for the northeastern portion of the United States (Zone I) to accommodate the greater number of stations deemed necessary to serve this populous area.

42. When the Commission last had occasion to determine the kind of co-channel separations which should obtain in various areas of the United States based on considerations of population distribution (the FM allocation of 1962) it decided to treat Southern California and Puerto Rico in the same manner as the northeastern states—it provided for lesser-separated Class B assignments in these areas while the remainder of the country enjoyed more widely separated Class C assignments.

43. Thus, in any new look at TV separations in Southern California and Puerto Rico, two conflicting influences would be at work—one looking toward greater separations because of abnormal propagation conditions, and another, toward lesser separations to accommodate the number of stations deemed necessary to serve these densely populated areas. In such a situation, a compromise solution might well have been arrived at—which could have produced a result not greatly different than the separation formula which now obtains.

44. Any method of service analysis which takes into detailed consideration as many as possible of the factors which affect signal propagation, and assigns to these factors values unique to the area or each segment of the area over which television or FM service is to be estimated has the potential for producing more accurate results in the individual case than can be achieved with the use of propagation curves based on average propagation conditions over long paths. Thus, the computer method proposed by the Department of Commerce may prove useful in any undertaking where the degree of precision which may be attainable justifies the inevitable complications of the method. However, for the day-to-day regulatory purposes in which propagation curves are presently employed, we believe that they yield results of an acceptable degree of accuracy, and that the adoption of Commerce's method for estimating coverage for such purposes would impose unnecessary burdens on both licensees and the Commission.*

REDEFINITION OF THE GRADE B CONTOURS

45. Our proposal to define Grade B contours at field strength values somewhat lower than are presently specified in our rules was made primarily in an attempt to mitigate such practical impact as might be experienced by television station licensees, who, in utilizing the new propagation curves for the prediction of station coverage, find that coverage within the Grade B contour had been reduced.

46. The lower field strength values proposed resulted largely from a revision in the magnitude of certain parameters included in the computation of Grade B signal strength, a reduction in estimated receiver noise figures, an upward revision in values for receiving antenna gain, and a reduction in the assessed effect of transmission line losses. The assignment of new values to these parameters was held to be justified as a result of equipment refinements occurring since the original Grade B determinations were made. The reduction in the proposed Grade B contour value for low band VHF was quite moderate, for,

* While we are rejecting this proposal primarily for practical reasons, we have taken note of an engineering study submitted as an attachment to the reply comments of AMST. The results of this study suggest that the Commerce method in its present form, may be less than satisfactory in yielding realistic estimates of UHF fields occurring at distances of less than 50 to 60 miles from the transmitter.

in the computation of this value, we included, for the first time, a factor intended to account for the effects of external noise, which we found to be of significant strength only in this band of television frequencies.

47. Except in those cases where individual stations find that the employment of the new curves in combination with redefined Grade B contours confer practical benefits on them, either on an absolute or competitive basis, there is general unwillingness to accept the proposed Grade B values for coverage determinations. Rather, the technical soundness for Grade B contour redefinition is attacked, with the allegation there is insufficient evidence that the values which the Commission assigned to the receiver noise figure or to antenna gain are realized at present in any but exceptional cases, or are likely to be realized more generally in the foreseeable future. The external noise figure included in the low band VHF Grade B determination is held not to be justified by available data, and it is urged its inclusion produces a result contrary to common experience.

48. Admittedly, the receiver noise figures and antenna gain values utilized by the Commission are optimistic, representing the performance of a receiving installation much better than average. The best justification for employing these values is a comparative one—the corresponding parameters in the original Grade B determinations also were optimistic at the time they were adopted and there is no doubt that receivers and antennas have improved in these respects over the intervening years. On the other hand, it is argued that a similarly optimistic approach—assuming performance levels of receiving installations hoped to be reached generally in the future with improved equipment—is not justified at this time. For instance, current trends in receiver design, it is alleged, portend higher, rather than lower, receiver noise figures.

49. It would appear that the practical benefits accruing from a redefinition of the Grade B contours are deemed by many parties to be minimal. Since questions have been raised as to the reasonableness of certain of the assumptions made by the Commission in its computation of the proposed new Grade B values, we have decided not to press this proposal further. While we might attempt to support further the figures we have employed, we consider such an effort unnecessary. There is no urgent need, from an engineering standpoint, to redefine the Grade B contour, and since other considerations do not make such a course of action expedient, we will not pursue it. Accordingly, the rules will not be amended in this respect.

MEASUREMENTS

50. In its notice of proposed rulemaking in Docket 18052 it is stated "The Commission is seeking a method (of field strength measurement) that will yield substantially the same results when measurements are made under similar conditions, by independent observers and at different times. Otherwise, measurements can have no probative value."

51. All parties agree that this ideal cannot be achieved fully as between two sets of measurements made at different times, since the time fading factor, predominantly seasonal in character, would forbid such a result.

52. There is an equal degree of agreement, however, that the measurement procedure set forth in § 73.686 is obsolete, and where television field strength measurements are now made for any purpose, is more honored in the breach than in its observance. Therefore, this section should be amended to specify a more acceptable procedure, which the majority of those commenting believe should be generally patterned on the technique developed and employed by the Television Allocations Study Organization (TASO). While this procedure does not meet the criteria which the Commission cited as desirable—it admittedly does not take into account temporal variations in field strength, and even carefully made measurements by different observers over the same path may yield results sufficiently different to be controversial—this procedure is now generally employed by engineers making television field strength measurements, and clearly represents an improvement of the one set forth in our rules. Accordingly, we are amending our rules to adopt this procedure with certain modifications proposed in this proceeding, and with other changes which we believe will serve to clarify its application. In taking this step, however, we are not abandoning our quest for a method of measurement which more fully meets the criteria we have established. The Commission intends to study this matter further, and would welcome assistance from the industry in pursuit of this end. At such time as developments warrant such a course of action, we will propose such further amendment of § 73.686 and the rule for FM measurements which we are adopting, as may be appropriate.

53. There are strong differences of opinion on the question of whether field intensity measurements should be accepted by the Commission only in "rule making proceedings to amend * * * technical standards" and when submitted in response to a request by the Commission (the present rule limitation), or whether individuals should be permitted also "to submit measurement data for the purpose of showing more precisely the propagation over a particular path, or the field intensity received at a particular location" (the petitioner's proposal).

54. The preponderance of engineering opinion submitted in this proceeding is to the effect that while field strength measurements, if properly executed, are a valid means for determining the general level of a VHF or UHF signal prevailing over a particular area, e.g., a city, they cannot or should not be employed in an attempt to establish the location of a particular contour, by a procedure wherein measurements are made along a particular radial, and a best fit curve is drawn through the measured points. Thus, A. Earl Cullum states "The frequently used procedure of drawing connecting lines or curves between plotted measured clusters does not give a median value. No point may be at the median for the area or all may be. To say that a line drawn between measured points defines, by crossing a particular field intensity ordinate, the distance to a contour representing the median (with respect to locations) field intensity is to 'pin the tail on the donkey' while blindfolded."

55. Another objection raised to the procedure is that it fails to take into account that the strength of a VHF or UHF signal varies with time, and, even assuming that the location of a contour could be pinpointed by a particular measurement procedure, its location would be determined only for the time at which the measurements were made. It could well be somewhere else at some other time.

56. The contrary argument in Docket 18052 is that, in the standard broadcast service, contours determined by field strength measurements take precedence over predicted contours, even though such measured contours are subject to temporal variations and to limitations similar to those found at higher frequencies. Thus, the argument goes, there is no reason why the same approach should not be used at UHF and VHF frequencies.

57. However, groundwave fields at standard broadcast frequencies are not usually subject to as sharp and substantial variations in amplitude between closely adjacent locations as are typical of the effects found at higher frequencies. Consequently, measurements made at medium frequencies over the same path by different observers are likely to produce results which are in closer correspondence than similar measurements at VHF and UHF frequencies. There is, of course, a temporal variation in measured field strength, generally seasonal in nature, whose magnitude probably was not fully realized until after the custom of utilizing field strength measurements in individual cases had been firmly embeded in standard broadcast regulatory structure. It should be noted, furthermore, that for standard broadcast propagation conditions where the variation in signal strength with time is very great, i.e., skywave transmission, the rules permit only empirical curves to be used for determining service contours and the levels of undesired signals.[*]

58. We are not basing our decision on whether or not to permit the expanded

[*] It is fairly obvious that measurements, carefully made at some particular time over some particular area yield results, which for that time and over that area, can have a higher degree of accuracy than those obtained by the use of propagation curves based on average conditions. However, the great virtue of the curves, from a regulatory standpoint, is that they produce a unique result, reproducible at different times by different individuals, which is of sufficient accuracy, in the great majority of cases, to permit the attainment of basic regulatory objectives.

employment of field strength measurements of television signals primarily on technical considerations. It should be pointed out that permissive employment of measurements for groundwave service and interference showings in the standard broadcast service has greatly complicated and lengthened many Commission proceedings. It can plausibly be argued that had the performance of measurements in this service long ago been permitted only for certain specific purposes (e.g., to gain conductivity data in general allocations matters and in adjusting directional antenna radiation patterns), the extent and quality of standard broadcast service would not have suffered appreciably, but the causes of administrative speed, efficiency, simplicity, and finality would have been very substantially advanced.

59. The framers of the TV rules took due note of the tortuous standard broadcast experience, and designed an allocations structure and assignment procedure intended to be as free from tampering as possible. To this end, engineering tools which might be used for the individual tailoring of assignments were largely omitted from the rules. While Grade A and Grade B "service" contours were provided for, they were intended to have only nominal significance. However, the need for some convenient measure of TV station service for a variety of purposes appeared over the years, and, in the absence of any more realistic or usable standard, the Grade A and Grade B contours came generally into use. Inevitably, then, when a determination requiring the use of these contours produced a result adverse to the interests of a particular party, he sought ways acceptable to the Commission of changing this result, e.g., changing the position of a Grade B contour, predicted by use of the curves, with measurements. In a number of instances, the Commission has accorded probative value to such measurements. However, we do not believe the fact we have done so, on occasion, requires that we formalize this case-to-case approach by rule amendment.

60. Obviously, the right to utilize measurements in an attempt to alter an otherwise ordained result may offer a substantial advantage to one individual, but the result, as altered by measurements, may impose a substantial detriment on another. It seems clear that the decision as to whether to change the rules to permit the results of measurements to be accepted in a wider range of cases should not hinge on such considerations, but should be made on a basis which will best conduce to the furtherance of Commission objectives in the most equitable and efficient manner, and redound to the public interest.

61. If the Grade B contour were a wall within which all service provided by a television station were confined, the determination of its location by the most precise means available could well be worth whatever complication might be involved. However, since this and other contours are primarily administrative tools, it seems clear they should be located by means which promote the most efficient administration—by a relatively simple procedure which produces a speedy and unequivocal result.

62. Whether a duopoly question involving the extent of Grade B service is presented, or a CATV problem of carriage or non-duplication, it seems evident that its resolution can be reached much more simply, expeditiously and finally if the pertinent contours are determined only by prediction. The nature of the determination involved does not, in the consistent and successful application of the pertinent rules, require such greater degree of exactitude which field strength measurements may provide.

63. Therefore, we are not amending § 73.686(a) in any way which would allow, as a matter of right, the determination of contour locations by means of field strength measurements. As we have discussed, the procedure, in the minds of many parties is of questionable validity, and, even if it were not, we do not believe that proceedings involving the television broadcasting service should be burdened with the mass of often conflicting showings which, in many cases, have so complicated standard broadcast proceedings. Occasionally, there may be instances when the location of TV contours, as determined by prediction, are obviously in gross error, and measurements will produce a result which, by any standard, is more realistic. We believe that when such cases are brought to our attention, measurements may be accepted when made on an individual basis "upon the request of the Commission" in accordance with the present wording of § 73.686(a).

64. Nearly all parties agree that the TASO measurement procedure can be applied to determine with an acceptable degree of accuracy the median level of a television signal prevailing over a particular area, such as that included within the boundaries of a community. Where the results of such measurements are properly made, and are pertinent to the resolution of the issues in a particular proceeding, they will be accepted and considered by the Commission. However, all contour determinations shall be made using the propagation curves included in the rules, as modified by application of corrections for terrain roughness. Section 73.686 is being amended in accordance with this determination. A new § 73.314 is being added to the FM broadcast rules, establishing similar policies and procedures for field strength measurements in this service.

65. With the adoption of § 73.314(c), a procedure is established for determining, by field strength measurements, the level of an FM broadcast signal prevailing over a particular community. In appropriate cases, we contemplate the acceptance of the results of measurements made for this purpose. In particular, an applicant for a standard broadcast station, desiring to show, pursuant to § 73.37(e)(1)(ii) or § 73.37(e)(2)(iii), that the community proposed to be served receives fewer than two aural services may seek to demonstrate that an existing FM broadcast station does not, in fact, provide a signal with 70 dbu (3.16 mV/m) or greater strength to as much as 80 percent of the population or area of the community. In such an instance, properly made measurements showing that at 20 percent or more of the measuring locations within the boundaries of the community, as established pursuant to § 73.314(c)(1), the measured field is of lower strength than 70 dbu (3.16 mV/m), will be accepted in support of a contention that less than 80 percent of the area of the community receives an aural service from the FM station.

66. The TASO procedures and methods are being adopted with the following modifications, in accordance with the suggestions made by the parties in an attempt to lend greater specificity to certain of these procedures and methods.

(a) The two mile measurement interval is being specified as a maximum, to permit measurements at shorter distances at high frequencies and in rough terrain. A cluster of five measurements is permitted in lieu of one hundred foot mobile run, and general limitations are placed on the areas including the clusters.

(b) Measurements are to be made only of the visual carrier.[8]

(c) In making measurements to determine the signal level in a community, the number of locations for such measurements is set as approximately 3 times the square root of the population in thousands (reduced, for convenience, in the rules, to the expression $0.1(P)^{1/2}$), with a minimum number of 15. All of these locations are required to be within the boundaries of the community.

67. We are adopting this measurement procedure, after fully considering Jansky & Bailey's proposal that our rules permit measurements with the receiving antenna at a 10 foot height, the 30/10 height/gain factor being determined for various parts of a radial at intervals which might be widely spaced in smooth terrain and at short intervals where the terrain is rough. If this procedure were followed, Jansky & Bailey state that information would become available for both 10 and 30 foot receiving antenna heights giving representative results for both rooftop and indoor antennas, and results which may be logically referenced to the many earlier measurements made with 8 and 10 foot antennas. While this procedure might have some virtues, we found no support for the proposal by others, and we think its adoption would needlessly complicate a methodology which appears to have general industry support.

DEPICTION OF INTERFERENCE AREAS WITHIN GRADE B CONTOURS

68. The Commission offered this proposal for comment without supporting it, stating that even if information as the effects of interstation interference were made available, it would not affect our

[8] This restriction is contained only in § 73.686—the field strength measurement rules for television. It, of course, has no pertinence to measurements made of the signals of FM broadcast stations.

present regulatory procedures. We requested views on the desirability of requiring interference showings by individual stations for other useful purposes, and listed a number of technical problems which would require solution before a uniform procedure for making such showings could be adopted. As we have indicated hereinbefore, the broadcasting industry evidently wants no part of this proposal. Others who favor it see it as providing one more factor which could be considered in determining the basis for TV/land mobile and TV/CATV relationships—obviously an extension of the regulatory function which the Commission has disclaimed its intention of undertaking. In any event, as stated in paragraph 19 of the Further Notice in this proceeding, the technical criteria for TV/land mobile sharing were established pursuant to Docket 18261, and any amendment of these criteria is beyond the purview of the instant proceeding. Certain physical and technical factors involved in TV/CATV relationships are being reviewed in the current proceeding in Docket 19995 and will be further examined in Docket 20496, which is being initiated contemporaneously with the adoption of the instant Report and Order. There is little to be gained in pursuing this proposal further, and, accordingly, we will take no further steps toward the incorporation in our rules of a requirement for the submission by individual stations of showings of the effect of interstation interference on the extent of service rendered.

SUMMARY

69. As hereinbefore discussed, and for the reasons we have outlined, we are amending Part 73 of our rules in the following general respects:

(a) To adopt new F(50,50) and F(50,10) propagation curves for the prediction of field strengths in the television and FM broadcast services.

(b) To adopt a terrain roughness correction procedure to be applied, when appropriate, to determinations made with these curves.

(c) To amend the television broadcast rules to specify a modified procedure for making field strength measurements in the VHF and UHF bands, and to amend the FM broadcast rules to adopt such a measurement procedure.

(d) To relax the present restrictions in the television rules on the use and acceptance of measurements in individual cases, to the extent that so-called TASO grid measurements to determine the median level of a signal in a community will be accepted in appropriate cases.

The specific text of the amendments is set forth below.

70. *Accordingly, it is ordered*, effective August 1, 1975, that Part 73 of the rules and regulations is amended in accordance below.

71. Authority for adoption of these rule amendments is found in sections 4(i) and 303(r) of the Communications Act of 1934, as amended.

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

Adopted: May 29, 1975.

Released: June 27, 1975.

FEDERAL COMMUNICATIONS COMMISSION,*

[SEAL] VINCENT J. MULLINS, *Secretary.*

APPENDIX A

PARTIES FILING COMMENTS IN RESPONSE TO NOTICE OF PROPOSED RULEMAKING IN DOCKET NO. 16004

American Broadcasting-Paramount Theaters, Inc. (ABC)
Kear and Kennedy
Selma Television Incorporated (WSLA–TV)
WCOV–TV
Birmingham Television Corporation (WBMG–TV)
A. Earl Cullum Jr. & Associates (Cullum)
Association of Federal Communications Consulting Engineers (AFCCE)
National Association of Broadcasters (NAB)
King Broadcasting Company
Trigg-Vaugh Stations, Inc.
Meredith Broadcasting Company
KUTV, Inc.
Southern Nevada Radio and Television Company
Association of Maximum Service Telecasters, Inc. (AMST)
WBEN, Inc.
Storer Broadcasting Company
WLAC–TV, Inc.
Arkansas Television Company
The Hearst Corporation
KING–TV, et al.
Coldwater Cablevision, Incorporated
South Bend Tribune
WKBN Broadcasting Corporation
Royal Street Corporation
Evening News Association, et al.
Time-Life Broadcast, Inc.
KOGO–TV and KOGO–FM
A. H. Belo Corporation
WHDH, Inc.
Channel 13 of Rochester, Inc.

PARTIES FILING COMMENTS IN RESPONSE TO NOTICE OF PROPOSED RULEMAKING IN DOCKET NO. 18052

North Dakota Broadcasting Company, Inc.
Doubleday Broadcasting Company
A. Earl Cullum, Jr. & Associates
Association of Federal Communications Consulting Engineers
Association of Maximum Service Telecasters, Inc.
National Association of Broadcasters
WBRE–TV, Inc.
National Cable Television Association, Inc. (NCTA)
Jansky & Bailey
Kear & Kennedy

PARTIES FILING COMMENTS IN RESPONSE TO THE FURTHER NOTICE OF PROPOSED RULEMAKING IN DOCKETS 16004 AND 18052

Fisher's Blend Stations, Inc.
Electronics Industries Association (EIA)
National Cable Television Associations, Inc.
All-Channel Television Society (ACTS)
WBRE–TV, Inc.
Home Entertainment Business Division; Communications Systems Business Division; Government Agency Liaison of the General Electric Company (GE) Motorola, Inc.
A. Earl Cullum, Jr. and Associates
Midwest Radio-Television, Inc.
The Jerrold Corporation
The Association of Federal Communications Consulting Engineers (AFCCE)
FM Station Atlas
National Broadcasting Company (NBC)
National Association of Broadcasters
Neil M. Smith
KSL, Incorporated
Leake TV, Inc.
Gill Industries
WTOG
WKRG–TV
WGAL Television, Inc.
Jefferson Standard Broadcasting Company
Eastern Oklahoma Television Company, Inc.
Scranton Broadcasters, Inc.
Griffin Television, Inc.
Rock River Television Corporation
Connecticut TV, Inc. et al.
Taft Broadcasting Company
Cowles Broadcasting Service, Inc.
Department of Commerce
WHNB, Inc.
WRAU–TV, et al.

1. Section 73.313 is amended by the addition of paragraphs (f), (g), (h), (i), and (j) to read as follows:

§ 73.313 Prediction of coverage.

* * * * *

(f) The effect of terrain roughness on the predicted field strength of a signal at points distant from an FM broadcast station is assumed to depend on the magnitude of a terrain roughness factor (Δh) which, for a specific propagation path, is determined by the characteristics of a segment of the terrain profile for that path 25 miles in length, located between 6 and 31 miles from the transmitter. The terrain roughness factor has a value equal to the difference, in meters, between elevations exceeded by all points on the profile for 10 percent and 90 percent, respectively, of the length of the profile segment (see § 73.333, Fig. 4).

(g) If the lowest field strength value of interest is initially predicted to occur over a particular propagation path at a distance which is less than 31 miles from the transmitter, the terrain profile segment used in the determination of the terrain roughness factor over that path shall be that included between points 6 miles from the transmitter and such lesser distance. No terrain roughness correction need be applied when all field strength values of interest are predicted to occur 6 miles or less from the transmitter.

(h) Profile segments prepared for terrain roughness factor determinations should be plotted in rectangular coordinates, with no less than 50 points evenly spaced within the segment, using data obtained from topographic maps with contour intervals of 50 feet, or less, if available.

(i) The field strength charts (§ 73.333, Figs. 1–1a) were developed assuming a

* Commissioners Hooks and Washburn absent.

terrain roughness factor of 50 meters, which is considered to be representative of average terrain in the United States. Where the roughness factor for a particular propagation path is found to depart appreciably from this value, a terrain roughness correction (ΔF) should be applied to field strength values along this path, as predicted with the use of these charts. The magnitude and sign of this correction, for any value of Δh, may be determined from a chart included in Section 73.333 as Figure 5.

(j) Alternatively, the terrain roughness correction may be computed using the following formula:

$$\Delta F = 1.9 - 0.03(\Delta h)(1 + f/300)$$

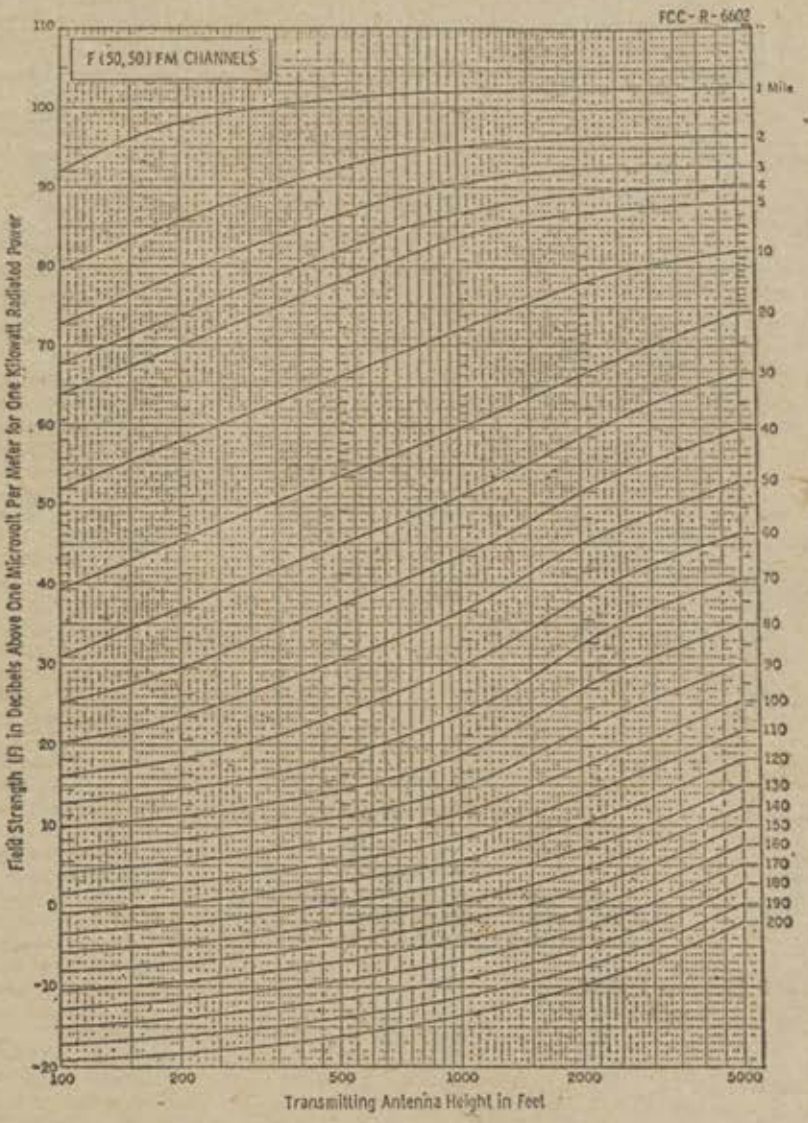
Where:

ΔF = terrain roughness correction in dB
Δh = terrain roughness factor in meters
f = frequency of signal in megahertz (MHz)

2. Section 73.333 is amended by replacing existing Figure 1 with amended Figure 1 and the addition of new Figures 1a, 4 and 5. Section 73.333 reads as follows:

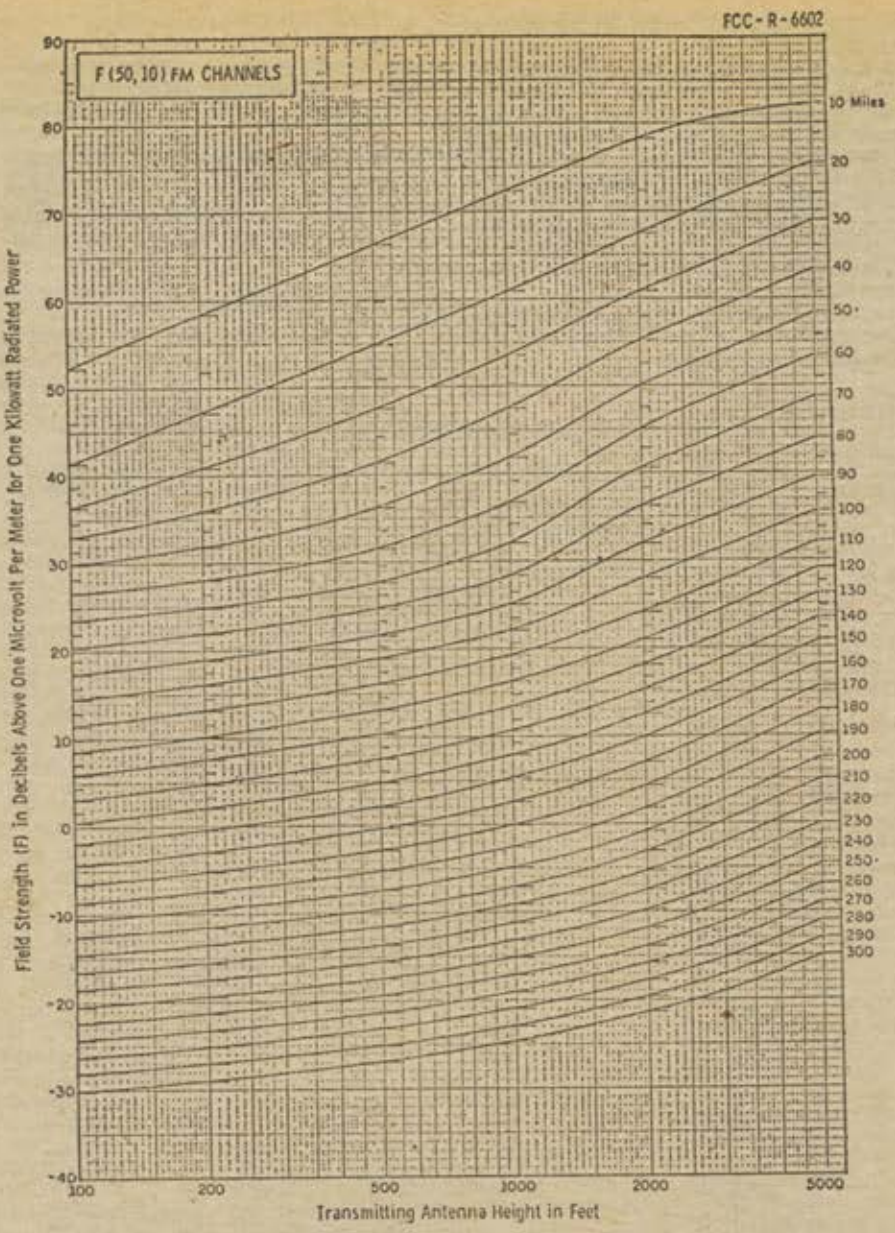
§ 73.333 Engineering charts.

This section consists of the following Figures 1, 1a, 2, 3, 4, and 5.



FM CHANNELS
ESTIMATED FIELD STRENGTH EXCEEDED AT 50 PERCENT OF THE POTENTIAL RECEIVER LOCATIONS FOR AT LEAST 50 PERCENT OF THE TIME AT A RECEIVING ANTENNA HEIGHT OF 30 FEET

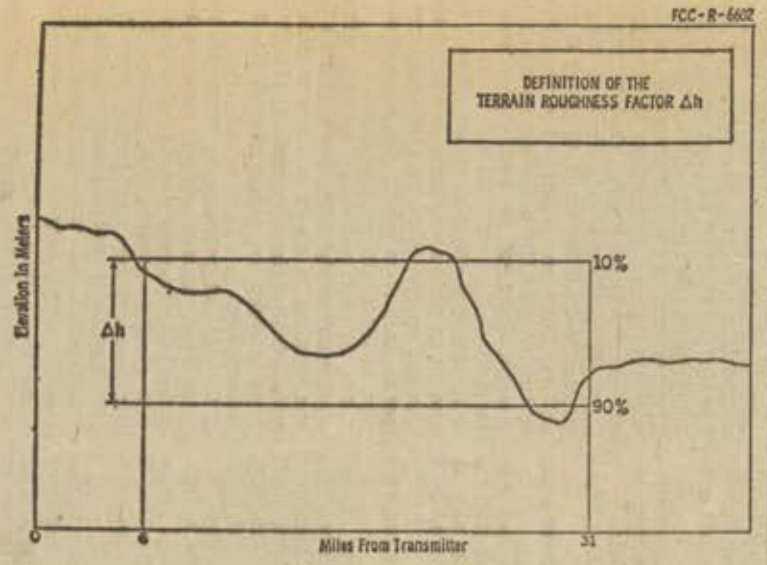
FCC §73.333 FIGURE 1
(replacement)



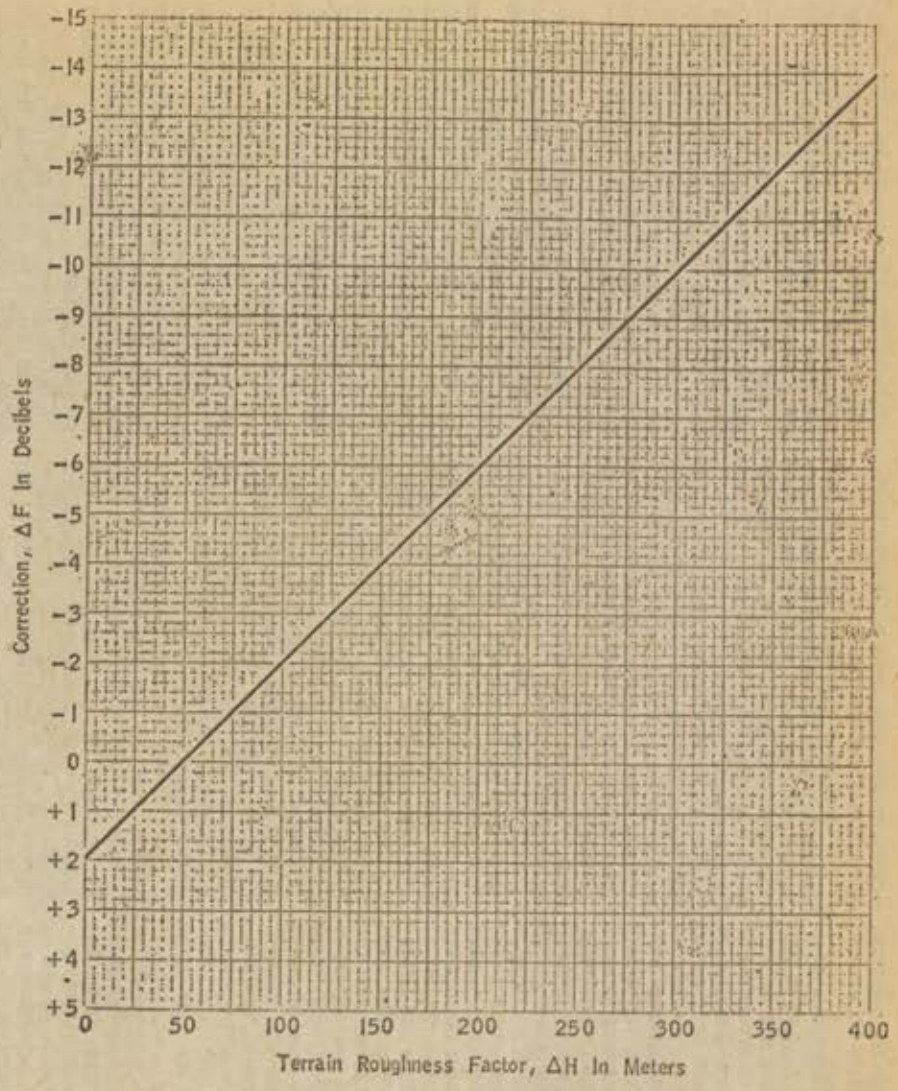
FM CHANNELS

ESTIMATED FIELD STRENGTH EXCEEDED AT 50 PERCENT
OF THE POTENTIAL RECEIVER LOCATIONS FOR AT LEAST 10 PERCENT
OF THE TIME AT A RECEIVING ANIENNA HEIGHT OF 30 FEET

FCC §73.333 FIGURE 1a
(new)



FCC §73.333 FIGURE 4
(new)



TERRAIN ROUGHNESS CORRECTION
for use with estimated FM F(50,50) and F(50,10) field strength curves

FCC §73.333 FIGURE 5
(new)

3. Part 73 is amended by the addition of new § 73.414, which reads as follows:

§ 73.414 Field strength measurements.

(a) Except as provided for in § 73.209, FM broadcast stations shall not be protected from any type of interference or propagation effect. Persons desiring to submit testimony, evidence or data to the Commission for the purpose of showing that the technical standards contained in this subpart do not properly reflect the levels of any given type of interference or propagation effect may do so only in appropriate rule making proceedings concerning the amendment of such technical standards. Persons making field strength measurements for formal submission to the Commission in rule making proceedings, or making such measurements upon the request of the Commission, shall follow the procedure for making and reporting such measurements outlined in paragraph (b) of this section. In instances where a showing of the measured level of a signal prevailing over a specific community is appropriate, the procedure for making and reporting field strength measurements for this purpose is set forth in paragraph (c) of this section.

(b) Collection of field strength data for propagation analysis.

(1) *Preparation for measurements.* (i) On large scale topographic maps, eight or more radials are drawn from the transmitter location to the maximum distance at which measurements are to be made, with the angles included between adjacent radials of approximately equal size. Radials should be oriented so as to traverse representative types of terrain. The specific number of radials and their orientation should be such as to accomplish this objective.

(ii) At a point exactly 10 miles from the transmitter, each radial is marked, and at greater distances at successive two mile intervals. Where measurements are to be conducted or over extremely rugged terrain, shorter intervals may be employed, but all such intervals shall be of equal length. Accessible roads intersecting each radial as nearly as possible at each two mile marker are selected. These intersections are the points on the radial at which measurements are to be made, and are referred to subsequently as measuring locations. The elevation of each measuring location should approach the elevation at the corresponding two mile marker as nearly as possible.

(2) *Measurement procedure.* All measurements shall be made utilizing a receiving antenna designed for reception of the horizontally polarized signal component, elevated 30 feet above the roadbed. At each measuring location, the following procedure shall be employed:

(i) The instrument calibration is checked.

(ii) The antenna is elevated to a height of 30 feet.

(iii) The receiving antenna is rotated to determine if the strongest signal is arriving from the direction of the transmitter.

(iv) The antenna is oriented so that the sector of its response pattern over which maximum gain is realized is in the direction of the transmitter.

(v) A mobile run of at least 100 feet is made, which is centered on the intersection of the radial and the road, and the measured field strength is continuously recorded on a chart recorder over the length of the run.

(vi) The actual measuring location is marked exactly on the topographic map, and a written record, keyed to the specific location, is made of all factors which may affect the recorded field, such as topography, height and types of vegetation, buildings, obstacles, weather, and other local features.

(vii) If, during the test conducted as described in paragraph (b)(2)(iii) of this section, the strongest signal is found to come from a direction other than from the transmitter, after the mobile run prescribed in paragraph (b)(2)(v) of this section is concluded, additional measurements shall be made in a "cluster" of at least five fixed points. At each such point, the field strengths with the antenna oriented toward the transmitter, and with the antenna oriented so as to receive the strongest field, are measured and recorded. Generally, all points should be within 200 feet of the center point of the mobile run.

(viii) If overhead obstacles preclude a mobile run of at least 100 feet, a "cluster" of five spot measurements may be made in lieu of this run. The first measurement in the cluster is identified. Generally, the locations for other measurements shall be within 200 feet of the location of the first.

(3) *Method of reporting measurements.* A report of measurements to the Commission shall be submitted in affidavit form, in triplicate, and should contain the following information:

(i) Tables of field strength measurements, which, for each measuring location, set forth the following data:

(A) Distance from the transmitting antenna.

(B) Ground elevation at measuring location.

(C) Date, time of day, and weather.

(D) Median field in dBu for 0 dBk, for mobile run or for cluster, as well as maximum and minimum measured field strengths.

(E) Notes describing each measuring location.

(ii) U.S. Geological Survey topographic maps, on which is shown the exact location at which each measurement was made. The original plots shall be made on maps of the largest available scale. Copies may be reduced in size for convenient submission to the Commission, but not to the extent that important detail is lost. The original maps shall be made available, if requested. If a large number of maps is involved, an index map should be submitted.

(iii) All information necessary to determine the pertinent characteristics of the transmitting installation, including frequency, geographical coordinates of antenna site, rated and actual power output of transmitter, measured transmission line loss, antenna power gain, height of antenna above ground, above mean sea level, and above average terrain. The effective radiated power should be computed, and horizontal and vertical plane patterns of the transmitting antenna should be submitted.

(iv) A list of calibrated equipment used in the field strength survey, which, for each instrument, specifies its manufacturer, type, serial number and rated accuracy, and the date of its most recent calibration by the manufacturer, or by a laboratory. Complete details of any instrument not of standard manufacture shall be submitted.

(v) A detailed description of the calibration of the measuring equipment, including field strength meters, measuring antenna, and connecting cable.

(vi) Terrain profiles in each direction in which measurements were made, drawn on curved earth paper for equivalent 4/3 earth radius, of the largest available scale.

(c) Collection of field strength data to determine FM broadcast service in specific communities.

(1) *Preparation for measurement.* (i) The population (P) of the community, and its suburbs, if any, is determined by reference to an appropriate source, e.g., the 1970 U.S. Census tables of population of cities and urbanized areas.

(ii) The number of locations at which measurements are to be made shall be at least 15, and shall be approximately equal to $0.1(P)^{1/2}$, if this product is a number greater than 15.

(iii) A rectangular grid, of such size and shape as to encompass the boundaries of the community is drawn on an accurate map of the community. The number of line intersections on the grid included within the boundaries of the community shall be at least equal to the required number of measuring locations. The position of each intersection on the community map determines the location at which a measurement shall be made.

(2) *Measurement procedure.* All measurements shall be made utilizing a receiving antenna designed for reception of the horizontally polarized signal component, elevated 30 feet above street level.

(i) Each measuring location shall be chosen as close as feasible to a point indicated on the map, as previously prepared, and at as nearly the same elevation as that point as possible.

(ii) At each measuring location, after equipment calibration and elevation of the antenna, a check is made to determine whether the strongest signal arrives from a direction other than from the transmitter.

(iii) At 20 percent or more of the measuring locations, mobile runs, as described in paragraph (b)(2) of this section shall be made, with no less than three such mobile runs in any case. The points at which mobile measurements are made shall be well separated. Spot measurements may be made at other measuring points.

(iv) Each actual measuring location is marked exactly on the map of the community, and suitably keyed. A written record shall be maintained, describing, for each location, factors which may

affect the recorded field, such as the approximate time of measurement, weather, topography, overhead wiring, heights and types of vegetation, buildings and other structures. The orientation, with respect to the measuring location shall be indicated of objects of such shape and size as to be capable of causing shadows or reflections. If the strongest signal received was found to arrive from a direction other than that of the transmitter, this fact shall be recorded.

(3) *Method of reporting measurements.* A report of measurements to the Commission shall be submitted in affidavit form, in triplicate, and should contain the following information:

(i) A map of the community showing each actual measuring location, specifically identifying the points at which mobile runs were made.

(ii) A table keyed to the above map, showing the field strength at each measuring point, reduced to dBu for the actual effective radiated power of the station. Weather, date, and time of each measurement shall be indicated.

(iii) Notes describing each measuring location.

(iv) A topographic map of the largest available scale on which are marked the community and the transmitter site of the station whose signals have been measured, which includes all areas on or near the direct path of signal propagation.

(v) Computations of the mean and standard deviation of all measured field strengths, or a graph on which the distribution of measured field strength values is plotted.

(vi) A list of calibrated equipment used for the measurements, which for each instrument, specifies its manufacturer, type, serial number and rated accuracy, and the date of its most recent calibration by the manufacturer, or by a laboratory. Complete details of any instrument not of standard manufacture shall be submitted.

(vii) A detailed description of the procedure employed in the calibration of the measuring equipment, including field strength meters, measuring antenna, and connecting cable.

4. Section 73.684 is amended by the addition of paragraphs (h), (i), (j), (k), and (l) which read as follows:

§ 73.684 Prediction of coverage.

* * * * *

(h) The effect of terrain roughness on the predicted field strength of a signal at points distant from a television broadcast station is assumed to depend on the magnitude of a terrain roughness factor (Δh) which, for a specific propagation path, is determined by the characteristics of a segment of the terrain profile for that path 25 miles in length, located between 6 and 31 miles from the transmitter. The terrain roughness factor has a value equal to the difference, in meters, between elevations exceeded by all points on the profile for 10 percent and 90 percent, respectively, of the length of the profile segment (see § 73.699, Fig. 10d).

(i) If the lowest field strength value of interest is initially predicted to occur over a particular propagation path at a distance which is less than 31 miles from the transmitter, the terrain profile segment used in the determination of the terrain roughness factor over that path shall be that included between points 6 miles from the transmitter and such lesser distance. No terrain roughness correction need be applied when all field strength values of interest are predicted to occur 6 miles or less from the transmitter.

(j) Profile segments prepared for terrain roughness factor determinations should be plotted in rectangular coordinates, with no less than 50 points evenly spaced within the segment, using data obtained from topographic maps, if available, with contour intervals of 50 feet, or less.

(k) The field strength charts (§ 73.699, Figs. 9–10c) were developed assuming a terrain roughness factor of 50 meters, which is considered to be representative of average terrain in the United States. Where the roughness factor for a particular propagation path is found to depart appreciably from this value, a terrain roughness correction (ΔF) should be applied to field strength values along this path as predicted with the use of these charts. The magnitude and sign of this correction, for any value of Δh, may be determined from a chart included in § 73.699 as Figure 10e, with linear interpolation as necessary, for the frequency of the UHF signal under consideration.

(l) Alternatively, the terrain roughness correction may be computed using the following formula:

$$\Delta F = C - 0.03(\Delta h)(1 + f/300)$$

Where:

ΔF = terrain roughness correction in dB
C = a constant having a specific value for use with each set of field strength charts:
  1.9 for TV Channels 2–6
  2.5 for TV Channels 7–13
  4.8 for TV Channels 14–69
Δh = terrain roughness factor in meters
f = frequency of signal in megahertz (MHz)

5. In § 73.686 the headnote and text are amended to read as follows:

§ 73.686 Field strength measurements.

(a) Except as provided for in § 73.612, television broadcast stations shall not be protected from any type of interference or propagation effect. Persons desiring to submit testimony, evidence or data to the Commission for the purpose of showing that the technical standards contained in this subpart do not properly reflect the levels of any given type of interference or propagation effect may do so only in appropriate rulemaking proceedings concerning the amendment of such technical standards. Persons making field strength measurements for formal submission to the Commission in rulemaking proceedings, or making such measurements upon the request of the Commission, shall follow the procedure for making and reporting such measurements outlined in paragraph (b) of this section. In instances where a showing of the measured level of a signal prevailing over a specific community is appropriate, the procedure for making and reporting field strength measurements for this purpose is set forth in paragraph (c) of this section.

(b) Collection of field strength data for propagation analysis.

(1) *Preparation for measurements.* (i) On large scale topographic maps, eight or more radials are drawn from the transmitter location to the maximum distance at which measurements are to be made, with the angles included between adjacent radials of approximately equal size. Radials should be oriented so as to traverse representative types of terrain. The specific number of radials and their orientation should be such as to accomplish this objective.

(ii) At a point exactly 10 miles from the transmitter, each radial is marked, and at greater distances at successive two mile intervals. Where measurements are to be conducted at UHF, or over extremely rugged terrain, shorter intervals may be employed, but all such intervals shall be of equal length. Accessible roads intersecting each radial as nearly as possible at each two mile marker are selected. These intersections are the points on the radial at which measurements are to be made, and are referred to subsequently as measuring locations. The elevation of each measuring location should approach the elevation at the corresponding two mile marker as nearly as possible.

(2) *Measurement procedure.* The field strength of the visual carrier shall be measured with a voltmeter capable of indicating accurately the peak amplitude of the synchronizing signal. All measurements shall be made utilizing a receiving antenna designed for reception of the horizontally polarized signal component, elevated 30 feet above the roadbed. At each measuring location, the following procedure shall be employed.

(i) The instrument calibration is checked.

(ii) The antenna is elevated to a height of 30 feet.

(iii) The receiving antenna is rotated to determine if the strongest signal is arriving from the direction of the transmitter.

(iv) The antenna is oriented so that the section of its response pattern over which maximum gain is realized is in the direction of the transmitter.

(v) A mobile run of at least 100 feet is made, which is centered on the intersection of the radial and the road, and the measured field strength is continuously recorded on a chart recorder over the length of the run.

(vi) The actual measuring location is marked exactly on the topographic map, and a written record, keyed to the specific location, is made of all factors which may affect the recorded field, such as topography, height and types of vegetation, buildings, obstacles, weather, and other local features.

(vii) If, during the test conducted as described in paragraph (b) (2) (iii) of

this section, the strongest signal is found to come from a direction other than from the transmitter, after the mobile run prescribed in paragraph (b)(2)(v) of this section is concluded, additional measurements shall be made in a "cluster" of at least five fixed points. At each such point, the field strengths with the antenna oriented toward the transmitter, and with the antenna oriented so as to receive the strongest field, are measured and recorded. Generally, all points should be within 200 feet of the center point of the mobile run.

(viii) If overhead obstacles preclude a mobile run of at least 100 feet, a "cluster" of five spot measurements may be made in lieu of this run. The first measurement in the cluster is identified. Generally, the locations for other measurements shall be within 200 feet of the location of the first.

(3) *Method of reporting measurements.* A report of measurements to the Commission shall be submitted in affidavit form, in triplicate, and should contain the following information:

(i) Tables of field strength measurements, which, for each measuring location, set forth the following data:

(A) Distance from the transmitting antenna.

(B) Ground elevation at measuring location.

(C) Date, time of day, and weather.

(D) Median field in dBu for 0 dBk, for mobile run or for cluster, as well as maximum and minimum measured field strengths.

(E) Notes describing each measuring location.

(ii) U.S. Geological Survey topographic maps, on which is shown the exact location at which each measurement was made. The original plots shall be made on maps of the largest available scale. Copies may be reduced in size for convenient submission to the Commission, but not to the extent that important detail is lost. The original maps shall be made available, if requested. If a large number of maps is involved, an index map should be submitted.

(iii) All information necessary to determine the pertinent characteristics of the transmitting installation, including frequency, geographical coordinates of antenna site, rated and actual power output of transmitter, measured transmission line loss, antenna power gain, height of antenna above ground, above mean sea level, and above average terrain. The effective radiated power should be computed, and horizontal and vertical plane patterns of the transmitting antenna should be submitted.

(iv) A list of calibrated equipment used in the field strength survey, which, for each instrument, specifies its manufacturer, type, serial number and rated accuracy, and the date of its most recent calibration by the manufacturer, or by a laboratory. Complete details of any instrument not of standard manufacture shall be submitted.

(v) A detailed description of the calibration of the measuring equipment, including field strength meters, measuring antenna, and connecting cable.

(vi) Terrain profiles in each direction in which measurements were made, drawn on curved earth paper for equivalent 4/3 earth radius, of the largest available scale.

(c) Collection of field strength data to determine television service in specific communities.

(1) *Preparation for measurement.* (i) The population (P) of the community, and its suburbs, if any, is determined by reference to an appropriate source, e.g., the 1970 U.S. Census tables of population of cities and urbanized areas.

(ii) The number of locations at which measurements are to be made shall be at least 15, and shall be approximately equal to $0.1(P)^{1/2}$, if this product is a number greater than 15.

(iii) A rectangular grid, of such size and shape as to encompass the boundaries of the community is drawn on an accurate map of the community. The number of line intersections on the grid included within the boundaries of the community shall be at least equal to the required number of measuring locations. The position of each intersection on the community map determines the location at which a measurement shall be made.

(2) *Measurement procedure.* The field strength of the visual carrier shall be measured, with a voltmeter capable of indicating accurately the peak amplitude of the synchronizing signal. All measurements shall be made utilizing a receiving antenna designed for reception of the horizontally polarized signal component, elevated 30 feet above street level.

(i) Each measuring location shall be chosen as close as feasible to a point indicated on the map, as previously prepared, and at as nearly the same elevation as that point as possible.

(ii) At each measuring location, after equipment calibration and elevation of the antenna, a check is made to determine whether the strongest signal arrives from a direction other than from the transmitter.

(iii) At 20 percent or more of the measuring locations, mobile runs, as described in paragraph (b)(2) of this section shall be made, with no less than three such mobile runs in any case. The points at which mobile measurements are made shall be well separated. Spot measurements may be made at other measuring points.

(iv) Each actual measuring location is marked exactly on the map of the community, and suitably keyed. A written record shall be maintained, describing, for each location, factors which may affect the recorded field, such as the approximate time of measurement, weather, topography, overhead wiring, heights and types of vegetation, buildings and other structures. The orientation, with respect to the measuring location shall be indicated of objects of such shape and size as to be capable of causing shadows or reflections. If the strongest signal received was found to arrive from a direction other than that of the transmitter, this fact shall be recorded.

(3) *Method of reporting measurements.* A report of measurements to the Commission shall be submitted in affidavit form, in triplicate, and should contain the following information:

(i) A map of the community showing each actual measuring location, specifically identifying the points at which mobile runs were made.

(ii) A table keyed to the above map, showing the field strength at each measuring point, reduced to dBu for the actual effective radiated power of the station. Weather, date, and time of each measurement shall be indicated.

(iii) Notes describing each measuring location.

(iv) A topographic map of the largest available scale on which are marked the community and the transmitter site of the station whose signals have been measured, which includes all areas on or near the direct path of signal propagation.

(v) Computations of the mean and standard deviation of all measured field strengths, or a graph on which the distribution of measured field strength values is plotted.

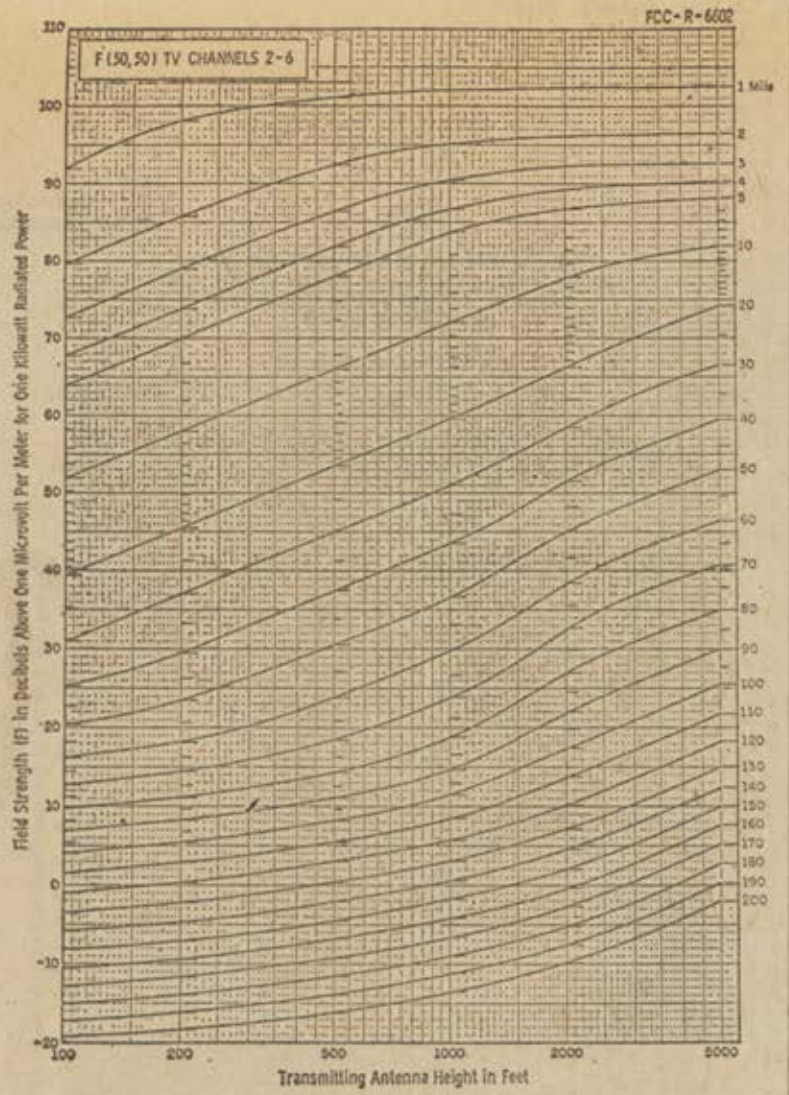
(vi) A list of calibrated equipment used for the measurements, which for each instrument, specifies its manufacturer, type, serial number and rated accuracy, and the date of its most recent calibration by the manufacturer, or by a laboratory. Complete details of any instrument not of standard manufacture shall be submitted.

(vii) A detailed description of the procedure employed in the calibration of the measuring equipment, including field strength meters measuring antenna, and connecting cable.

6. Section 73.699 is amended by the substitution of new Figure 9 for present Figure 9, the addition of new Figure 9a, the substitution of new Figure 10 for present Figure 10, and the addition of new Figures 10a, 10b, 10c, 10d and 10e. § 73.699, as amended, reads as follows:

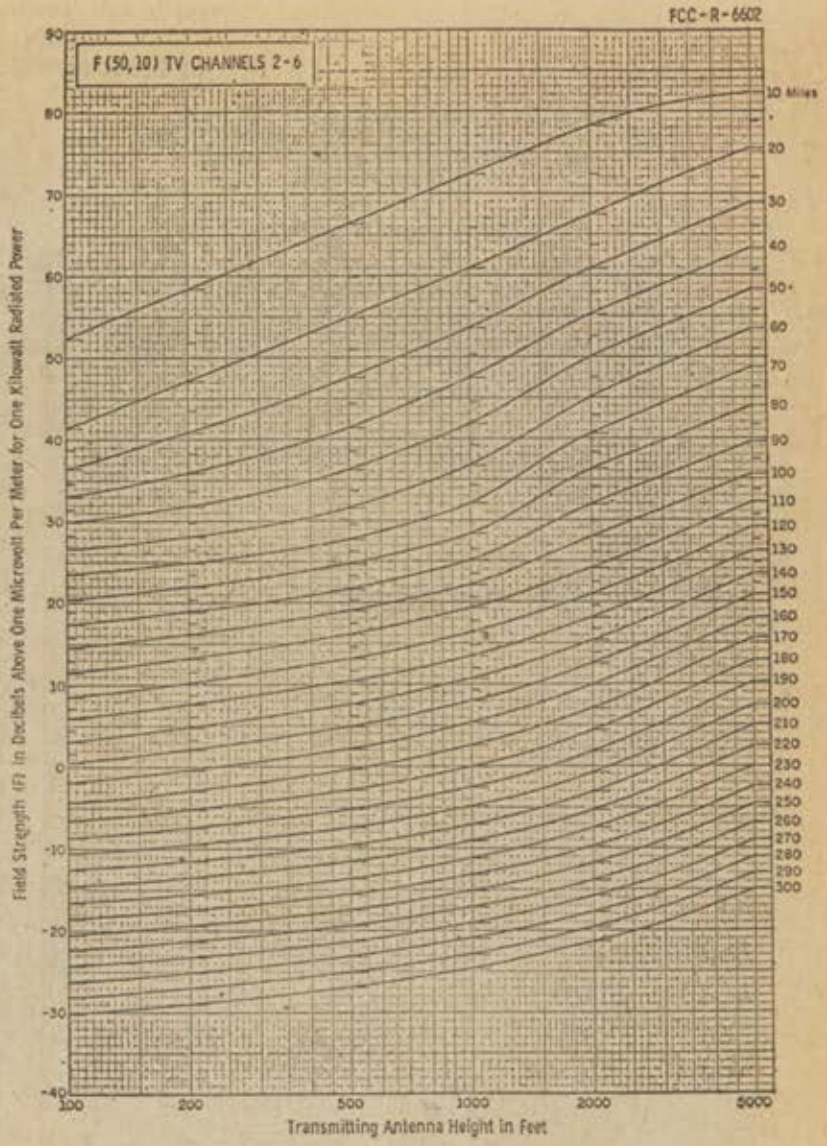
§ 73.699 Engineering charts.

This section consists of the following Figures 1–5, 5a, 6–10, 10a–10e, 11–12, 13–15.



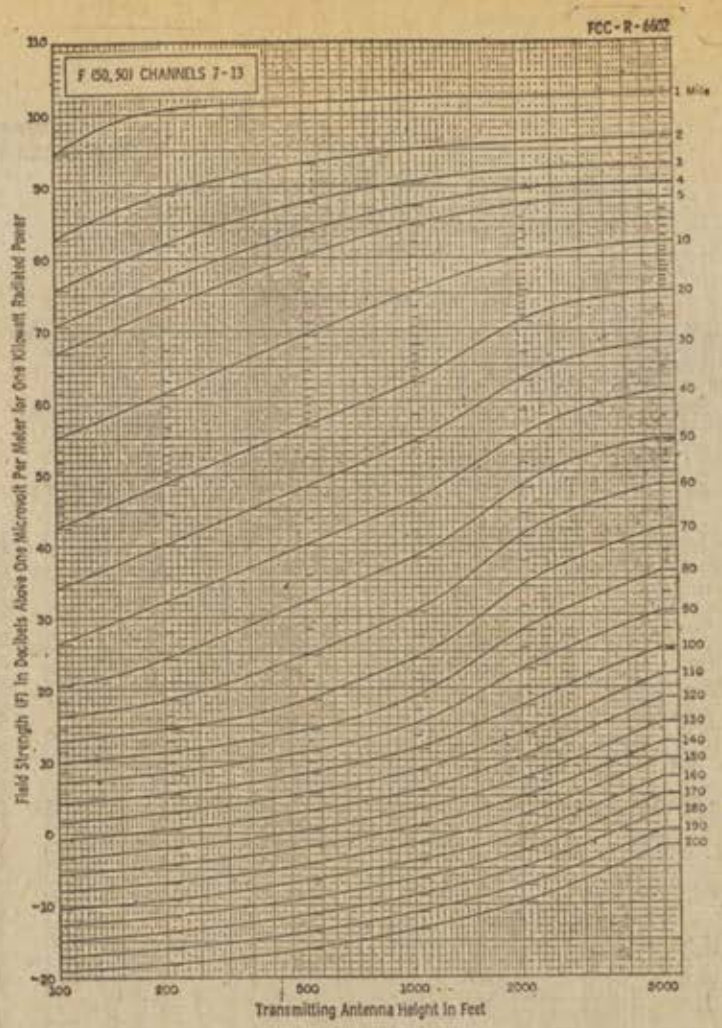
TELEVISION CHANNELS 2-6
ESTIMATED FIELD STRENGTH EXCEEDED AT 50 PERCENT
OF THE POTENTIAL RECEIVER LOCATIONS FOR AT LEAST 50 PERCENT
OF THE TIME AT A RECEIVING ANTENNA HEIGHT OF 30 FEET

FCC §73.699 FIGURE 9
(replacement)



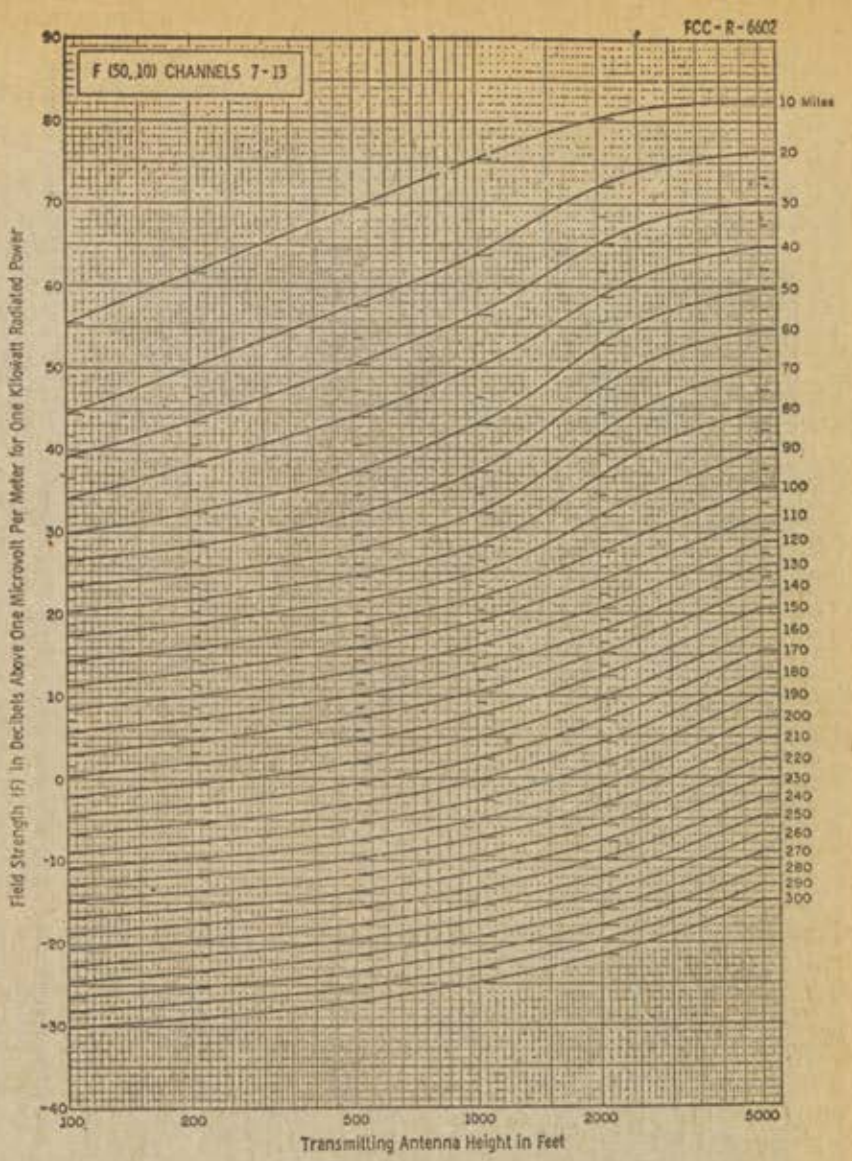
TELEVISION CHANNELS 2-6
ESTIMATED FIELD STRENGTH EXCEEDED AT 50 PERCENT
OF THE POTENTIAL RECEIVER LOCATIONS FOR AT LEAST 10 PERCENT
OF THE TIME AT A RECEIVING ANTENNA HEIGHT OF 30 FEET

FCC §73.699 FIGURE 9a
(new)



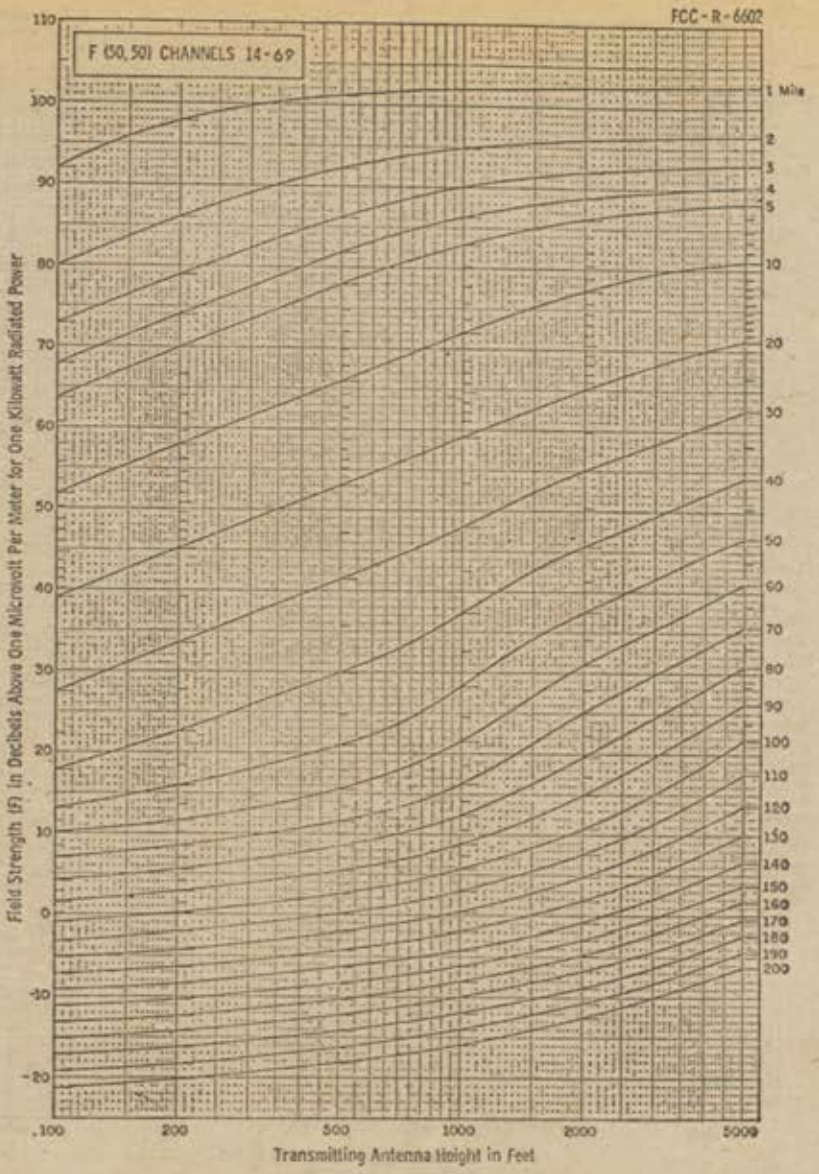
TELEVISION CHANNELS 7 - 13
ESTIMATED FIELD STRENGTH EXCEEDED AT 50 PERCENT
OF THE POTENTIAL RECEIVER LOCATIONS FOR AT LEAST 50 PERCENT
OF THE TIME AT A RECEIVING ANTENNA HEIGHT OF 30 FEET

FCC §73.699 FIGURE 10
(replacement)



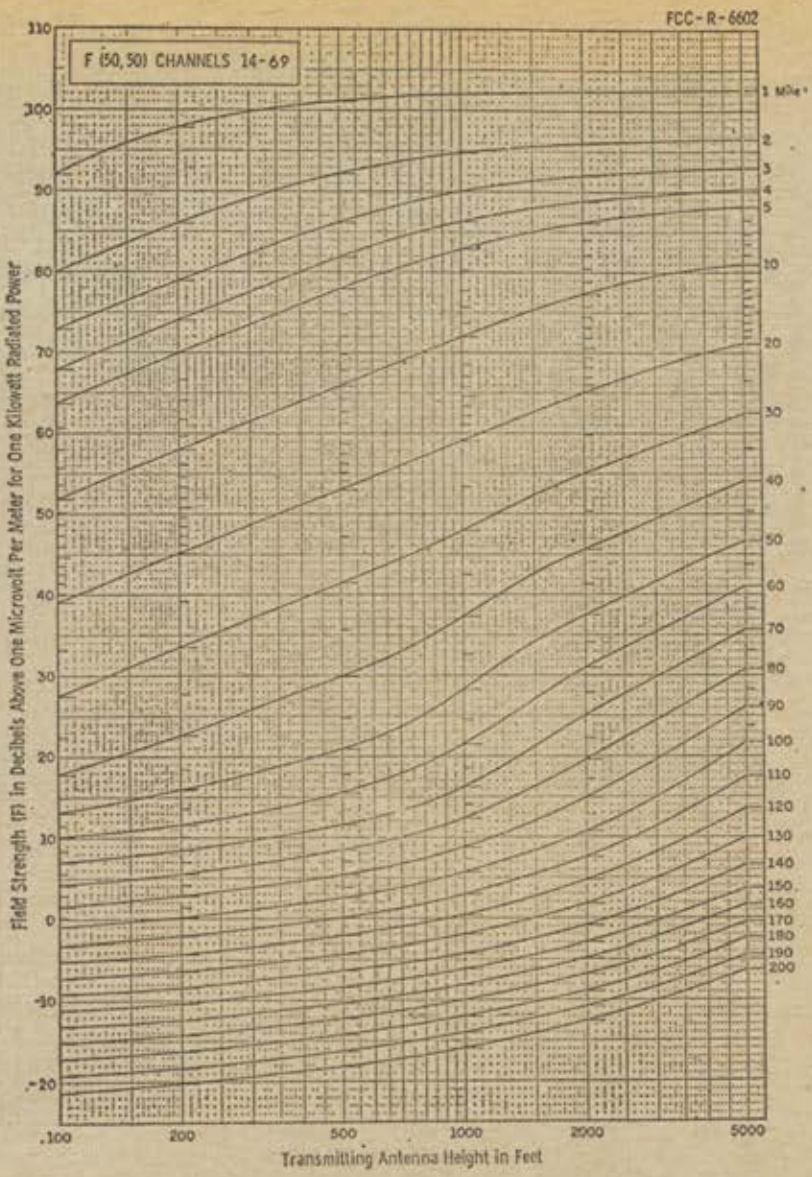
TELEVISION CHANNELS 7 - 13
ESTIMATED FIELD STRENGTH EXCEEDED AT 50 PERCENT
OF THE POTENTIAL RECEIVER LOCATIONS FOR AT LEAST 10 PERCENT
OF THE TIME AT A RECEIVING ANTENNA HEIGHT OF 30 FEET

FCC §73.699 FIGURE 10a
(new)



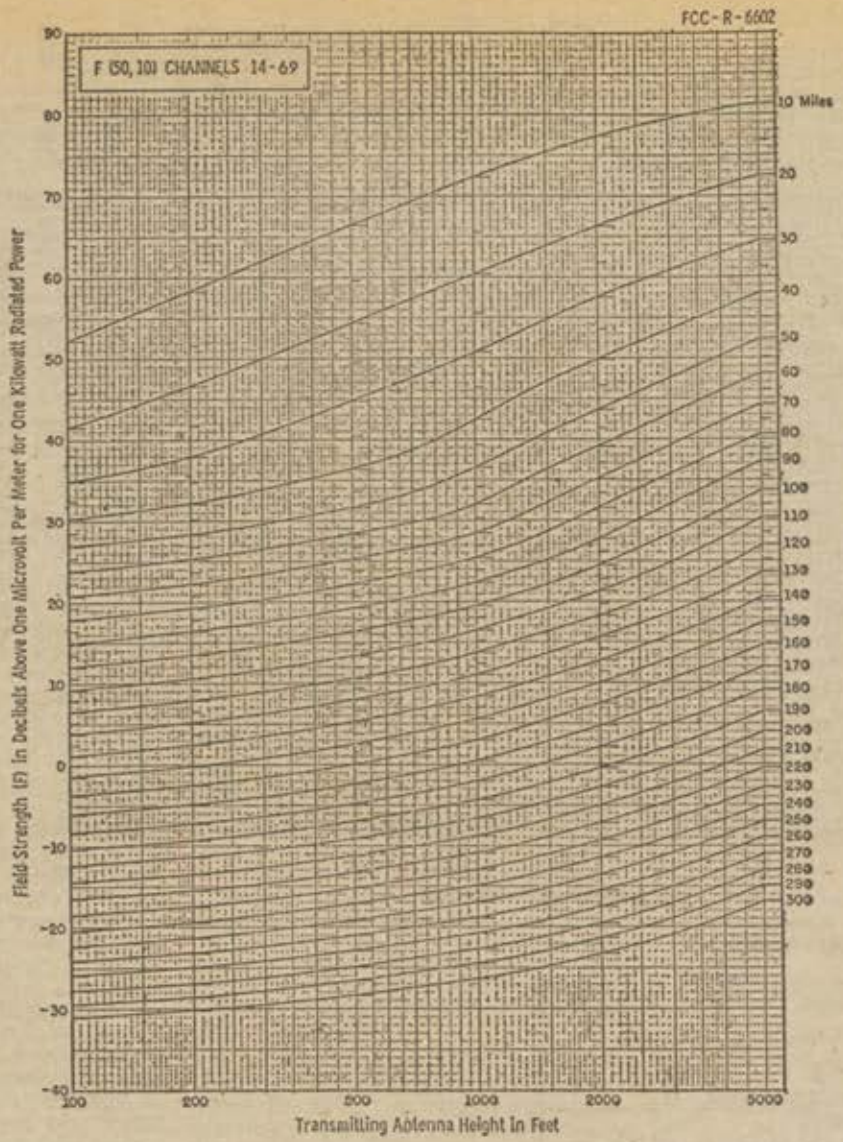
TELEVISION CHANNELS 14 - 69
ESTIMATED FIELD STRENGTH EXCEEDED AT 50 PERCENT
OF THE POTENTIAL RECEIVER LOCATIONS FOR AT LEAST 50 PERCENT
OF THE TIME AT A RECEIVING ANTENNA HEIGHT OF 30 FEET

FCC §73.699 FIGURE 10b
(new)



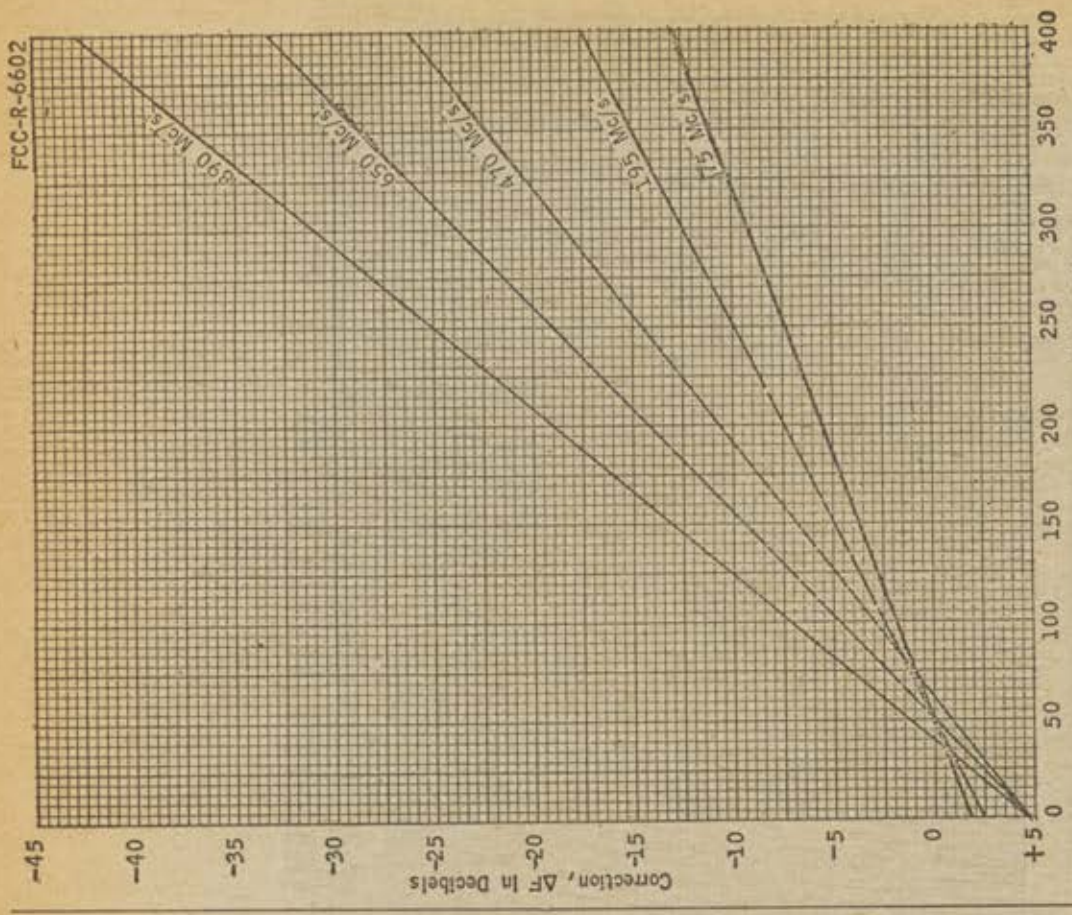
TELEVISION CHANNELS 14 - 69
ESTIMATED FIELD STRENGTH EXCEEDED AT 50 PERCENT
OF THE POTENTIAL RECEIVER LOCATIONS FOR AT LEAST 50 PERCENT
OF THE TIME AT A RECEIVING ANTENNA HEIGHT OF 30 FEET

FCC §73.699 FIGURE 10b
(new)



TELEVISION CHANNELS 14-69
ESTIMATED FIELD-STRENGTH EXCEEDED AT 50 PERCENT
OF THE POTENTIAL RECEIVER LOCATIONS FOR AT LEAST 10 PERCENT
OF THE TIME AT A RECEIVING ANTENNA HEIGHT OF 30 FEET

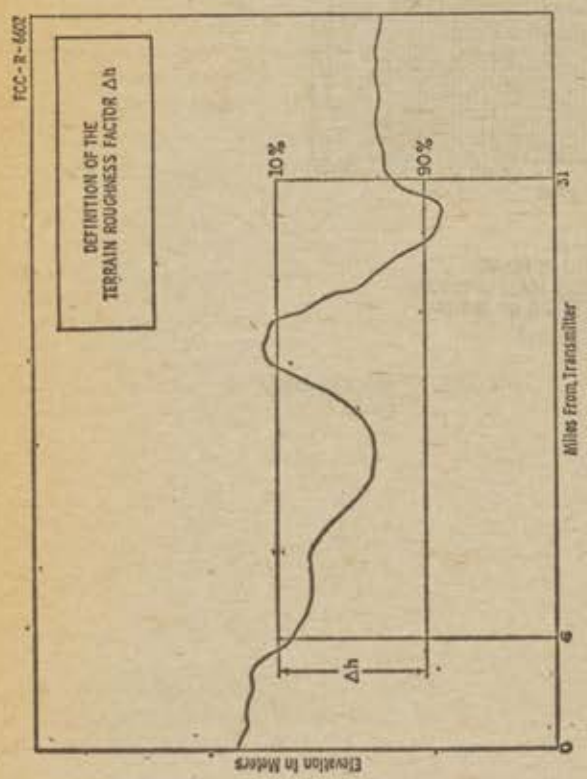
FCC §73.699 FIGURE 10c
(new)



TERRAIN ROUGHNESS CORRECTION
for use with estimated F(50,50) and F(50,10) field strength curves

FCC §73.699 FIGURE 10e
(new)

[FR Doc.75-16898 Filed 6-30-75;8:45 am]



FCC §73.699 FIGURE 10d
(new)

proposed rules

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 989]

RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Proposed Change in List of Varietal Types to Include Dipped Seedless Raisins and Proposed Applicable Grade Standards

Notice is given of a proposal recommended by the Raisin Administrative Committee to: (1) Change the list of varietal types of raisins in § 989.110 of Subpart—Administrative Rules and Regulations (7 CFR Part 989.101–989.176) by adding "Dipped Seedless" raisins to that list and deleting "Soda Dipped" raisins from the list; and (2) amend Subpart—Supplementary Orders Regulating Handling (7 CFR 989.201–989.230; 40 FR 4417) by adding two new sections, §§ 989.211 and 989.212, containing minimum grade and condition standards for natural condition "Dipped Seedless" raisins and minimum grade standards for packed "Dipped Seedless" raisins, respectively.

This action would be taken under §§ 989.10, 989.58(b) and 989.59(b) of the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The proposal would add a new varietal type of raisin, Dipped Seedless, to the list of varietal types of raisins contained in § 989.110. This new varietal type would include all raisins produced from grapes which are sprayed with, or dipped in, water, with or without a chemical additive, after such grapes have been removed from the vines and which are sun-dried or artificially dehydrated. This proposed varietal type would include those raisins currently identified as "Soda Dipped" raisins. The Committee concluded that raisins produced by the various dipping methods possess characteristics so similar to each other that it is desirable to have them all identified and classified as one varietal type of raisin.

The Committee also recommended that the minimum grade and condition standards and minimum grade standards which are currently applicable to Soda Dipped raisins would be appropriate for Dipped Seedless raisins.

In addition to the changes proposed by the Raisin Administrative Committee, the Department proposes to change the descriptive heading "Subpart—Supplementary Orders Regulating Handling" to "Subpart—Supplementary Regulations". It can be inferred from the current heading that the sections contained in this Subpart are actually sections of the marketing order. The proposed change would more accurately identify the content of this Subpart.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administrative Building, Washington, D.C. 20250, not later than July 18, 1975. All written submissions made regarding this notice should be in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during officials hours of business (7 CFR 1.27(b)).

The proposal is as follows:

1. Amend § 989.110 of Subpart—Administrative Rules and Regulations (7 CFR Part 989.101–989.176) to read as follows:

§ 989.110 Changed list of varietal types.

Pursuant to § 989.10, the list of varietal types of raisins contained in that section is changed to read: Natural (sun-dried) Thompson Seedless, natural (sun-dried) Muscat, natural (sun-dried) or artificially dehydrated Sultana, natural (sun-dried) or artificially dehydrated Zante Currant, Layer Muscat, Golden Seedless, Sulfur Bleached, Dipped Seedless, Valencia and Monukka.

2. Change the center heading reading "Subpart—Supplementary Orders Regulating Handling" to "Subpart—Supplementary Regulations", and add two new sections to this Subpart to read as follows:

§ 989.211 Minimum grade and condition standards for Dipped Seedless raisins.

Under § 989.58(b) the minimum grade and condition standards for Dipped Seedless raisins shall be those set forth for Soda Dipped raisins in § 989.97 Exhibit B of this part.

§ 989.212 Minimum grade standards for packed Dipped Seedless raisins.

Under § 989.59(b), the minimum grade standards for packed Dipped Seedless raisins shall be those set forth for Soda Dipped raisins in § 989.59(a)(2)(i) of this part.

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

Dated: June 25, 1975.

[FR Doc.75-17079 Filed 6-30-75;8:45 am]

Commodity Credit Corporation

[7 CFR Part 1464]

FLUE-CURED TOBACCO

Grade Loan Rates for Price Support on 1975-Crop Tobacco; Correction

In F.R. Docket 75–15442 appearing on pages 25217 and 25218, in the issue of June 13, 1975, the following corrections are made:

(1) On page 25218 in the first column of the first double column under the loan schedule, the next to the last grade B5R between B6KV and B4GL, should be B5RR.

(2) On page 25218 in the center column in the last column of the double column the eighth grade from the end N4L should be N1L.

(3) On the same page and directly below the above (2) N1L, grade N5XL should be N1XL.

Effective date: July 1, 1975.

Signed at Washington, D.C. on June 27, 1975.

KENNETH E. FRICK,
Administrator, Agriculture Stabilization and Conservation Service.

[FR Doc.75-17185 Filed 6-30,75;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1907]

[Docket No. S–100]

ACCREDITATION OF TESTING LABORATORIES

Proposed Revocation; Extension of Post-Hearing Comment Period

On November 13, 1974, pursuant to authority in section 8(g) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1600; 29 U.S.C. 657), section 107 of the Contract Work Hours and Safety Standards Act (83 Stat. 96; 40 U.S.C. 333), 5 U.S.C. 553, Secretary of Labor's Order No. 12–71 (36 FR 8754) and notice of hearing published in the FEDERAL REGISTER on October 1, 1974 (39 FR 35381), an informal public hearing concerning the proposed revocation of Part 1907. Accreditation of Testing Laboratories, of Title 29 of the Code of Federal Regulations was held in the Departmental Auditorium, Constitution Avenue, NW., between 12th and 14th Streets, Washington, D.C.

The Administrative Law Judge kept the record of the hearing open until December 13, 1974, to receive written in-

formation from any person who had participated in the oral proceeding. On the basis of a request for additional time to submit written comments and to allow a period of time for public comments on certain documents which were not previously available, a notice was published in the FEDERAL REGISTER on January 30, 1975 (40 FR 4439), extending the post-hearing comment period until March 31, 1975.

The documents were not made available in the record prior to the extended closing date of March 31, 1975, but are currently being placed in the public record. Therefore, in order to allow an appropriate amount of time for all interested persons to review the documents and if desired submit written comments, I am hereby providing an additional period of time, until July 31, 1975, for public comments from any interested persons. The documents will be available for inspection and copying at the following address:

Technical Data Center
Docket Office
Room N-3620
New Department of Labor Bldg.
200 Constitution Avenue, NW.
Washington, D.C. 20210

Accordingly, any interested person may submit comments concerning the proposed revocation of 29 CFR Part 1907, postmarked no later than July 31, 1975. Written comments may be submitted to the Docket Officer, OSHA Technical Data Center, Docket No. S-100, Room N-3620, 200 Constitution Avenue, NW., U.S. Department of Labor, Washington, D.C. 20210.

(Sec. 8, P.L. 91-596, 84 Stat. 1600 (29 U.S.C. 657); Sec. 107, Pub. L. 91-54, 83 Stat. 96 (40 U.S.C. 333); 5 U.S.C. 553; Secretary of Labor's Order No. 12-71, 36 FR 8754.

Signed at Washington, D.C. this 24th day of June, 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc 75-17088 Filed 6-30-75;8:45 am]

notices

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

DEPARTMENT OF STATE

[Public Notices CM-5/64]

OCEAN AFFAIRS ADVISORY COMMITTEE

Meeting

Notice is hereby given pursuant to the provisions of Pub. L. 92-463 that a meeting of the Ocean Affairs Advisory Committee will be convened on July 23 and 24, 1975, at the Fort Brown Motor Hotel, 1900 E. Elizabeth Street, Brownsville, Texas, at 9:30 a.m.

The Committee meeting on July 23 and the morning session of the meeting on July 24 will not be open to the public since the discussions will be devoted to matters exempt from public disclosure under 5 USC 522(b)(1) and the public interest requires that such discussions be withheld from disclosure. These discussions will be confined to classified briefings on the recent Law of the Sea Conference in Geneva and fisheries negotiations, and will include examination and discussion of classified documents.

The afternoon session of the meeting on July 24 will be open to the public and will commence at 2:30 p.m. This discussion will be a public briefing on the Law of the Sea Conference in Geneva, the U.S. single negotiating text, and status of fisheries discussions held over the last year. There will be a general question and answer period at the end of the meeting.

Dated: June 24, 1975.

THOMAS A. CLINGAN, JR.,
Deputy Assistant Secretary for Oceans and Fisheries Affairs.

[FR Doc.75-17132 Filed 6-30-75;8:45 am]

DEPARTMENT OF THE TREASURY

Fiscal Service

[Dept. Circ. 570, 1974 Rev., Supp. No. 21]

ARGONAUT INSURANCE COMPANY

Surety Companies Acceptable on Federal Bonds: Termination of Authority

Notice is hereby given that the Certificate of Authority issued by the Treasury to the Argonaut Insurance Company, Menlo Park, California, under sections 6 to 13 of title 6 of the United States Code, to qualify as an acceptable surety on Federal bonds is hereby terminated, effective June 30, 1975.

The company was last listed as an acceptable surety on Federal bonds at 39 FR 26364, July 18, 1974.

Bond-approving officers of the Government should, in instances where such action is necessary, secure new bonds in lieu of bonds executed by Argonaut Insurance Company.

Dated: June 26, 1975.

JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[FR Doc.75-17151 Filed 6-30-75;8:45 am]

Office of the Secretary

SUPPLEMENT TO DEPARTMENT CIRCULAR

Public Debt Series—No. 19-75

JUNE 26, 1975.

The Secretary of the Treasury announced on June 25, 1975, that the interest rate on the notes described in Department Circular — Public Debt Series—No. 19-75, dated June 19, 1975, will be 7¾ percent per annum. Accordingly, the notes are hereby redesignated 7¾ percent Treasury Notes of Series E-1979. Interest on the notes will be payable at the rate of 7¾ percent per annum.

JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[FR Doc.75-17099 Filed 6-30-75;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary

DEFENSE SCIENCE BOARD TASK FORCE ON SPECIFICATIONS AND STANDARDS IMPROVEMENT

Meeting

Pursuant to the provisions of Pub. L. 92-463, effective January 5, 1973, notice is hereby given that the Defense Science Board Task Force on Specifications and Standards Improvement will meet in open session at 0900 hours on Tuesday, July 29, 1975, in Room 1E801 #2, the Pentagon, Washington, D.C.

The mission of the Defense Science Board is to advise the Secretary of Defense and Director of Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense.

The primary responsibility of the Task Force is to provide an evaluation of current DoD Specifications and Standards and the related DoD organization, system and procedures to serve as a basis for DoD policy decisions to reduce costs in systems/equipment design and application.

At this meeting, the Task Force will discuss its findings to date, summarize actions taken and projected, relate specifications and standards impact on F-16 design and production, consider cost impact on weapon systems and equipment of specifications and standards governing reliability, maintainability, quality, configuration control and the like, and consider related subjects that may come before the group.

Attendees outside of Task Force membership will be admitted as observers to the proceedings. With time permitting and at the discretion of the Chairman, a specified but limited time will be allotted so as to permit observers to comment, make recommendations, take issue, or otherwise speak with respect to the subjects.

Due to the limited time and space availability, it is requested that persons interested in attending the DSB Task Force meeting provide written notice to the address listed below by July 23, 1975. Notice should include information with respect to interest and degree of participation.

Mr. Lester Fox, Director, Defense Materiel Specifications and Standards Office, Cameron Station, Alexandria, Virginia 22314.

Telephone inquiries may also be made to Mr. Fox at (202) 274-7061.

Dated: June 26, 1975.

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

[FR Doc.75-17075 Filed 6-30-75;8:45 am]

DEFENSE SCIENCE BOARD TASK FORCE ON "SURFACE NAVAL WARFARE"

Meeting

The Defense Science Board Task Force on Surface Naval Warfare will meet in closed session on 7-8 August 1975 at the Naval War College, Newport, Rhode Island. The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense.

The Task Force will undertake a review of the adequacy and directions of U.S. Navy programs in surface offensive operations in the face of continuing increases in Soviet capabilities in naval weapons, command and control, and out-of-area operations. The Task Force will concentrate first on U.S. programs in tactical surface surveillance, targeting, command and control, and weaponry for

surface engagement to help assure that our R&D investments yield the greatest improvement in our total force capabilities, when deployed in quantities we can afford. Classified details of U.S. and Soviet systems will be reviewed.

In accordance with section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Task Force meeting concerns matters listed in section 552(b) of Title 5 of the United States Code, specifically subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

Dated: June 26, 1975.

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

[FR Doc.75-17076 Filed 6-30-75;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

IMPORTATION OF CONTROLLED SUBSTANCES

Application

JUNE 23, 1975.

Pursuant to section 1008 of the Controlled Substance Import and Export Act (21 U.S.C. 958(h)), the Attorney General shall, prior to issuing a registration under this section to a bulk manufacturer of a controlled substance in schedule I or II, and prior to issuing a regulation under section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore in accordance with 1311.42 of Title 21, Code of Federal Regulations, notice is hereby given that on May 23, 1975, THE VITARINE CO., INC., 227-15 N. Conduit Avenue, Springfield Gardens, N.Y. 11413, made application to the Drug Enforcement Administration to be registered as an importer of codeine, a basic class controlled substance listed in schedule II.

Any person registered to manufacture codeine in bulk may, on or before August 5, 1975 file written comments on or objections to the issuance of the proposed registration and may, at the same time, file written request for a hearing on the application (stating with particularity the objections or issues, if any, concerning which the person desires to be heard and a brief summary of his position on those objections or issues).

Comments and objections may be addressed to the Hearing Clerk, Office of Administrative Law Judge, Drug Enforcement Administration, Room 1130, 1405 Eye Street, NW., Washington, D.C. 20537.

Dated: June 23, 1975.

HENRY S. DOGIN,
Acting Administrator, Drug Enforcement Administration.

[FR Doc.75-17086 Filed 6-30-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM 25920, 25921, 25923, 25923, 25924, 25925, 25926, 25927, 25933, 25934]

NEW MEXICO

Applications

JUNE 23, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for nine 4½ inch and one 2⅜ inch natural gas pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 27 N., R. 7 W.,
Sec. 29, N½SE¼;
Sec. 30, Lot 3 and NE¼SW¼.
T. 27 N., R. 8 W.,
Sec. 23, S½NW¼;
Sec. 25, NW¼SW¼;
Sec. 26, NE¼SW¼;
T. 30 N., R. 9 W.,
Sec. 24, Lot 3 and SE¼NW¼.
T. 31 N., R. 9 W.,
Sec 33, Lots 10, 11 and 12.
T. 31 N., R. 10 W.,
Sec. 10, Lots 8 and 12;
Sec. 11, Lot 12;
Sec. 17, Lots 8 and 11;
Sec. 20, Lot 4.
T. 32 N., R. 10 W.,
Sec. 19, Lot 15.

These pipelines will convey natural gas across 2.033 miles of national resource lands in Rio Arriba and San Juan Counties, New Mexico.

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

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, NE, Albuquerque, NM 87107.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-17118 Filed 6-30-75;8:45 am]

[NM 25928, 25929]

NEW MEXICO

Applications

JUNE 23, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Southern Union Gas Company has applied for two 4 inch natural gas pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 19 S., R. 25 E.,
Sec. 27, SE¼SE¼;
Sec. 34, NE¼NE¼;
Sec. 35, W½NW¼ and SE¼NW¼.
T. 17 S., R. 29 E.,
Sec. 29, S½N½, NW¼SW¼ and NE¼SE¼.

These pipelines will convey natural gas across 1.149 miles of national resource lands in Eddy County, New Mexico.

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

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-17119 Filed 6-30-75;8:45 am]

[NM 25930]

NEW MEXICO

Application

JUNE 23, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Southern Union Gas Company has applied for one 4 inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 31 N., R. 9 W.,
Sec. 26, Lot 16.

This pipeline will convey natural gas across .099 miles of national resource lands in San Juan County, New Mexico.

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

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, NE, Albuquerque, NM 87107.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-17120 Filed 6-30-75;8:45 am]

[NM 25765]

NEW MEXICO

Proposed Withdrawal and Reservation of Lands

JUNE 13, 1975.

The Corps of Engineers, U.S. Department of the Army, has filed application

NM 25765, for the withdrawal of the lands described below from all forms of appropriation, including the general mining and the mineral leasing laws, except that grazing leases or permits may be issued for lands in the safety area. The land will be operated as a bombing range for the purpose of training Air Force personnel of the Tactical Air Command stationed at Cannon Air Force Base, New Mexico.

On or before July 31, 1975, all persons who wish to submit comments, suggestions or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Chief, Division of Technical Services, PO. Box 1449, Santa Fe, New Mexico 87501.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the land for purposes other than the applicant's, to eliminate land needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the land and its resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the land will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN

T. 1 N., R. 30 E.,
Sec. 2, S½;
Sec. 11;
Sec. 20, S½SE¼;
Sec. 28.
T. 2 N., R. 30 E.,
Sec. 20, E½SE¼;
Sec. 21, SW¼ and W½SE¼;
Sec. 28, W½E½ and W½;
Sec. 29, E½E½;
Sec. 32, E½E½;
Sec. 33, W½E½, NW¼ and S½SW¼.
T. 1 S., R. 30 E.,
Secs. 2, 3 and 4;
Sec. 6, lots 1 and 2;
Sec. 9, N½ and N½S½;
Sec. 10, N½ and N½S½;
Sec. 11, N½ and N½S½.

The areas described aggregate 6713.90 acres in Roosevelt County.

MICHAEL T. SOLAN,
Chief,
Division of Technical Services.

[FR Doc.75-17121 Filed 6-30-75;8:45 am]

REDELEGATION OF AUTHORITY TO AREA MANAGERS

Pursuant to the authority contained in Bureau Order No. 701 dated July 23, 1964, as amended, the Area Managers of the Garnet and Helena Resource Areas of the Missoula District, Montana, are authorized to perform in their respective areas of responsibility, in accordance with existing policies and regulations of this Department and under the direct supervision of the District Manager, the functions listed below, subject to the limitation set forth in Bureau Order No. 701, as amended, together with any limitations specified below:

AUTHORITY IN SPECIFIED MATTERS

SEC. 3.3 Fiscal Affairs. The Area Manager may take all action on:

(d) Trespass. Determine liability for trespass on the public lands and dispose of resources recovered in trespass cases for not less than the appraised value thereof, when actual damages do not exceed $1,000.00. Accept payment in full where actual damages do not exceed $1,000.00.

SEC. 3.7 Range Management. The Area Manager may take all the listed actions on:

(a) Licenses and permits to graze or trail livestock.

(3) Permits or cooperative agreements to construct and/or maintain range improvements and determine the value of such improvements.

(b) Grazing leases.

(d) Soil and moisture conservation.

(e) Controlled brush burning. In accordance with plans and specifications approved by the State Director.

SEC. 3.8. Forest Management. The Area Manager may take all actions on:

(a) Dispose of or permit the use of forest products when authorized by law on lands under the jurisdiction of the Bureau of Land Management under applicable portions of 43 CFR. This authority does not include sales of forest products exceeding 250,000 board feet in volume.

SEC. 3.9 Land Use. The Area Manager may take all actions:

(g) Material other than forest products not exceeding $1,000.00 in value.

(m) Grant rights-of-way (Tram Road Permits) over public and acquired land pursuant to 43 CFR 2811.

The District Manager may at any time temporarily reserve, restrict, or withhold any portion of the above delegated authority through use of Form 1213-1 District Office Authority and Responsibility Guide.

This order will become effective on July 11, 1975.

The previous redelegation dated May 15, 1975, (40 FR 21055) is hereby revoked.

JOHN F. FIELDS,
District Manager.

Approved:

HAROLD C. LYND,
Acting State Director

[FR Doc.75-17123 Filed 6-30-75; 8:45 am]

Office of Hearings and Appeals

[Docket No. M75-118]

ALABAMA BY-PRODUCTS CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Alabama By-Products Corporation has filed a petition to modify the application of 30 CFR 75.1405 to its Gorgas America No. 7 Mine, Walker County, Alabama.

30 CFR 75.1405 provides:

> All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

In support of its petition, Petitioner states:

1. Mining is accomplished by conventional equipment, that is, cutting machines, drills, loaders, shuttle cars, etc., and by continuous mining machines. The mined coal is transported from each section by belt conveyor to a raw coal storage pile on the surface adjacent to the preparation plant.

2. At the subject mine there are approximately ten rail cars of various types used to transport supplies. Normal procedure calls for empty cars to be hoisted up the slope, loaded with required material, and then lowered back down into the mine. From the slope bottom the cars are pulled by trolley locomotive to various operating areas.

3. Practice at this mine dictates that only one supply car, loaded or empty, is hoisted or lowered at a time. On those occasions when a heavier than normal load is to be handled, the dummy or chain car is set aside and the load connected directly to the hoist rope.

4. The need for an alternate coupling arrangement is necessitated by the slope which was designed to accommodate supply cars fitted with link and pin type couplings. The vertical curves at the slope top and bottom have short radii. The use of automatic couplings over these curves would result in added stress to the coupling and possible derailment of cars due to the vertical inflexibility of the coupling relative to the car.

5. *Alternate Method.* Approval of this alternate system as a satisfactory replacement of the standard mandating automatic coupling of mine cars after March 30, 1974, is subject to the following understanding and conditions which are incorporated as parts of the alternate system.

A. All supply cars and the slope dummy car will be fitted with modification shown on drawings G 12-1-002.[1]

[1] Drawings G 12-1-002 are available for inspection at the address contained in the last paragraph of the notice.

B. All slope haulage employees at the mine will be trained and instructed in the proper use of the "Chain Setter Rod" and its use will be mandatory. More specifically in this regard:

1. All employees who connect or disconnect supply cars at the slope will be instructed in the use of the chain setter rod.

2. Thereafter, any new employees hired as a haulage or slope man or transferred to such a position shall be instructed in the use of the chain setter.

3. This instruction shall be repeated at six month intervals.

4. The company shall maintain a record of names and dates that each employee receives this instruction and reinstruction.

5. The requirement that the use of the chain setter shall be a mandatory safety rule at this mine shall be posted on the regular company and union bulletin boards at the mine.

6. *Safety Consideration.* The alternate method set forth above will provide no less than the same measure of protection to miners at the Gorgas No. 7 Mine that to be afforded by 30 CFR 75.-1405 and 75.1405-1 of the Departmental regulations. The alternate method will actually provide greater protection and thus avoid diminution of safety that has resulted by conversion to automatic couplings. This is because:

1. Automatic couplings inherently lack the flexibility required to permit mine cars to freely negotiate the vertical curves of the slope at this mine.

2. The proposed system meets the primary desired effect of automatic couplings in that employees will not be required to place themselves or any part of their body between cars at any potential pinch point.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before July 31, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: June 24, 1975.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

[FR Doc.75-17124 Filed 6-30-75;8:45 am]

[Docket No. M75-119]

CF&I STEEL CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), CF&I Steel Corporation has filed a petition to modify the application of 30 CFR 75.1403-10(b) to its Allen Mine, Weston, Colorado.

30 CFR 75.1403-10(b) provides:

> Cars on main haulage roads should not be pushed, except where necessary to push cars from side tracks located near the working section to the producing entries and rooms, where necessary to clear switches and sidetracks, and on the approach to cages, slopes, and surface inclines.

In support of its petition, Petitioner states:

1. MESA's interpretation of § 75.1403-10(b) of the Regulations precludes CF&I from pushing mine cars from the last switch or parting inby the loader head at the Allen Mine.

2. The only way to move mine cars from the last switch or parting inby the loader head and back out again, without pushing them, in compliance with MESA's Notice to Provide Safeguards, issued on October 24, 1973, is to place a locomotive at each end of the line of cars and to require the locomotive operator to walk from one locomotive to the other while cars are being loaded.

3. The procedure described in the preceding paragraph is a safety hazard to the locomotive operator who must change cars, is unnecessary because it is not required by the Act or the Departmental regulations. It would be no less safe to allow CF&I to push cars the short distance from the last parting in by the loader head.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before July 31, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Departmental Hearings Branch, U.S. Department of the Interior, 6432 Federal Building, Salt Lake City, Utah 84138. Copies of the petition are available for inspection at that address.

Dated: June 24, 1975.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

[FR Doc.75-17125 Filed 6-30-75;8:45 am]

[Docket No. M 75-106]

C F & I STEEL CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), C F & I Steel Corporation has filed a petition to modify the application of 30 CFR 75.1710 to its Allen Mine, Weston, Colorado.

30. CFR 75.1710 provides:

> An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

In support of its petition, Petitioner states:

1. Petitioner provides substantially constructed canopies for all operators of all electric face equipment including roof bolting machines as required by § 75.1710. Petitioner does not provide canopies for miners who are installing roof bolts. Such canopies are unnecessary. These miners are protected by permanent supports consisting of steel beams with wooden legs at each end installed in accordance with the roof control plan. Where steel beams are not required, these miners are protected by steel straps supported by timber jacks. A cab or canopy would afford these miners no greater protection than they now have.

2. MESA has interpreted § 75.1710 through the use of the procedure of § 75.1403, to require Petitioner to provide canopies or cabs for miners installing roof bolts at the subject mine.

3. The use of a canopy as required by MESA would interfere with the installation of roof supports in that these supports could not be installed against the roof with the canopy in place. Once these supports are in place the canopy is redundant, and, there is no period of time when the miners installing supports in accordance with the procedures of C F & I's roof control plan are not protected by supports already installed.

4. The use of the canopy, as required by MESA, during the installation of supports would create a safety hazard by disturbing and impairing the effectiveness of the existing support with which the canopy must come in contact.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before July 31, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Departmental Hearings Branch, U.S. Department of the Interior, 6432 Federal Building, Salt Lake City, Utah 84138. Copies of the petition are available for inspection at that address.

Dated: June 24, 1975.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

[FR Doc.75-17126 Filed 6-30-75;8:45 am]

[Docket No. M 75-107]

D & R COAL CO., INC.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), D & R Coal Company, Inc., has filed a petition to modify the application of 30 CFR 77.1605(k) to its No. 1 Mine, St. Charles, Virginia.

30 CFR 77.1605(k) provides:

> Berms or guards shall be provided on the outer bank of elevated roadways.

In support of its petition, Petitioner states:

1. Petitioner's alternate method will at all times guarantee the miners no less than the same measure of protection as that provided by the mandatory standard.

2. At the switch backs where trucks cannot make a turn without backing up, berms or guard rails will be provided on the outer bank.

3. At all other locations where berms or guard rails are not provided:

(a) A daily inspection of all coal hauling vehicles shall be made and any defects detected shall be corrected before the defective vehicle is put into service. A record of inspection will be kept.

(b) As far as practicable, roadways shall be kept free of debris, excessive water, snow or ice and maintained as practicable.

(c) A traffic system shall be put into use for these roadways requiring that loaded vehicles have the right-of-way on the high wall side of road regardless of their direction of travel.

(d) Warning signs shall be posted designating steep grades where trucks should shift to lower gear. Signs shall be posted designating one lane traffic and passing points.

(e) All operators shall be trained in the use of haulage equipment and safety on the haulage road.

(f) Haulage vehicles shall have:

(1) Original manufactures brakes. (2) Engine or Jacob brakes. (3) Emergency parking brakes.

(g) One lane roads will be posted and a minimum width of 16 ft. shall be maintained with passing points at 500 feet to 1000 feet intervals.

(h) All haulage vehicles are equipped with two-way radios so all operators have radio contact with each other as to their location at all times.

(i) All rules of the road shall be posted on all bulletin boards throughout each mine area, and the rules shall be made part of the training program.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before July 31, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: June 24, 1975.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

[FR Doc.75-17127 Filed 6-30-75;8:45 am]

[Docket No. M 75-128]

HALFWAY COAL CO. ET AL.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Halfway Coal Company *et al.* have filed a petition to modify the application of 30 CFR 75.301 to the following mines located in Pennsylvania:

Company	Mine	Location
Halfway Coal Co.	West Drift	Ashland.
Herb & Tobin Coal Co.	Buck Mt. No. 2 Slope.	Zerbe.
K. & S. Coal Co.	No. 1 South Slope.	Ashland.
Shomper Coal Co.	Little Vein Slope Mountain.	Williamstown.
Leroy Snyder Coal Co.	No. 3 Slope	Donaldson.
Wolfgang Bros. Coal Co.	Buck Slope	Centralia.
Shade Coal Co.	Buck Mountain Slope.	Valley View.
M. G. S. Coal Co.	No. 4 Slope	Mount Carmel.
S. H. & L. Coal Co.	Tracy Slope	Pine Grove.
C. F. & D. Coal Co.	No. 1 Slope Mine	Do.
D. & R. Mining Corp.	F. & F. Mine	Forrestville.
Big L Coal Co.	No. 1 Slope	Shamokin.
Collier Coal Co.	No. 3 Vein Slope	Do.
Sky View Coal Co.	do	Do.
Centennial Coal Co.	Centennial Slope	Kulpmont.
Burn-Rite Coal Co.	No. 2 Slope	Ashland.
Monta Coal Co.	No. 4 Vein Slope	Kulpmont.
C. S. C. Coal Co.	Little Comstock	Shamokin.
M. & R. Coal Co.	M. & R. Slope	Do.
Fed Coal Co.	No. 1 Slope	Do.
F. & H. Coal Co.	White Ash Slope	Locustdale.
Silverbrook Anthracite, Inc.	Twin Slope	Dupont.

30 CFR 75.301 provides:

All active workings shall be ventilated by a current of air containing not less than 19.5 volume per centum of oxygen, not more than 0.5 volume per centum of carbon dioxide, and no harmful quantities of other noxious or poisonous gases; and the volume and velocity of the current of air shall be sufficient to dilute, render harmless, and to carry away, flammable, explosive, noxious, and harmful gases, and dust, and smoke and explosive fumes. The minimum quantity of air reaching the last open crosscut in any pair or set of developing entries and the last open crosscut in any pair or set of rooms shall be 9,000 cubic feet a minute, and the minimum quantity of air reaching the intake end of a pillar line shall be 9,000 cubic feet a minute. The minimum quantity of air in any coal mine reaching each working face shall be 3,000 cubic feet a minute. The authorized representative of the Secretary may require in any coal mine a greater quantity and velocity of air when he finds it necessary to protect the health or safety of miners. In robbing areas of anthracite mines, where the air currents cannot be controlled and measurements of the air cannot be obtained, the air shall have perceptible movement.

Petitioners request that § 75.301 be modified for anthracite mines to require that: the minimum quantity of air reaching each working face shall be 1,500 cubic feet a minute, the minimum quantity of air reaching the last open crosscut in any pair or set of developing entries shall be 5,000 cubic feet a minute, and the minimum quantity of air reaching the intake end of a pillar line shall be 5,000 cubic feet a minute, and/or whatever additional quantity of air may be required in any of these areas to maintain a safe and healthful mine atmosphere.

In support of their petition, Petitioners state:

1. Air sample analysis history reveals no harmful quantities of methane in the mines.

2. There have been no ignitions, explosions, or mine fires in the subject mines.

3. There is no history of harmful quantities of carbon dioxide and other noxious or poisonous gases in the mines.

4. Mine dust sampling programs have revealed extremely low concentrations of respirable dust.

5. Extremely high velocities required in friable anthracite veins for control purposes, in small cross sectional areas of airways and manways, particularly in steeply pitching mines, present a very dangerous flying object hazard to the miners.

6. High velocities and large air quantities cause extremely uncomfortable damp and cold conditions in the already uncomfortable, wet mines.

7. Difficulty in keeping miners on the job and securing additional mine help is due primarily to the conditions cited.

Petitioners aver that the proposed alternate method will in no way provide less than the same measure of protection afforded the miners by the mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before July 31, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: June 24, 1975.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

[FR Doc.75-17128 Filed 6-30-75;8:45 am]

[Docket No. M75-120]

POCAHONTAS FUEL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of Section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Pocahontas Fuel Company has filed a petition to modify the application of 30 CFR 75.305 to its Buckeye Mine, Stephenson, West Virginia.

30 CFR 75.305, in pertinent part, provides:

> * * * examinations for hazardous conditions * * * shall be made at least once each week by a certified person * * * [in] at least one entry of each * * * return aircourse in its entirety, * * *

In support of its petition, Petitioner states:

(1) The subject mine is ventilated by three fans—the Stephenson Fan, the

Noseman Fan, and 3 Mains Fan. On April 14, 1975 an air analysis was taken at the Stephenson Fan with the following results: volume—164700 cfm; methane—.00; CO_2—.07.

(2) Except for mainline motor craws, trackmen and the men working on the rock grade, the employees portal at the Nosemen Portal by self-propelled mantrip cars using secondary track. This track is used only for mantrips and supplies.

(3) Coal is transported by conveyor belt from the working sections to a car loading point at the mouth of Barker Creek Mains #3 Entry of 4 Mains 2,000 ft. inby 16 Left. Coal is hauled by mine cars a distance of approximately 17,250 feet to the cleaning plant at Stephenson with grades averaging 4.09 percent downhill with two 90° radius curves.

(4) Because the track haulage was old, its maintenance cost excessive, and the existence of a 4.09% grade in some areas, Petitioner undertook a construction program to upgrade the track haulage to make it more safe and efficient. In late 1971, Petitioner, with the approval of MESA and the State Department of Mines, started regrading the Number 3 Entry of 4 Mains. This work was to be done, with approved safeguards, (see Exhibit I)[1] on return air for a distance of 7,800 feet. The work is scheduled for completion in early 1976.

(5) During late 1971 § 75.305 of the Departmental regulations was being complied with in that Number 3 Entry of 4 Mains was traveled and examinations were made and records kept.

(6) After grade work was started on the old track haulage, the air lock doors specified in Exhibit I were installed inby the rock grade. The grade work was put on intake air with the air returning right and left back to the Stephenson Shaft.

(7) On March 19, 1975, a MESA Inspector issued a Notice of Violation at Buckeye based on 330 CFR 75.305 because a return aircourse from the rock grade in Number 4 Mains was not being traveled weekly in its entirety and records kept.

(8) Petitioner immediately explored the possibility of traveling a return aircourse from 16 Left back to the Stephenson Shaft in both 4 Mains and 5 Mains, but because of the adverse physical conditions, i.e. numerous falls of roof, there was no safe method to travel the entire length of these returns.

(9) Intake and return escapeways are maintained from the working sections to the Noseman Portal marked with conspicuous signs. Three escape routes are also available for grade crew motormen and trackmen that perform work in the area of 4 and 5 Mains. Going inby from Rockgrade toward 16 Left the men would be on return air—they could follow the marked escape route to the Noseman Fan and they could enter the intake escapeway to the Noseman Portal. They can also exit to the Stephenson Portal by way of either 4 Mains track entry or by following the track from 16 Left and out through 5 Mains to the Stephenson Portal.

(10) The Stephenson Fan is used to ventilate the gob areas as indicated on map. It supplies intake air for the coal haulage track and approximately 16,000 to 18,000 CFM returning from the 2nd Left working section. The designated return escapeway for 2nd Left is marked and traveled weekly and exits at the Noseman Fan, no other action section returns any air to this fan. These persons could also follow the intake escapeway to Noseman Portal.

PETITIONER PLANS FOR ALTERNATE SYSTEM

Pocahontas proposes an alternate system to meet the intent of § 75.305 which it believes will be safer than the present requirement as applied to return aircourses from Nos. 4 and 5 Mains to the Stephenson shaft:

1. The certified examiner will enter the No. 1 and No. 2 return aircourses of 4 Mains at the four locations listed below for the purpose of making air measurements, sampling the air and making other tests as specified in § 75.305.

2. At the locations along the No. 1 and No. 2 return aircourses where the certified examiner will make his tests and samples, air locks will be installed and signs posted.

3. The examinations in the Nos. 1 and 2 return aircourses will be made weekly and records will be kept.

4. The left returns of 5 Mains (Nos. 1, 2 and 3 entries) will be entered at the four locations listed below and the actions specified in paragraphs 1, 2 and 3 above will be taken.

5. Air measurements for quantity and quality of air will also be made at the Stephenson shaft.

6. The location of the points of examination for the return aircourses of No. 4 Mains, left return will be as follows:

a. No. 1—At overcast inby Stephenson shaft.
b. No. 2—One hundred feet outby Station No. 2339.
c. No. 3—At Station No. 2818.
d. No. 4—One hundred feet outby Station No. 0671.

7. The location of examinations of the No. 5 Mains, left returns will be as follows:

a. No. 1—Station No. 2019.
b. No. 2—Station No. 2386.
c. No. 3—Station No. 3616.
d. No. 4—At mouth of 16 Left Panel.

Petitioner avers that the alternate method will at all times provide the miners no less than the same measure of protection afforded by the mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before July 31, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: June 24, 1975.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

[FR Doc.75-17129 Filed 6-30-75;8:45 am]

[1] Exhibits are available at the address contained in the last paragraph of the notice.

National Park Service

SEQUOIA AND KINGS CANYON NATIONAL PARKS, CALIFORNIA CEDAR GROVE DEVELOPMENT CONCEPT PLANNING ALTERNATIVES

Notice of Intent

Notice is hereby given that the National Park Service will hold two public workshops on August 5 and 6, 1975, to provide for public involvement and citizen participation in the first phase of the development concept planning process for the Cedar Grove area of Sequoia and Kings Canyon National Parks.

The workshops will be held in Visalia, California, August 5, in the Sequoia Room, Visalia Convention Center, 303 East Acequia Street, at 7 p.m., and in Fresno, California, August 6, in the all-purpose room, McLane Junior High School, 2727 North Cedar Avenue, at 7 p.m.

Concurrent with these workshops will be a series of consultations between members of the National Park Service and appropriate Federal, State and local government officials, organizations and individuals.

The purpose of these workshops and consultations is to provide for wide public involvement, including ideas, suggestions and comments from individuals and organizations on the formulation of Cedar Grove Development Concept Plan.

It is the intention of the National Park Service, when the draft Development Concept Plan is completed, to make it available to the public for further review.

Anyone wanting information on the National Park Service planning process, or the Cedar Grove area, or wishing to submit comments on uses of Cedar Grove may write to the Superintendent, Sequoia and Kings Canyon National Parks, Three Rivers, California 93271.

Dated: June 17, 1975.

JOHN H. DAVIS,
Acting Regional Director, Western Region, National Park Service.

[FR Doc.75-17134 Filed 6-30-75;8:45 am]

NATIONAL REGISTER OF HISTORIC PLACES

Additions, Deletions, and Correction

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

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

The following properties have been added to the National Register since June 3, 1975. National Historic Landmarks are designated by NHL; properties recorded by Historic American Buildings Survey are designated by HABS; properties recorded by Historic American Engineering Record are designated by HAER:

ALABAMA

Baldwin County

Fort Morgan vicinity, *U.S.S. Tecumseh*, NW of Fort Morgan in Mobile Bay (5–14–75)

Calhoun County

Anniston, *Crowan Cottage*, 1401 Woodstock Ave. (5–16–75)

Walker County

Townley vicinity, *Boshell's Mill*, N of Townley on AL 124 (5–30–75)

ALASKA

Southeastern District

Chilkoot Pass vicinity, *Chilkoot Trail*, Mile 0 to U.S./Canada border (4–14–75)

ARIZONA

Apache County

Window Rock vicinity, *St. Michael's Mission*, N of Window Rock off AZ 264 (5–29–75)

Coconino County

Flagstaff vicinity, *Homestead, The*, 3 mi. N of Flagstaff on U.S. 180 (5–27–75)

Gila County

Globe, *Gila County Courthouse*, Oak and Broad Sts. (5–27–75)

Maricopa County

Mesa, *Park of the Canals*, along Horne Rd. N from Utah Ditch S to Mesa-Consolidated Canal (5–30–75)

Pima County

Greaterville vicinity, *Empire Ranch*, 6 mi. E of Greaterville (5–30–75)

Pinal County

Florence vicinity, *Butte-Cochran Charcoal Ovens*, 16 mi. E of Florence N of Gila River (5–30–75)

Yavapai County

Prescott, *Prescott Public Library*, 125 E. Gurley St. (5–28–75)

ARKANSAS

Arkansas County

Tichnor vicinity, *Roland Site*, 5 mi. E of Tichnor (5–2–75)

Dallas County

Leola vicinity, *Bird Kiln*, 6 mi. SW of Leola off AR 9 (5–29–75)
Princeton vicinity, *Culbertson Kiln*, E of Princeton on Stark Bland Rd. (5–29–75)
Tulip vicinity, *Welch Pottery Works*, S of Tulip (5–12–75)

Independence County

Batesville, *Glenn House*, 653 Water St. (5–2–75)
Batesville, *Handford, Charles R., House*, 658 E. Boswell St. (5–2–75)
Batesville, *Handford, James S., House*, 659 E. Boswell St. (5–2–75)
Batesville, *Maxfield, Uriah, House*, 410 E. Harrison St. (5–2–75)
Batesville, *Wycough-Jones House*, 683 Water St. (5–2–75)

Mississippi County

Buckeye vicinity, *Zebree Homestead*, 2 mi. NE of Buckeye in Big Lake National Wildlife Refuge (5–2–75)

Ouachita County

Camden, *Leake-Ingham Building*, 926 Washington St. NW. (5–2–75)

Pulaski County

Little Rock, *Choctaw Route Station*, E. 3rd at Rock Island RR. (5–6–75)
Little Rock, *Reichardt House*, 1201 Welch St. (5–2–75)

CALIFORNIA

Butte County

Stirling City vicinity, *Inskip Hotel (Inskip House)*, 6 mi. N of Stirling City on the Skyway (old Humbug Rd.) (5–2–75)

Los Angeles County

Calabasas, *Leonis Adobe*, 23537 Calabasas Rd. (5–29–75) HABS

Mariposa County

Groveland vicinity, *Big Gap Flume*, E. of Groveland off CA 120 in Stanislaus National Forest (5–12–75)

Modoc County

Tulelake vicinity, *Fern Cave*, 9 mi. S of Tulelake in Lava Beds National Monument (5–29–75)
Tulelake vicinity, *Petroglyph Point*, 9 mi. SE of Tulelake in Lava Beds National Monument (5–29–75)

San Bernardino County

Big Bear City vicinity, *Washington, Henry, Survey Marker*, S of Big Bear City in San Bernardino National Forest (5–12–75)

San Diego County

San Diego, *Spreckles Theatre Building*, 123 W. Broadway (5–28–75) HABS

San Francisco County

San Francisco, *Geary Theatre*, 415 Geary St. (5–27–75)

Yuba County

Marysville, *Bok Kai Temple*, Yuba River Levee at D St. (5–21–75)
North San Juan vicinity, *Oregon Creek Covered Bridge*, 3 mi. NE of North San Juan over Oregon Creek (5–30–75)

COLORADO

Conejos County

Antonito, *Engine No. 463* (narrow-gauge locomotive), off U.S. 285 (5–12–75)
La Jara, *La Jara Depot*, Broadway and Main Sts. (5–12–75)

Denver County

Denver, *Thomas, H. H., House*, 2104 Glenarm Pl. (5–30–75)

Pitkin County

Aspen *Aspen Community Church*, 200 N. Aspen St. (5–12–75)
Aspen, *Stallard—Wheeler House*, 620 W. Bleeker St. (5–30–75)
Aspen, *Pitkin County Courthouse*, 506 E. Main St. (5–12–75)
Aspen vicinity, *Ashcroft, Colorado*, 12 mi. S of Aspen in White River National Forest (5–12–75)

DISTRICT OF COLUMBIA

Washington

Cady, Lucinda, House, 7064 Eastern Ave., NW (5–28–75)

FLORIDA

Gadsden County

Mt. Pleasant vicinity, *Davis, Joshua, House*, 2.5 mi. NW of Mt. Pleasant on U.S. 90 (5–21–75)

Leon County

Tallahassee, *Columns, The*, 100 N. Duval St. (5–21–75) HABS

St. Johns County

St. Augustine, *Hotel Ponce de Leon*, bounded by King, Valencia, Sevilla, and Cordova Sts. (5–6–75)

GEORGIA

Clay County

Fort Gaines, *Dill House*, 102 S. Washington St. (5–6–75)

De Kalb County

Decatur, *Gay, Mary, House*, 524 Marshall St. (5–6–75)

Floyd County

Rome, *U.S. Post Office and Courthouse*, W. 4th Ave. and E. 1st St. (5–6–75)

Fulton County

Atlanta, *Odd Fellows Building and Auditorium*, 228–250 Auburn Ave. NE. (5–2–75)

Jones County

Round Oak vicinity, *Cabiness-Hunt House*, SE of Round Oak off GA 11 (5–2–75)

Laurens County

Dublin, *Carnegie Library*, jct. of Bellevue, Academy, and Jackson Sts. (5–30–75)
Montrose vicinity, *Sanders Hill*, S of Montrose off I 16/GA 404 (5–28–75)

GUAM

Merizo, *Merizo Bell Tower*, off Insular Rte. 4 (5–29–75)

HAWAII

Maui County

Wailuku, *Kaahumanu Church*, S. High St. (5–12–75)

IDAHO

Blaine County

Bellevue vicinity, *Miller, Henry, House*, S of Bellevue off U.S. 93 (5–30–75)

Franklin County

Preston, *Oneida Stake Academy*, NW corner of 2nd South and 2nd East Sts. (5–21–75)

ILLINOIS

Bureau County

Manlius, *First State Bank of Manlius*, N side of Maple St. (5–12–75)

Cass County

Virginia vicinity, *Cunningham, Andrew, Farm*, 2.5 mi. E of Virginia off Gridley Rd. (5–12–75) HABS

Du Page County

Oak Brook, *Graue Mill*, NW of jct. of Spring and York Rds. (5–12–75) HABS

Henry County

Geneseo, *South Side School*, 209 S. College Ave. (5–6–75)

Will County

Lockport, *Lockport Historic District*, area between 7th and 11th Sts. and Canal and Washington Sts. (5–12–75)

INDIANA

Daviess County

Washington vicinity, *Prarie Creek Site*, 4 mi. N of Washington (5–12–75)

Dearborn County

Lawrenceburg vicinity, *Jennison Guard Site*, 0.75 mi. NE of Lawrenceburg (5–12–75)

Dubois County

Huntingburg, *Huntingburg Town Hall and Fire Engine House*, 311 Geiger St. (5–12–75)

Floyd County

New Albany, *Yenowine-Nichols-Collins House*, 5118 State Rd. 64 (5–12–75)

Greene County

Bloomfield vicinity, *Osborn Site*, SW of Bloomfield (5–12–75)

Knox County

Vincennes vicinity, *Pyramid Mound*, S of Vincennnes (5–12–75)

La Porte County

Michigan City, *Michigan Central Railroad Engine Repair Shops*, 104 N. Franklin St. (5–12–75)

Madison County

Elwood, *Willkie, Wendell L., School, (Central School)* 1630 Main St. (5–12–75)

Morgan County

Mooresville, *Mooresville Friends Academy Building*, 244 N. Monroe St. (5–12–75)

Owen County

Patricksburg vicinity, *Mofett-Ralston House* 1.5 mi. NE of Patricksburg on Bixler Rd. (5–12–75)

Posey County

Mount Vernon vicinity, *Murphy Archeological Site*, SW of Mount Vernon (5–12–75)

Spencer County

Gentryville vicinity, *Jones, Col. William, House*, W of Gentryville on Troy-Vincennes Road.

Steuben County

Angola, *Steuben County Courthouse*, Public Sq. (5–12–75)

Sullivan County

Merom vicinity, *Merom Site and Fort Azatlan*, N of Merom (5–12–75)

IOWA

Des Moines County

Burlington, *Snake Alley Historic District*, both sides of Snake Alley including Cobblestone Alley (5–21–75)

Sioux County

Orange City, *Zwemer Hall, Northwestern College*, 101 7th St. SW (5–28–75)

Wayne County

Lineville vicinity, *Pleasant Hill School*, 3 mi. N of Lineville on U.S. 65 (5–28–75)

KANSAS

Atchison County

Atchison, *Harwi, A. J., House*, 1103 Atchison St. (5–6–75)

Marshall County

Marysville, *Koester, Charles, House*, 919 Broadway (5–12–75)

KENTUCKY

Fayette County

Lexington, *Woodstock*, Todds Rd. (5–12–75)

Garrard County

Lancaster vicinity, *Owsley, Gov. William, House (Pleasant Retreat)*, 0.5 mi. S of Lancaster on U.S. 27 (5–6–75)

Knox County

Barbourville, *Old Classroom Building, Union College*, College St. (5–30–75)

Madison County

Richmond, *Irvinton*, 319 Lancaster Ave. (5–6–75)

Richmond, *Madison County Courthouse*, Main St. between N. 1st and N. 2nd Sts. (5–12–75)

Mason County

Maysville, *Courthouse Square and Mechanics' Row Historic District*, W. 3rd St. between Market and Sutton Sts. (5–12–75)

Scott County

Georgetown vicinity, *Upshaw Vivion Brooking, House*, W of Georgetown off Stamping Ground Pike (KY 227)

Woodford County

Versailles, *Big Spring Church*, 121 Rose Hill St. (5–6–75)

MAINE

Androscoggin County

Lisbon Falls vicinity, *Shiloh Temple*, S of Lisbon Falls on S bank of Androscoggin River (5–12–75)

Penobscot County

Garland, *Garland Grange Hall*, off ME 94 (5–12–75)

Washington County

Machias, *Centre Street Congregational Church*, Centre St. (5–12–75)

MARYLAND

Allegany County

Cumberland vicinity, *Barton Village Site*, SW of Cumberland (5–12–75)

Oldtown vicinity, *Shawnee Old Fields Village Site (King Oppressa's Town)*, SE of Oldtown (5–12–75)

Caroline County

Hillsboro, *St. Paul's Episcopal Church*, S of MD 404 (5–12–75)

Ridgely vicinity, *Oak Lawn*, 2.8 mi. N of Ridgely on MD 312 (5–28–75)

Dorchester County

Cambridge vicinity, *Brinsfield I Site*, SE of Cambridge (5–12–75)

Eldorado vicinity, *Willin Village Site*, W of Eldorado (5–12–75)

Garrett County

Oakland vicinity, *Hoye Site*, N of Oakland (5–12–75)

Harford County

Whiteford vicinity, *Broad Creek Soapstone Quaries*, E of Whiteford (5–12–75)

Montgomery County

Rockville, *West Montgomery Avenue Historic District*, residential area centered around W. Montgomery Ave. (5–29–75)

Poolesville and vicinity, *Poolesville Historic District*, area around Jcts. of MD 107, 109, and Willard Rd. (5–29–75) HABS

Poolesville vicinity, *Walker Prehistoric Village Archeological Site*, S of Poolesville (5–12–75)

Prince Georges County

Upper Marlboro vicinity, *Nottingham Site*, SE of Upper Marlboro (5–12–75)

St. Mary's County

Chaptico vicinity, *Deep Falls*, 1 mi. SE of Chaptico on N side of MD 234 (5–12–75)

Hughesville vicinity, *Charlotte Hall, Historic District*, S of Hughesville at jct. of MD 5 and 6 (5–2–75)

Washington County

Hagerstown, *Elliott-Bester House*, 205–207 S. Potomac St. (5–2–75)

Worcester County

Berlin vicinity, *Caleb's Discovery*, 2 mi. W of Berlin on U.S. 50 (5–27–75)

MASSACHUSETTS

Barnstable County

South Wellfleet, *Marconi Wireless Station Site*, 1 mi. NE of NS Headquarters on Cape Cod National Seashore (5–2–75)

Middlesex County

Medford, *Curtis, Paul, House*, 114 South St. (5–6–75)

Wayland vicinity, *Old Town Bridge*, N of Wayland on MA 27 over Sudbury River (5–2–75)

Suffolk County

Boston, *Symphony and Horticultural Halls*, Massachusetts and Huntington Aves. (5–30–75)

Worcester County

Worcester, *Salisbury Mansion and Store*, 30, 40 Highland St. (5–30–75)

MICHIGAN

Branch County

Coldwater, *East Chicago Street Historic District*, Chicago St. from Wright St. to Division St. including parks (5–12–75)

Chippewa County

Brimley vicinity, *Point Iroquois Light Station*, 6 mi. NW of Brimley in the Hiawatha National Forest (5–30–75)

Houghton County

Houghton, *Houghton County Courthouse*, 401 E. Houghton St. (5–12–75)

Marquette County

Negaunee vicinity, *Jackson Iron Company Site*, N of Negaunee limits off SR 492 (5–30–75)

Tuscola County

Caro, *Trinity Episcopal Church*, 106 Joy St. (5–12–75)

MINNESOTA

Brown County

Hanska vicinity, *Synsteby Site*, SW of Hanska on E end of Lake Hanska (5–12–75)

Fillmore County

Racine vicinity, *Tunnel Mill (J. A. Stout Mill)*, E of Racine on Bear Creek (5–12–75)

Spring Valley, *Spring Valley Methodist Church*, 221 W. Courtland St. (5–12–75)

Goodhue County

Red Wing, *Octagon House*, 927 W. 3rd St. (5–21–75)

Red Wing vicinity, *Vasa*, SW of Red Wing in Minnesota Memorial Hardwood State Forest (5–30–75)

Hennepin County

Minneapolis, *Prescott House*, 4458–4460 Snelling Ave. S. (5–21–75)

Meeker County

Litchfield, *Grand Army of the Republic Hall* 370 N. Marshall St. (5–21–75)

Nicollet County

St. Peter, *Nicollet House Hotel*, Minnesota Ave. at Park Row (5–12–75)

Olmsted County

Rochester, *Quarry Hill*, 1091 Plummer Lane (5–21–75)
Rochester vicinity, *Dodge Farm*, S of Rochester (5–12–75)

Ramsey County

St. Paul, *Brunson, Benjamin, House*, 485 Kenny St. (5–12–75)
St. Paul, *Luckert, David, House*, 480 Iglehart St. (5–12–75)
St. Paul, *Muench, Adolf, House*, 653 E. 5th St. (5–12–75)
St. Paul, *Muskego Church*, 2375 Como Ave. W. (5–12–75) HABS
St. Paul, *Ramsey, Justus, Stone House*, 252 W. 7th St. (5–6–75)

Rice County

Faribault, *Noyes Hall*, Minnesota School for the Deaf campus (5–12–75)
Northfield, *Goodsell Observatory*, Carleton College campus (5–12–75)

St. Louis County

Duluth, *Fire Department Number One*, NW corner of 1st Ave. E. and 3rd St. (5–12–75)

Steele County

Owatonna, *Administration Building—Minnesota State Public School for Dependent and Neglected Children*, West Hills (5–12–75)

Winona County

Stockton, *Stockton Roller Mill*, off U.S. 14 (5–12–75)
Winona, *Kirch/Latch Building*, 114–122 E. 2nd St. (5–21–75)

MISSISSIPPI

Coahoma County

Farrel vicinity, *Humber Site*, 2.5 mi. W of Farrel (5–12–75)

Hinds County

Jackson, *Bailey Hill Civil War Earthworks*, off U.S. 51/55 (5–6–75)

Leflore County

Greenwood vicinity, *Star of the West (C.S.S. at St. Phillip)*, W of Greenwood on Tallahatchie River (5–21–75)

Oktibbeha County

Starkville vicinity, *Textile Building*, S. of Starkville on Mississippi State University campus (5–12–75)

Warren County

Vicksburg, *Flowerree, Col. Charles C., House*, 2309 Pearl St. (5–29–75) HABS
Vicksburg, *McNutt House*, NW corner of Monroe and E. 1st St. (5–29–75)

MISSOURI

Stoddard County

Puxico vicinity, *Mingo National Wildlife Refuge Archeology District*, W of Puxico (5–12–75)

MONTANA

Fergus County

Landusky vicinity, *Rocky Point*, 30 mi. S of Landusky in Charles M. Russell National Wildlife Range (5–21–75)

NEBRASKA

Adams County

Hastings, *McCormick Hall*, Hastings College campus (5–12–75)
Hastings, *Ringland Hall*, Hastings College campus (5–12–75)

Lancaster County

Lincoln, *Old Main, Nebraska Wesleyan University*, 50th and St. Paul Sts. (5–21–75)

NEVADA

Lincoln County

Alamo vicinity, *Black Canyon Petroglyphs*, 8 mi. S. of Alamo in Pahranagat National Wildlife Refuge (5–27–75)

NEW HAMPSHIRE

Belknap County

Laconia vicinity, *Weirs, (Aquadoctan Archeological Site)*, N of Laconia on U.S. 3 (5–12–75)

Cheshire County

Walpole, *Walpole Academy*, Main St. (5–21–75) HABS

Grafton County

Haverhill vicinity, *Bedell Bridge*, between Haverhill and Newbury, VT, over Connecticut River (also in Orange County, VT) (5–28–75)

Hillsborough County

Manchester, *Ash Street School*, bounded by Ash, Bridge, Maple, and Pearl Sts. (5–30–75)
Manchester, *Athens Building (Palace Theater)*, 76–96 Hanover St. (5–30–75)
Manchester, *Weston Observatory*, Oak Hill, Derryfield Park (5–28–75)

Merrimack County

Salisbury, *Salisbury Academy Building*, jct. of NH 127 and U.S. 4 (5–30–75)

Strafford County

Dover vicinity, *County Farm Bridge*, NW of Dover on County Farm Rd. (5–21–75)

NEW JERSEY

Camden County

Cherry Hill, *Gatehouse at Colestown Cemetery*, Kings Hwy. and Church Rd. (5–21–75)
Haddonfield, *Mickle, Samuel, House*, 345 Kings Hwy., E. (5–21–75) HABS

Cumberland County

Bridgeton, *Deerfield Pike Tollgate House*, 89 Old Deerfield Pike (5–21–75)

Morris County

East Hanover, *Cook, Ellis, House (Halfway House)*, 174 Mount Pleasant Ave. (5–12–75) HABS

Somerset County

Bernardsville vicinity, *Franklin Corners Historic District*, N of Bernardsville on Hardscrabble and Childs Rds. and U.S. 202 (5–12–75) HABS

NEW MEXICO

Grant County

Silver City, *Allman, H. B., House*, 314 W. Broadway (5–12–75)

Santa Fe County

Santa Fe, *Crespin, Gregorio, House*, 132 E. De Vargas St. (5–29–75)

NEW YORK

Erie County

Buffalo, *Shea's Buffalo Theater*, 646 Main St. (5–6–75)

Essex County

Essex and vicinity, *Essex Village Historic District*, town of Essex and surroundings on W bank of Lake Champlain (5–28–75)

New York County

New York, *Gracie, Archibald, Mansion*, East End Ave. at 88th St. (5–12–75)

Monroe County

Rochester, *St. Joseph Roman Catholic Church and Rectory*, 108 Franklin St. (5–29–75)

Onondaga County

Baldwinsville, *Whig Hill and Dependencies* jct. of W. Genesee and Gates Rds. (5–12–75)

Saratoga County

Ballston Spa, *Brookside*, Charlton St. (5–21–75)

St. Lawrence County

Canton, *Village Park Historic District*, both sides of Main, and Park Sts., and Park Place (5–6–75)

Washington County

Salem, *Salem Historic District*, both sides of Broadway and Main Sts. from RR. tracks on N and W to include White Creek on S and E (5–28–75)

NORTH CAROLINA

Bladen County

Tar Heel vicinity, *Walnut Grove (Robeson Plantation)*, E of Tar Heel on NC 87 (5–29–75)

Chowan County

Edenton, *St. Paul's Episcopal Church and Courtyard*, W. Church and Churton Sts. (5–29–75) HABS

Cleveland County

Shelby, *Banker's House*, 319 N. Lafayette St. (5–6–75)

Franklin County

Centerville vicinity, *Vine Hill*, S of Centerville (5–28–75)
Gupton vicinity, *Laurel Mill and Col. Jordan Jones's House*, SW of Gupton at jct. of SR 1432 and 1436 (5–30–75)
Wood vicinity, *Taylor, Archibald, House*, N of Wood (5–12–75)

Halifax County

Tillery vicinity, *Hermitage, The*, 1 mi. W of Tillery off NE 481 (5–29–75)

Lincoln County

Lincolnton, *Pleasant Retreat Academy*, 129 E. Pine St. (5–29–75)

Northampton County

Jackson vicinity, *Verona*, W of Jackson (5–29–75) HABS

Wake County

Wake Forest, *Lea Laboratory*, Southeastern Baptist Theological Seminary campus (5–29–75)

NORTH DAKOTA

Pembina County

Walhalla vicinity, *Gingras House and Trading Post*, NE of Walhalla off ND 32 (5–21–75)

OHIO

Ashtabula County

Windsor Mills, *Windsor Mills Christ Church Episcopal*, Wisell Rd. and U.S. 322 (5–29–75)

Auglaize County

New Bremen, *Luelleman, William, House*, 122 N. Main St. (5–21–75)

Belmont County

St. Clairsville vicinity, *Opatrny Village Site*, W of St. Clairsville off I 70 (5–21–75)

Butler County

Excello, *Harding-Jones Paper Company District*, both sides of S. Main St. at Jct. with RR. tracks (5–29–75)

Huntsville vicinity, *Rose, D. S., Mound*, N of Huntsville (5-28-75)
Middletown, *Tytus, John B., House*, 300 S. Main St. (5-27-75)
Maud vicinity, *Williamson Mound Archeological District*, N of Maud (5-29-75)
Shandon vicinity, *Vaughan, John, House*, 3756 Hamilton-New London Rd. (5-29-75)

Clark County

Springfield, *Lagonda Club Building*, NW corner of High and Spring Sts. (5-28-75)

Cuyahoga County

Bedford, *Bedford Township Hall*, 30 S. Park St. (5-27-75)
Chagrin Falls, *Stoneman, Joseph, House*, 18 E. Orange St. (5-29-75)
Cleveland, *Bohemian National Hall*, 4939 Broadway St. (5-28-75)
Cleveland, *Peerless Motor Company Plant No. 1*, 9400 Quincy Ave. (5-29-75) HABS
East Cleveland, *Nela Park*, entrance at 1901 Noble Rd. (5-29-75)

Erie County

Milan vicinity, *Abbott-Page House*, 2.5 mi. NE of Milan on Mason Rd. (5-27-75) HABS

Fairfield County

Baltimore vicinity, *Bright, John, Covered Bridge*, 2.5 mi. SW of Baltimore over Poplar Creek (5-28-75)

Franklin County

Westerville, *Westerville High School—Vine Street School*, 44 N. Vine St. (5-29-75)

Greene County

Jamestown vicinity, *Ballard Road Covered Bridge*, NW of Jamestown on Ballard Rd. over Caesars Creek (5-29-75)
Jamestown vicinity, *Dean Family Farm*, 5 mi. NW of Jamestown off U.S. 35 on Ballard Rd. (5-29-75)

Guernsey County

Old Washington, *Old Washington Historic District*, both sides of Main St. (5-29-75)

Hamilton County

Cincinnati, *Madison-Stewart Historic District*, both sides of Madison and Stewart Sts. at their jct. (5-29-75)
Evendale, *Mathew Mound*, off Oak Rd. (5-29-75)
Harrison vicinity, *Bennett, George, House*, 10281 Harrison Pike (5-29-75) HABS
Mariemont, *Ferris, Eliphalet, House*, 3915 Plainville Rd. (5-29-75) HABS
Newtown vicinity, *Broadwell, Cyrus, House*, 3882 Mt. Carmel Rd. (5-29-75) HABS
Newtown vicinity, *Harrison-Landers House*, 3881 Newtown Rd. (5-29-75) HABS
Woodlawn vicinity, *Burchenal Mound*, N of Woodlawn (5-29-75)
Wyoming, *Twin Oaks*, 629 Liddle Lane (5-29-75)

Huron County

Steuben vicinity, *Phoenix Mills*, E of Steuben on Mill Rd. (5-28-75)

Logan County

Bloom Center vicinity, *McColly Covered Bridge*, 2 mi. SE of Bloom Center on SR 130 (5-28-75)

Lorain County

Amherst, *Amherst Town Hall*, 206 S. Main St. (5-29-75)

Lucas County

Toledo, *Berdan Building*, 601 Washington St. (5-29-75)
Toledo, *Brand, R., and Company (Western Shoe Company)*, 120-124 St. Clair St. (5-27-75)
Toledo, *Standart-Simmons Hardware Company*, 36 S. Erie St. (5-29-75)
Toledo, *St. Clair Street Historic District*, both sides of St. Clair St. from Perry to S side of Lafayette (5-29-75)
Toledo, *Wheeler Block*, 402 Monroe St. (5-29-75)
Waterville, *Morehouse-Downes House*, 4 S. River Rd. (5-29-75)
Waterville, *Pray-Starkweather House*, 144 N. River Rd. (5-29-75)

Miami County

Troy, *Miami County Courthouse and Power Station*, bounded by Main, Short, Plum, and Water Sts. (5-30-75)

Montgomery County

Dayton, *Brooks, James, House*, 41 E. 1st St. (5-29-75)
Dayton, *Miller, Daniel, House*, 3525 Dandridge Ave. (5-29-75)

Portage County

Edinburg, vicinity, *Wadsworth, Frederick, House*, 4889 OH 14 (5-29-75)
Kent, *Davey, John, House*, 338 Woodard St. (5-29-75)
Kent, *Ohio State Normal College at Kent*, Hilltop Dr. on Kent State University campus (5-30-75)

Stark County

Canton, *St. John's Catholic Church*, 6th St. and McKinley Ave., NW (5-27-75)

Trumbull County

North Bloomfield, *Brown, Charles, Gothic Cottage*, OH 45 S. (5-28-75)

Warren County

Foster vicinity, *Landen Mounds I and II*, W of Foster (5-27-75)
Otterbein vicinity, *Armco Park Mound I*, NW of Otterbein (5-29-75)
Otterbein vicinity, *Armco Park Mound II*, NW of Otterbein (5-29-75)

Wayne County

Marshallville vicinity, *Zimmerman, Ezekiel B., Octagon House*, NW of Marshallville on OH 57 (5-28-75)

Wood County

Grand Rapids, *Heeter-Russo House*, 24570 2nd St. (5-29-75)
Grand Rapids, *Thurston Building*, Front St. (5-29-75)
Grand Rapids, *Town Hall*, Front St. (5-27-75)

OKLAHOMA

Choctaw County

Fort Towson vicinity, *Doaksville Site*, N of Fort Towson (5-29-75)
Fort Towson vicinity, *Spencer Academy*, 10 mi. N of Fort Towson (5-21-75)

Johnston County

Tishomingo, *Tishomingo City Hall*, W. Main St. (5-21-75)

Washita County

Carnegie vicinity, *Cedar Creek District*, N of Carnegie off OK 58 (5-29-75)

OREGON

Linn County

Albany, *Monteith, Thomas and Walter, House*, 518 W. 2nd Ave. (5-21-75)

Multnomah County

Portland, *St. James Lutheran Church*, 1315 SW. Park Ave. (5-21-75)

Polk County

Salem, *Brunk, Harrison, House*, Brunk Corner and OR 22 (5-6-75)

PENNSYLVANIA

Allegheny County

Pittsburgh, *Mexican War Streets Historic District*, irregular pattern between Brighton and Arch Sts. and between O'Hern and West Park (5-28-75)

Lebanon County

Myerstown vicinity, *Tulpehocken Manor Plantation*, 2 mi. W of Myerstown on U.S. 422 (5-12-75)
Newmanstown vicinity, *Zeller, Heinrich, House*, W of Newmanstown off SR 419 (5-12-75)

Montgomery County

Pottstown vicinity, *Antes, Henry, House*, NE of Pottstown on Colonial Rd. (5-12-75)

Luzerne County

Wilkes-Barre, *Central Railroad of New Jersey Station*, 31-35 S. Baltimore St. (5-12-75)

Washington County

Avella vicinity, *Manchester, Isaac, House (Plantation Plenty)*, 2 mi. S of Avella on PA 231 (5-21-75)

York County

York, *York Meetinghouse*, 134 W. Philadelphia St. (5-6-75)

RHODE ISLAND

Providence County

Providence, *Hope Block and Cheapside*, 22-26 and 40 N. Main St. (5-21-75)

SOUTH CAROLINA

Beaufort County

Bluffton, *Church of the Cross*, Calhoun St. (5-29-75)

Calhoun County

Fort Motte vicinity, *Oakland Plantation*, S. of Fort Motte off SC 26 on SR 1 (5-30-75)
St. Matthews, *Calhoun County Library*, Railroad Ave. (5-29-75)

Dillon County

Hamer vicinity, *Hamer Hall*, N of Hamer on U.S. 301 (5-30-75)

SOUTH DAKOTA

Pennington County

Rapid City, *Emmanuel Episcopal Church*, 717 Quincy St. (5-29-75)

TENNESSEE

Anderson County

Lake City vicinity, *Edwards-Fowler House*, 3.5 mi. S of Lake City on Dutch Valley Rd. (5-29-75)

Bedford County

Shelbyville, *Gilliland, James, House*, 303 Lipscomb St. (5-12-75)

Campbell County

LaFollette, *LaFollette House*, Indiana Ave. (5-29-75)

Clairborne County

Springdale, *Big Spring Union Church*, off TN 32 (5-29-75)
Tazewell, *Graham-Kivette House*, Main St. and Old Knoxville Rd. (5-29-75)

Cocke County

Newport, *Elm Hill*, 206 W. Riverview St. (5-29-75)
Newport vicinity, *Beechwood Hall*, N of Newport on Rankin Rd. (5-29-75)
Newport vicinity, *Greenlawn*, NW of Newport on Old Rankin Rd. (5-29-75)
Newport vicinity, *Vinson House*, 4.5 mi. S of Newport off Hartford Rd. (5-29-75)

Davidson County

Old Natchez Trace, from AL/TN border to U.S. 100 in Davidson Co. (also in Hickman, Lawrence, Lewis, Maury, Wayne, and Williamson counties) (5-30-75)

Franklin County

Winchester, *Hundred Oaks*, Oak St. at U.S. 64 (5-28-75) HABS

Grainger County

Rutledge vicinity, *Lea Springs*, 11 mi. SW of Rutledge off U.S. 11 W. on Lea Lake Rd. (5-29-75)

Hickman County

Old Natchez Trace, see Davidson County

Lawrence County

Old Natchez Trace, see Davidson County

Lewis County

Old Natchez Trace, see Davidson County

Loudon County

Loudon, *Loudon County Courthouse*, Grove and Mulberry Sts. (5-28-75)

Knox County

Knoxville, *Knollwood*, 6411 Kingston Pike (5-12-75)
Knoxville, *Lebanon-in-the-Fork Presbyterian Church*, Asbury Rd. (5-27-75)

Maury County

Old Natchez Trace, see Davidson County
Columbia, *Polk Sisters' House*, 305 W. 7th St. (5-21-75)

McMinn County

Athens vicinity, *Cleage, Samuel, House*, N of Athens on Lee Hwy. (U.S. 11) (5-12-75) HABS

Scott County

Oneida vicinity, *Bryant, Louis E., House*, 2 mi. E of Oneida on Bear Creek Rd. (5-29-75)

Warren County

McMinnville vicinity, *Northcutt Plantation*, 7 mi. SW of McMinnville off TN 108 on Wheeler Lane (5-12-75) HABS

Washington County

Jonesboro vicinity, *Sulphur Springs Methodist Campground*, N of Jonesboro off TN 81 in Sulphur Springs Community (5-12-75) HABS

Wayne County

Old Natchez Trace, see Davidson County

Williamson County

Old Natchez Trace, see Davidson County

TEXAS

Bexar County

San Antonio, *Southern Pacific Railroad Passenger Station*, 1174 E. Commerce St. (5-29-75)

Dallas County

Dallas, *Dallas Union Terminal*, 400 S. Houston St. (5-29-75)

El Paso County

El Paso, *1880's Mexican Consulate*, 612 E. San Antonio St. (5-23-75)

Fayette County

Flatonia vicinity, *Buckner's Creek Bridge* 10 mi. N of Flatonia over Buckner's Creek (5-29-75)

Garza County

Post, *Old Post Sanitarium*, 117 N. Avenue N (5-21-75)

Gonzales County

Gonzales, *Gonzales County Jail*, Courthouse Sq. on St. Lawrence St. (5-21-75)

Hidalgo County

Mission vicinity, *La Lomita Historic District*, 5 mi. S of Mission on F.M. 1016 (5-28-75)

Hudspeth County

Sierra Blanca, *Hudspeth County Courthouse*, Millican St. (5-21-75)

Lee County

Giddings, *Lee County Courthouse*, bounded by Hempstead, Grimes, E. Richmond, and Main Sts. (5-30-75)

UTAH

Salt Lake County

Salt Lake City, *Bamberger, Simon, House*, 623 East 100 South (5-30-75)

Sevier County

Richfield, *Sevier County Courthouse*, Main between 2nd and 3rd Sts. N. (5-30-75)

Tooele County

Dugway Proving Ground, *Lincoln Highway Bridge*, in Dog Area on 2nd St. over Government Creek (5-21-75)

VERMONT

Caledonia County

McIndoe Falls, *McIndoes Academy*, Main St. (5-6-75)
Ryegate vicinity, *Whitehill House*, N of Ryegate on Groton-Peacham Rd. (5-30-75)
St. Johnsbury, *St. Johnsbury Main Street Historic District*, area along Main St. including intersecting streets (5-28-75)

Chittenden County

Burlington, *Winterbotham Estate*, 163 S. Willard St. (5-12-75)

Orange County

Bradford and vicinity, *Bradford Village Historic District*, residential area along Main, Depot, Pleasant, High, and Mill Sts., Wrights Ave., Goshen Rd., and U.S. 5 (5-28-75)
Newbury vicinity, *Bedell Bridge*, see Grafton Co., Haverhill vic., NH.
Randolph, *Depot Square Historic District* both sides of main, Pleasant, and Salisbury Sts., and both sides of Central Vermont RY. tracks (5-29-75)

VIRGINIA

Mathews County

Mathews vicinity, *Methodist Tabernacle*, SE of Mathews on VA 611 at jct. with VA 644. (5-21-75)

Norfolk (independent city)

Monticello Arcade, in 200 block E. City Hall Ave.; between City Hall Ave. and Plume St. (5-21-75)

Prince William County

Dumfries, *Weems-Botts House*, SW corner of Duke and Cameron Sts. (5-12-75)

Pulaski County

Dublin vicinity, *Back Creek Farm*, NW of Dublin off VA 100 (5-21-75)

Rappahannock County

Washington and vicinity, *Washington Historic District*, residential area N of U.S. 211/522 (5-28-75)

Richmond (independent city)

Walker, Maggie, House, 110 A E. Leigh St. (5-12-75)

Virginia Beach (independent city)

Land, Francis, House, 3133 Virginia Beach Blvd. (5-12-75)

WASHINGTON

Asotin County

Clarkston, *VanArsdol, C. C., House*, 15th and Chestnut Sts. (5-6-75)

King County

Seattle, *Northern Life Tower (Seattle Tower)*, 1212 3rd Ave. (5-30-75)

Spokane County

Cheney vicinity, *Turnbull Pines Rock Shelter*, S of Cheney in Turnbull National Wildlife Refuge (5-6-75)

Thurston County

Olympia, *Old Capitol Building*, 600 block Washington St. (5-30-75)

Whatcom County

Bellingham, *Great Northern Passenger Station*, S end of D St. (5-30-75)
Bellingham, *Larrabee House*, 405 Fieldstone Rd. (5-30-75)
Point Roberts, *Boundary Marker No. 1*, Marine Dr. at U.S./Canada border (5-30-75)

WISCONSIN

Jefferson County

Waterloo vicinity, *St. Wenceslaus Roman Catholic Church*, SE of Waterloo at jct. of Blue Point and Island Rds. (5-12-75)

La Crosse County

La Crosse, *Anderson, Mons, House*, 410 Cass St. (5-6-75)

Waukesha County

Pewaukee, *West, Deacon, Octagon House*, 370 High St. (5-12-75)

Winnebago County

Winneconne vicinity, *Kamrath Site, S of* Winneconne off WI116 (5-6-75)

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The following property was omitted from the February 4, 1975, Federal Register listing:

MARYLAND

Frederick County

Frederick vicinity, *Monocacy Battlefield* 10-15-66)

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The following are corrections for properties previously listed in the Federal Register:

IOWA

Lee County

Keokuk, *Miller, Justice Samuel Freeman, House*, 318 N. 5th St.

MASSACHUSETTS

Norfolk County

Milton, *Paul's Bridge*, see Suffolk County.

Suffolk County

Boston, *Paul's Bridge*, Neponset Valley Pkwy., over Neponset River (also in Norfolk County)
Charlestown, *Town Hill District*
Jamaica Plain, *Loring-Greenough House*, 12 South St. (4-26-75)
Roxbury, *Eliot, John, Square District*, John Eliot Sq. (4-23-75)
Roxbury, *Kittredge, Alvah, House*, 12 Linwood St. (5-8-73)

MICHIGAN

Macomb County

Washington, *Washington Octagon House*, 57000 Van Dyke St.

NEW YORK

Ulster County

New Paltz, *Hasbrouck, Jean, House*, N. Front and Huguenot Sts. (12-24-67) NHL; HABS

OHIO

Clark County

Springfield, *East High Street District*, roughly bounded by E. High St., S. Sycamore St. and Walnut St. (10-9-74) This incorporates *Bushnell-Foos Historic District*.

PENNSYLVANIA

Philadelphia County

Philadelphia, *Chew House*, 6401 Germantown Ave. between Johnson and Cliveden Sts.; NHL

SOUTH CAROLINA

Beaufort County

Frogmore vicinity, *Penn Center Historic District (Penn School)*, S of Frogmore on SC 37 (9-9-74) NHL

Calhoun County

St. Mathews, *Dantzler, Col. Olin M., House*, 412 E. Bridge St.

TENNESSEE

Hawkins County

Rogersville, *Rogersville Historic District* (formerly listed in TX)

Knox County

Knoxville vicinity, *Buffat, Alfred, Homestead*, 1 mi. N of Knoxville on Love Creek Rd. (4-1-75)

Sullivan County

Blountville, *Blountville Historic District* (formerly listed in TX)

WISCONSIN

Burnett County

Webster vicinity, *Northwest and XY Companies Trading Post Sites*, N of Webster on Yellow River (2-15-74)

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The following properties have been demolished and therefore removed from the National Register of Historic Places:

ILLINOIS

Cook County

Chicago, *Kimball, William W., House*

Henry County

Geneseo, *South Side School*

MAINE

Cumberland County

Portland, *Baxter, Percival P., House*

OHIO

Franklin County

Columbus, *Peruna Drug Manufacturing Company Building*

Greene County

Wilberforce, *Homewood Cottage (Hallie Q. Brown House)*
Wilberforce, *President's House, Central State University (William S. Scarborough House)*

Lake County

Painesville, *Octagon House*

PENNSYLVANIA

Montgomery County

Elkins Park, *Anselm Hall*

TENNESSEE

Maury County

Columbia vicinity, *Polk Manor*

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The following properties have been removed from the National Register of Historic Places:

ALABAMA

Barbour County

Eufaula, *Kiels-McNab-Doughtie House*

INDIANA

St. Joseph County

Mishawaka, *Beiger House*

IOWA

Des Moines County

Burlington, *Snake Alley* (incorporated into *Snake Alley Historic District*)

OHIO

Clark County

Springfield, *Bushnell-Foos Historic District* (see *East High Street District*)

Hamilton County

Cincinnati, *Ingalls Building (Transit Building)*

* * * * *

The following is a correction to the National Register "Criteria for Evaluation" previously published in the Federal Register, Tuesday, February 4, 1975. The numbers in the first section should have been capital letters:

The quality of significance in American history, architecture, archeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

(A) that are associated with events that have made a significant contribution to the broad patterns of our history; or

(B) that are associated with the lives of persons significant in our past; or

(C) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(D) that have yielded, or may be likely to yield, information important in prehistory or history.

Ordinarily, cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

(A) a religious property deriving primary significance from architectural or artistic distinction or historical importance; or

(B) a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or

(C) a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or

(D) a cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

(E) a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

(F) a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or

(G) a property achieving significance within the past 50 years if it is of exceptional importance.

* * * * *

The following properties have been determined to be eligible for inclusion in the National Register. All determinations of eligibility are made at the request of the concerned Federal Agency under the authorities in section 2(b) and 1(3) of Executive Order 11593 as implemented by the Advisory Council on Historic Preservation, 36 C.F.R. Part 800. This listing is not complete. Pursuant to the authorities discussed herein, an Agency Official shall refer any questionable actions to the Director, Office of Archeology and Historic Preservation, National Park Service, Department of the Interior, for an opinion respecting a property's eligibility for inclusion in the National Register.

Historical properties which are determined to be eligible for inclusion in the National Register of Historic Places are entitled to protection pursuant to the procedures of the Advisory Council on Historic Preservation, 36 CFR Part 800. Agencies are advised that in accord with the procedures of the Advisory Council on Historic Preservation, before an agency of the Federal Government may undertake any project which may have an effect on such a property, the Advisory Council on Historic Preservation shall be given an opportunity to comment on the proposal.

ALABAMA

Dallas County

Selma, *Gill House*, 1109 Selma Ave.

Madison County

Huntsville, *Lee House*, Red Stone Arsenal.

ALASKA

Northwestern District

Little Diomede Island, *Iyapana, John, House.*

ARIZONA

Coconino County

Grand Canyon National Park, *Old Post Office.*
Grand Canyon National Park, *O'Neill, Buckley, Cabin.*
Grand Canyon National Park, *Ranger's Dormitory.*

Graham County

Foote Wash—No Name Wash Archeological District.

Mohave County

Colorado City vicinity, *Short Creek Reservoir No. 1, Site NA 13,257.*
Colorado City vicinity, *Short Creek Reservoir No. 1, Site NA 13,258.*

Maricopa County

Cave Creek Archeological District.
New River Dams Archeological District.
Site T:4:6.
Skunk Creek Archeological District.

Navajo County

Polacca vicinity, *Walpi Hopi Village*, adjacent to Polacca.

Pima County

Tucson vicinity, *Old Santan*, NW of Tucson.

Yuma County

Wickenburg vicinity, *Harquahala Peak Observatory*, SW of Wickenburg.
Yuma, *Southern Pacific Depot.*

ARKANSAS

Ouachita County

Camden, *Old Post Office*, Washington St.

CALIFORNIA

Calaveras County

New Melones Historical District, New Melones Lake Project area, Stanislaus River (also in Tuelumne County).

Imperial County

Glamis vicinity, *Chocolate Mountain Archeological District.*

Inyo County

Scotty's Castle, Death Valley National Monument.
Scotty's Ranch, Death Valley National Monument.

Los Angeles County

Van Norman Reservoir, Site CA-LAN 646, CA-LAN 643, Site CA-LAN 490, and a cluster made up of Sites CA-LAN 475, 491, 492, and 493.

Madera County

CA-Mad 176-185, Lower China Crossing, and New Site, in Hidden Dam-Hensley Lake Project Area, Fresno River.

Marin County

Point Reyes, *Point Reyes Light Station.*

Mariposa County

Yosemite National Park, *Degnan Residence and Bakery*, Southside Dr.

Modoc County

Alturas vicinity, *Rail Spring*, about 30 mi. N of Alturas in Modoc National Forest.

Monterey County

Big Sur, *Point Sur Light Station.*
Pacific Grove, *Point Pinos Light Station.*

Riverside County

Blythe vicinity, *Blythe Intaglios, Indian Intaglios*, N of Blythe on U.S. 95.
Twentynine Palms, *Barker Dam*, Joshua Tree National Monument.
Twentynine Palms, *Cottonwood Oasis (Cottonwood Springs)*, Joshua Tree National Monument.
Twentynine Palms, *Desert Queen Mine*, Joshua Tree National Monument.
Twentynine Palms, *Lost Horse Mine*, Joshua Tree National Monument.

San Bernardino County

Twentynine Palms, *Keys, Bill, Ranch*, Joshua Tree National Monument.
Twentynine Palms, *Cow Camp*, Joshua Tree National Monument.
Twentynine Palms, *Twentynine Palms Oasis*, Joshua Tree National Monument.
Twentynine Palms, *Wallstreet Mill*, Joshua Tree National Monument.

Sacramento County

Sacramento River Bank Protection Project, Site 1, Sacramento River.

San Luis Obispo County

San Luis Obispo, *San Luis Obspo Light Station.*

San Mateo County

Ano Nuevo vicinity, *Pigeon Point Light Station.*
Hillsborough, *Point Montara Light Station.*

Shasta County

Redding vicinity, *Squaw Creek Archeological Site*, NE of Redding.
Whiskeytown, *Irrigation System (165 and 166)*, Whiskeytown National Recreation Area.

Sonoma County

Dry Creek-Warm Springs Valley Archeological District.
Santa Rosa, *Santa Rosa Post Office.*

Siskiyou County

Thomas-Wright Battle Site, Lava Beds National Monument.

COLORADO

Denver County

Denver, *Eisenhower Memorial Chapel*, Building No. 27, Reeves St., on Lowry AFB.

Eagle County

Wolcott, *Wolcott Stage Station.*

El Paso County

Colorado Springs, *Alamo Hotel*, corner of Tejon and Cucharras Sts.
Colorado Springs, *Old El Paso County Jail*, corner of Vermijo and Cascade Ave.

Larimer County

Site 5-LR-257, Boxelder Watershed Project.

Rio Blanco County

Meeker vicinity, *Thornburgh Monument*, NE of Meeker on Thornburgh Rd. 9 mi. from jct. of CO 13 and 789.
Rangely vicinity, *Canon Pintado*, S of Rangely on Hwy. 139.
Rangely vicinity, *Carrot Men Pictograph Site*, SW of Rangely and W of Rangely Dragon Rd.

CONNECTICUT

Hartford County

Hartford, *Church of the Good Shepherd and Parish House*, Wyllys St. and Van Block Ave.
Hartford, *Colt Factory Housing*, Huyshope Ave., between Sequassen and Weehasset Sts.
Hartford, *Colt Factory Housing (Potsdam Village)*, Curcombe St. between Hendricxsen Ave. and Locust St.
Hartford, *Colt Park*, bounded by Wethersfield Ave., Stonington, Wawarme, Curcombe, and Marseek Sts., and by Huyshope and Van Block Aves.
Hartford, *Colt, Colonel Samuel, Armory, and related factory buildings*, Van Dyke Ave.
Hartford, *Flat-Iron Building (Motto Building)*, Congress St. and Maple Ave.
Hartford, *Houses on both sides of Congress Street.*
Hartford, *Houses on Charter Oak Place.*
Hartford, *Houses on Wethersfield Avenue*, between Morris and Wyllys Sts., particularly Nos. 97-81, 65.

Middlesex County

Middletown, *Mather-Douglas-Santangelo House*, 11 S. Main St.

New Haven County

New Haven, *City Hall and Annex.*
New Haven, *Post Office-Courthouse*, Church and Court Sts.

New London County

New London, *Thames Shipyard*, west bank of Thames River N. of the U.S. Coast Guard Academy.

DELAWARE

New Castle County

Wilmington, *Wilmington Custom House*, King St.

Suffolk County

Lewes, *Delaware Breakwater.*
Lewes, *Harbor of Refuge Breakwater.*

DISTRICT OF COLUMBIA

Auditors' Building, 201 14th St. SW.
Central Heating Plant, 13th and C Sts. SW.
1700 Block Q Street NW, 1700-1744, 1746, 1748 Que St. NW.; 1536, 1538, 1540, 1602, 1604, 1606, 1608 17th St. NW.

FLORIDA

Hillsborough County

Tampa, *Firehouse No. 10*, Ybor City.

Pinellas County

Bay Pines, *VA Center*, Sections 2, 3, and 11 TWP 31-S, R-15E.

GEORGIA

Chatham County

Archeological Site, N end of Skidway Island.

Clarke County

Athens, *Carnegie Library Building*, 1401 Prince Ave.

Clay County

Archeological Site WGC-73, downstream from Walter F. George Dam.

Heard County

Philpott Homesite and Cemetery, on bluff above Chattahoochee River where Grayson Trail leads into river.

Stewart County

Rood Mounds.

Sumter County

Americus, *Aboriginal Chert Quarry*, Souther Field.

Hawaii County

Hawaii Volcanoes National Park, *Mauna Loa Trail.*

Maui County

Hana vicinity, *Kipahulu Historic District*, SW of Hana on Rte. 31.

HAWAII

Oahu County

Moanalua Valley.

IDAHO

Ada County

Boise, *Alexanders*, 826 Main St.
Boise, *Falks Department Store*, 100 N. 8th St.
Boise, *Idaho Building*, 216 N. 8th St.
Boise, *Simplot Building (Boise City National Bank)*, 805 Idaho St.
Boise, *Union Building*, 712½ Idaho St.

Clearwater County

Orofino vicinity, *Canoe Camp—Suite 18*, W. of Orofino on U.S. 12 in Nez Perce National Historical Park.

Custer County

Challis, *Challis Bison Jump.*

Idaho County

Kamiah vicinity, *East Kamiah—Suite 15*, SE of Kamiah on U.S. 12 in Nez Perce National Historical Park.

Lemhi County

Tendoy, *Lewis and Clark Trail, First Flag Unfurling.*
Tendoy, *Lewis and Clark Trail, Pattee Creek Camp.*

Lewis County

Jacques Spur vicinity, *St. Joseph's Mission (Slickpoo)*, S of Jacques Spur on Mission Creek off U.S. 95.

Nez Perce County

Lapwai, *Fort Lapwai Officer's Quarters*, Phinney Dr. and C St. in Nez Perce National Park.
Lapwai, *Spalding.*

ILLINOIS

Cook County

Chicago, *McCarthy Building (Landfield Building)* NE corner of Dearborn and Washington Sts.
Chicago, *Methodist Book Concern (later Stop and Shop Warehouse)*, 12 W. Washington St.
Chicago, *Ogden Building*, 130 W. Lake St.
Chicago, *Oliver Building*, 159 N. Dearborn St.
Chicago, *Springer Block (Bay, State, and Kranz Buildings)*, 126–146 N. State St.
Chicago, *Unity Building*, 127 N. Dearborn St.

De Kalb County

De Kalb, *Haish Barbed Wire Factory*, corner of 6th and Lincoln Sts.

Lake County

Fort Sheridan, *Museum, Bldg. 33*, Lyster Rd.
Fort Sheridan, *Water Tower*, Bldg. 49, Leonard Wood Ave.

INDIANA

Monroe County

Bloomington, *Carnegie Library.*

St. Joseph County

Mishawaka, *180 NW Block*, properties fronting N. Main St. and W. Lincoln Way.

Vermillion County

Houses in SR 63/32 Project, jct. of SR 32 and SR 63 and 1st rd. S of Jct.

IOWA

Muscatine County

Muscatine, *Clark, Alexander, Property*, 125–123 W. 3rd and 307, 309 Chestnut.

KANSAS

Douglas County

Lawrence, *Curtis Hall (Kiva Hall)*, Haskell Institute.

Pottawatomie County

Coffey Archeological Site, 14 PO 1.

KENTUCKY

Jefferson County

Louisville, *Old Louisville Historic District*, bounded on N by Broadway; on the W by 7th and the Louisville/Nashville RR tracks; on the E by I 65 and Brook St; on the S by Eastern Pkwy. and Gaulbert Ave.

Trigg County

Golden Pond, *Center Furnace*, N of Golden Pond on Bugg Spring Rd.

MARYLAND

Anne Arundel County

Chestertown, *Bloody Point Bar Light*, on Chesapeake Bay.
Skidmore, *Sandy Point Shoal Light*, on Chesapeake Bay.

Baltimore County

Fort Howard, *Craighill Channel Upper Range Front Light*, on Chesapeake Bay.
Sparrows Point, *Craighill Channel Range Front Light*, on Chesapeake Bay.

Cecil County

Perryville, *Perry Point Mansion House*, Veterans Administration Hospital grounds.
Perryville, *Perry Point Mill*, Veterans Administration Hospital grounds.
Sassafras Elk Neck, *Turkey Point Light*, at Elk River and Chesapeake Bay.

Dorchester County

Hoopersville, *Hooper Island Light*, Chesapeake Bay-Middle Hooper Island.

Harford County

Havre De Grace, *Havre De Grace Light.*

St. Marys County

Piney Point, *Piney Point Light Station.*
St. Inigoes, *St. Inigoes Manor House*, Naval Electronic System Test and Evaluation Detachment.
St. Marys City, *Point No Point Light*, on Chesapeake Bay.

Talbot County

Tilgman Island, *Sharps Island Light*, on Chesapeake Bay.

MASSACHUSETTS

Barnstable County

Chatham vicinity, *Old Harbor U.S. Life Saving Station—U.S.C.G. Station*, North Beach.
North Eastham, *French Cable Hut*, jct. of Cable Rd. and Ocean View Dr.
Truro, *Highland House*, Cape Cod Light (Highland Light) area.

Bristol County

New Bedford, *Fire Station No. 4*, 79 S. 6th St.

Middlesex County

Watertown, *Commanding Officer's Quarters Bldg. 111, Watertown Arsenal*, 443 Arsenal St.

Wayland, *Old Town Bridge (Four Arch Bridge)*, Rte. 27, 1.5 mi. NW of Rte. 126 Jct.

MICHIGAN

Little Forks Archeological District.

MINNESOTA

Beltrami County

Blackduct, *Rabideau CCC Camp Site*, S of Blackduct in Chippewa National Forest.

Winona County

Winona, *Second Street Commercial Block.*

MISSOURI

Buchanan County

St. Joseph, *Hall Street Historic District*, bounded by 4th St. on W. Robidoux on S, 10th on E, and Michel, Corby, and Ridenbaugh on N.

Dent County

Lake Spring, *Hyer, John, House.*

Franklin County

Leslie, *Noser's Mill and adjacent Miller's House*, Rural Rte. 1.

MONTANA

Carbon County

Barry's Landing, *Bad Pass Trail (Sioux Trail)*, Big Horn Canyon National Recreation Area.
Hardin, *Pretty Creek Site (Hough Creek Site)*, Big Horn Canyon National Recreation Area.

Fergus County

Lewis & Clark Campsite, May 23, 1805.
Lewis & Clark Campsite, May 24, 1805.

Lewis and Clark County

Marysville, *Marysville Historic District.*

Ravalli County

Conner vicinity, *Alta Ranger Station*, S of Conner in Bitterroot National Forest.

Sheridan County

Medicine Lake, *Tipi Hills*, Medicine Lake National Wildlife Refuge.

NEVADA

Clark County

Indian Springs vicinity, *Tim Springs Petroglyphs*, N of Indian Springs.
Las Vegas vicinity, *Blacksmith Shop*, Desert National Wildlife Range.
Las Vegas vicinity, *Mesquite House*, Desert National Wildlife Range.
Las Vegas vicinity, *Mormon Well Corral*, NE of Las Vegas.

Nye County

Las Vegas, vicinity, *Emigrant's Trail*, about 75 mi. NW of Las Vegas on U.S. 95.

Storey County (also in Washoe County)

Sparks vicinity, *Derby Diversion Dam*, on the Truckee River 19 mi. E of Sparks, along I 80.

Washoe County

Derby Division Dam, see Storey County.

NEW JERSEY

Mercer County

Hamilton and West Windsor Townships, *Assunpink Historic District.*

Middlesex County

New Brunswick, *Delaware and Raritan Canal*, between Albany St. Bridge and Landing Lane Bridge.

Monmouth County

Long Branch, *The Reservation*, 1-9 New Ocean Ave.

Sussex County (also in Warren County)

Old Mine Road Historic District.

Warren County

Old Mine Road Historic District, see Sussex County.

NEW YORK

Bronx County

New York, *North Brothers Island Light Station*, in center of East River.

Greene County

New York, *Hudson City Light Station*, in center of Hudson River.

New York County

New York, *Harlem Courthouse*, 170 E. 121st St.

Richmond County

New York, *Romer Shoal Light Station*, located in lower bay area of New York Harbor.

Schoharie County

Breakabeen, *Breakabeen Historic District* between villages of North Blenheim and Breakabeen.

Suffolk County

New York, *Fire Island Light Station*, U.S. Coast Guard Station.
New York, *Little Gull Island Light Station*, off North Point of Orient Point, Long Island.
New York, *Plum Island Light Station*, off Orient Point, Long Island.
New York, *Race Rock Light Station*, S of Fishers Island, 10 mi. N of Orient Point.

Ulster County

Kingston vicinity, *Esopus Meadows Light Station*, middle of Hudson River.
New York, *Rondout North Dike Light*, center of Hudson River at Jct. of Rondout Creek and Hudson River.
New York, *Saugerties Light Station*, Hudson River.

Westchester County

Port Washington vicinity, *Execution Rocks Light Station*, lower SW portion of Long Island Sound.

NORTH CAROLINA

Alamance County

Burlington, *Southern Railway Passenger Depot*, NE corner Main and Webb Sts.

Brunswick County

Southport, *Fort Johnston*, Moore St.

Caswell County (also in Rockingham Co.)

Archeological Sites CS-12, County Line Creek Watershed Project.

Womacks Mill, in County Creek Watershed Project (also in Rockingham County).

Cleveland County

Archeological Resources in Second Brood River Watershed Project, also in Rutherford County.

Cumberland County

Fayetteville, *Veterans Administration Hospital Confederate Breastworks*, 23 Ramsey St.

Dare County

Buxton, *Cape Hatteras Light*, Cape Hatteras National Seashore.

Durham County

Durham, *St. Joseph's A.M.E. Church*, Fayetteville St. at the Durham Expwy.

Hyde County

Ocracoke, *Ocracoke Lighthouse.*

New Hanover County

Wilmington, *Market Street Mansions District*, both sides of Market St. between 17th and 18th Sts.

Rockingham County

Archeological Sites CS-12 (see Caswell County).
Womack's Mill (see Caswell County).

Rutherford County

Archeological Resources in Second Brood River Watershed Project, see Cleveland County.

OHIO

Clermont County

Neville vicinity, *Maynard House*, 2 mi. E of Neville off U.S. 52.

Pickaway County

Williamsport vicinity, *The Shack (Daugherty, Harry, House)*, 5.5 mi. NW of Williamsport.

Seneca County

Tiffin, *Old U.S. Post Office*, 215 S. Washington St.

OKLAHOMA

Comanche County

Fort Sill, *Blockhouse on Signal Mountain* off Mackenzie Hill Rd.
Fort Sill, *Camp Comanche Site*, E range on *Cache Creek.*
Fort Sill, *Chiefs Knoll, Post Cemetery*, N of Macomb Rd.
Fort Sill, *Geronimo's Grave*, N of Jct. of Dodge Hill and Elgin Rds.
Fort Sill, *Henry Post Air Field*, Post Rd.
Fort Sill vicinity, *Medicine Bluffs*, NW of Fort Sill.

Haskell County

Keota, vicinity, *Otter Creek Archeological Site*, SW of Keota.

Kay County

Newkirk vicinity, *Bryson Archeological Site*, NE of Newkirk.

OREGON

Coos County

Charleston, *Cape Arago Light Station.*

Curry County

Port Orford, *Cape Blanco Light Station.*
Wolf Creek, *Rogue River Branch*, Star Rte. Box 78.

Douglas County

Winchester Bay, *Umpqua River Lighthouse.*

Josephine County

Whiskey Creek Cabin.

Klamath County

Crater Lake National Park, *Crater Lake Lodge.*

Lake County

Silver Lake, *Picture Rock Pass Petroglyphs Site.*

Lane County

Roosevelt Beach, *Heceta Head Lighthouse.*
Roosevelt Beach, *Heceta Head Light Station.*

Lincoln County

Agate Beach, *Yaquina Head Lighthouse.*

Sherman County

Grass Valley vicinity, *Mack Canyon Archeological Site*, at end of BLM access road adjacent to Deschutes River N of Maupin.

Tillamook County

Tillamook, *Cape Meares Lighthouse.*

PENNSYLVANIA

Adams County

Gettysburgh, *Barlow's Knoll*, adjacent to Gettysburg National Military Park.

Allegheny County

Bruceton, *Experimental Mine*, U.S. Bureau of Mines, off Cochran Mill Rd.

Berks County

Mt. Pleasant, *Berger-Stout Log House*, near jct. of Church Rd. and Tulephocken Creek.
Mt. Pleasant, *Conrad's Warehouse*, near jct. of Rte. 183 and Powder Mill Rd.
Mt. Pleasant, *Heck-Stamm-Unger Farmsted*, Gruber Rd.
Mt. Pleasant, *Miller's House*, jct. of Rte. 183 and Powder Mill Rd.
Mt. Pleasant, *O'Bolds-Billman Hotel and Store*, Gruber Rd. and Rte. 183.
Mt. Pleasant, *Pleasant Valley Roller Mill*, Gruber Rd.
Mt. Pleasant, *Reber's Residence and Barn*, on Tulephocken Creek.
Mt. Pleasant, *Union Canal*, Blue Marsh Lake Project area.

Clinton County

Lockhaven, *Apsley House*, 302 E. Church St.
Lockhaven, *Harvey, Judge, House*, 29 N. Jay St.
Lockhaven, *McCormick, Robert, House*, 234 E. Church St.
Lockhaven, *Mussina, Lyons, House*, 23 N. Jay St.

Huntingdon County

Brumbaugh Homestead, Raystown Lake Project.

Lehigh County

Dorneyville, *King George Inn and two other stone houses*, Hamilton and Cedar Crest Blvds.

Philadelphia County

Philadelphia, *Quartermaster's Depot, U.S. Marine Corps*, 1100 S. Broad St.

SOUTH CAROLINA

Charleston County

Charleston, *139 Ashley St.*
Charleston, *69 Barre St.*
Charleston, *69r Barre St.*
Charleston, *316 Calhoun St.*
Charleston, *316r Calhoun St.*
Charleston, *268 Calhoun St.*
Charleston, *274 Calhoun St.*
Charleston, *Old Rice Mill*, off Lockwood Dr.

SOUTH DAKOTA

Pennington County

Rapid City, *Rapid City Historic Commercial District*, portions of 612-632 Main St.

TENNESSEE

Henry County

Mt. Zion Church and Cemetery (United Baptist Church).

Monroe County

Vonore vicinity, *Tellico Blockhouse Site*, E of Vonore.

Stewart County

Dover vicinity, *Fort Henry Site*, NW of Dover.
Great Western Furnace.

TEXAS

Bexar County

Port Sam Houston, *Eisenhower House*, Artillery Post Rd.

Galveston County

Galveston, *U.S. Customhouse*, bounded by Avenue B, 17th, Water, and 18th Sts.

UTAH

Salt Lake County

Salt Lake City, *Karrick Building (Leyson-Pearsoll Building)*, 236 S. Main St.
Salt Lake City, *Lollin Block*, 238–240 S. Main St.

Tooele County

Wendover vicinity, *Wendover Air Force Base*, S of Wendover.

VERMONT

Franklin County

Highgate Falls, *Lenticular or Parabolic Truss Bridge*, over Missiquoi River.

Windsor County

Windsor, *Post Office Building*.

WASHINGTON

Clallam County

Olympic National Park Archeological District, Olympic National Park (also in Jefferson County).
Segium, *New Dungeness Light Station*.

Grays Harbor County

West port, *Grays Harbor Light Station*.

Jefferson County

Olympic National Park Archeological District (see Clallam County).

King County

Burton, *Point Robinson Light Station*.
Seattle, *Alki Point Light Station*.
Seattle, *West Point Light Station*.

Kitsap County

Hansville, *Point No Point Light Station*

Pacific County

Ilwaco, *Cape Disappointment Light Station*.
Ilwaco, *North Head Light Station*.

Pierce County

Fort Lewis Military Reservation, *Captain Wilkes, July 4, 1841, Celebration Site*.
Longmire, *Longmire Cabin*, Mount Rainier National Park.

San Juan County

San Juan Islands, *Patos Island Light Station*.

Snohomish County

Mukilteo, *Mukilteo Light Station*.

WEST VIRGINIA

Cabell County

Huntington, *Old Bank Building*, 1208 3rd Ave.

Kanawha County

St. Albans, *Chilton House*, 439 B St.

Wood County

Parkersburg, *Wood County Courthouse*.
Parkersburg, *Wood County Jail*.

WISCONSIN

Ashland County

Ashland vicinity, *Madeline Island Site 7302*.

Door County

Chambers Island, *Chambers Island Light House Dwelling*, northern tip Chambers Island, Green Bay, Lake Michigan.

Milwaukee County

Milwaukee, *Plainkinton, Elizabeth, House*, 1492 W. Wisconsin Ave.

WYOMING

Goshen County

Torrington, *Union Pacific Depot*.

Park County

Mammouth, *Chapel at Fort Yellowstone*, Yellowstone National Park.

PUERTO RICO

Mona Island, *Sardinero Site and Ball Courts*.

A. R. MORTENSEN,
Director, Office of Archeology and Historic Preservation.

[FR Doc.75-16968 Filed 6-30-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

GUNNISON VALLEY FOREST GRAZING ADVISORY BOARD

Meeting

The Gunnison Valley Forest Grazing Advisory Board will hold a business meeting in conjunction with a ride as hosts of the Miguel District Grazing Advisory Board on July 22 and 23, 1975. The business meeting will be held at 7 p.m., July 22, at Old Agency Work Center, Cebolla Ranger District, Gunnison National Forest. The ride will commence from Old Agency Work Center at 8 a.m. on July 22.

The purpose of the meeting is to elect officers for the Gunnison Valley Forest Grazing Advisory Board and to look at range management being practiced in this area.

The meeting will be open to the public. Persons who wish to attend should notify Donald M. Smith, Forester, 216 North Colorado, Gunnison, Colorado 81230, telephone (303) 641-0471. Written statements may be filed with the Board before or after the meeting.

The Board has established the following rule for public participation: To the extent time permits, interested persons may be permitted by the Board Chairman to present oral statements at the meeting.

JIMMY R. WILKINS,
Acting Forest Supervisor.

Dated: June 23, 1975.

[FR Doc.75-17109 Filed 6-30-75;8:45 am]

MIGUEL DISTRICT GRAZING ADVISORY BOARD

Meeting

This Notice of Meeting supersedes the Notice of Meeting of June 12, 1975 for the Miguel District Grazing Advisory Board.

The Miguel District Grazing Advisory Board will hold a business meeting in conjunction with a ride being hosted by the Gunnison Valley Forest Grazing Advisory Board on July 22 and 23, 1975. The meeting will be held at 7 p.m., July 22, at Old Agency Work Center, Cebolla Ranger District, Gunnison National Forest. The ride will commerce from Old Agency Work Center at 8 a.m. on July 22.

The purpose of this meeting is to elect officers for the Miguel District Grazing Advisory Board and to look at range management being practiced in this area.

The meeting will be open to the public. Persons who wish to attend should notify Range Technician Thomas Weldon, 101 North Uncompahgre, P.O. Box 1047, Montrose, Colorado 81401, telephone number 249-3711. Written statements may be filed with the Board before or after the meeting.

Dated: June 23, 1975.

JIMMY R. WILKINS,
Forest Supervisor.

[FR Doc.75-17108 Filed 6-30-75;8:45 am]

OZONE UNIT PLAN

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Ozone Unit Plan, Ozark National Forest, Arkansas, USDA-FS-R8-DES (Adm.)—75-19.

The proposed action is to manage the Ozone Unit, on the Pleasant Hill and Bayou Ranger Districts in Johnson County, Arkansas, in accordance with the 10-year management direction contained in the Unit Plan. This unit contains 66,417 acres of National Forest land. It is proposed that this Unit be managed for the full range of multiple-use benefits including water, wildlife, recreation, range, minerals and timber.

This draft environmental statement was transmitted to CEQ on June 24, 1975. Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. and Independence Ave. SW., Washington, D.C. 20250.
USDA, Forest Service, 1720 Peachtree Rd. NW., Room 804, Atlanta, Ga. 30309.
USDA, Forest Service, Pleasant Hill Ranger District, Clarksville, AR 72830.
USDA, Forest Service, Bayou Ranger District, Hector, AR 72843.

A limited number of single copies are available upon request to Forest Supervisor Larry Henson, Ozark-St. Francis National Forests, P.O. Box 1008, Russellville, AR 72801.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any en-

vironmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Larry Henson, Ozark-St. Francis National Forests, P.O. Box 1008, Russellville, AR 72801. Comments must be received by August 23, 1975 in order to be considered in the preparation of the final environmental statement.

EDWARD G. ELLENBERG,
Acting Regional Environmental Coordinator.

[FR Doc.75-17111 Filed 6-30-75;8:45 am]

TCHOUTACABOUFFA UNIT PLAN

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the Tchoutacabouffa Unit Plan, DeSoto National Forest, Jackson, MS, USDA-FS-R8-FES (ADM.) 75-15.

The proposed action is the implementation of a management plan for the Tchoutacabouffa Unit, Biloxi Ranger District, DeSoto National Forest in Harrison, Jackson and Stone Counties, Mississippi. The Unit contains 40,163 acres of National Forest land which is currently managed under the concept of multiple use. The Unit Plan contains management direction for all activities within the Unit and replaces that portion of the Multiple Use Plan pertaining to the Unit.

This final environmental statement was transmitted to CEQ June 23, 1975. Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Rm. 3230, 12th St. and Independence Ave. SW., Washington, DC 20250.
USDA, Forest Service, 1720 Peachtree Rd. NW., Rm. 804, Atlanta, GA 30309.
Biloxi Ranger District, Rt. 1, Box 62, McHenry, MS 39561.

A limited number of single copies are available upon request to Forest Supervisor Leon Cambre, National Forests in Mississippi, Box 1291, Jackson, MS 39205.

Dated: June 23, 1975.

DAVID F. JOLLY,
Regional Environmental Coordinator.

[FR Doc.75-17110 Filed 6-30-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

EXPORT MONITORING REPORT FOR FERTILIZERS, MARCH 1975

U.S. Exports of Nitrogenous Fertilizers Fall, While Phosphatic Exports Post Sharp Rise

(The following information is disseminated pursuant to section 4(c)(2) of the Export Administration Act of 1969, as amended and extended by the Equal Export Opportunity Act of 1972 and the Export Administration Amendments of 1974. The Secretary of Commerce has determined that there is insufficient information available to justify the publication of weekly reports of data collected under the fertilizer monitoring program and that, consequently, reports shall be published monthly.)

The United States was a net exporter of nitrogenous and phosphatic fertilizers in the first three quarters of the 1975 crop year (which ended March 31, 1975).

However, net exports of nitrogenous fertilizer fell to about 52,000 content tons in the period from 354,000 content tons in the same period a year earlier.

In contrast, net exports of phosphatic fertilizer rose to 1,141,000 tons in the first three quarters of crop year 1975 from 1,015,000 tons in the same period of crop year 1974.

The Department noted that the sharp declines expected in U.S. exports of nitrogenous and phosphatic fertilizers have not occurred. A decline in domestic demand—stemming from high prices, falling markets for U.S. farm products, and bad weather that prevented application of fertilizer to farm acreage—has increased export availabilities.

U.S. exports of nitrogenous fertilizer totaled 846,000 content tons in July 1974–March 1975 while imports in the same period were 794,000 content tons. U.S. exports were 1,068,000 content tons in July 1973–March 1974 while imports were 714,000 content tons.

Export contracts for nitrogenous fertilizer reported to the Department's Office of Export Administration for April–June 1975 listed a total of 165,000 content tons, which would bring exports for the 1975 crop year to 1,011,451 tons compared with 1,184,000 tons in the 1974 crop year.

U.S. exports of phosphatic fertilizer, July 1974 to March 1975, were 1,345,382 compared with 1,218,083 tons a year earlier. Imports were 182,659 tons in the first three quarters of CY 1975 compared with 203,489 tons in the first three quarters of CY 1974.

In January–March 1975, exports of fertilizer materials were in the main destined for developing countries: 96 percent of the ammonium nitrate was destined for developing countries. Ninety three percent of the ammonium sulfate, 72 percent of the phosphoric acid, 91 percent of the triple superphosphate and 88 percent of the ammonium phosphate materials were shipped to developing countries.

Developed countries received the largest share of the phosphate rock and mixed fertilizers, 72 and 79 percent respectively.

Domestic production of ammonia remained at 1974 levels, while inventories of almost all fertilizer materials were higher. Production of phosphoric acid was almost 13 percent higher than the same period last year.

Prices of fertilizer materials at the producer level have remained stable during the past 4 to 5 months.

Tables on exports, imports, domestic [1] production and inventories follow, along with a new table of export prices compiled from the data submitted by exporters to the Office of Export Administration.

[1] World supply and demand data are not available on a monthly basis. The most recent data on world supply and demand will be included in the Semi-Annual Report to the Congress on operations under the Export Administration Act covering the period ending with the first Quarter 1975.

TABLE 1.—*U.S. trade in nitrogen and phosphate fertilizer for crop-years 1974–75 [1] trade and export contracts for crop-year 1975 [1]*

[In content-tons]

Commodity	July to December 1973	January to June 1974	July to December 1974	January to March 1974	January to March 1975	Actual, April to June 1974	Contract, April to June 1975
IMPORTS							
N and P_2O_5 content-tons: [2]							
Nitrogen fertilizer	422,548	636,818	490,425	290,905	303,631	345,824	[3]
Phosphate fertilizer [3]	120,144	190,807	126,727	74,345	55,932	116,461	[3]
EXPORTS							
N and P_2O_5 content-tons: [2]							
Nitrogen fertilizer	737,922	524,097	509,724	309,718	336,604	214,080	165,127
Phosphate fertilizer [3]	863,540	649,799	915,660	354,543	429,722	295,255	351,036

[1] Crop-years extend from July to June.
[2] N and P_2O_5 content-tons include items not listed on accompanying tables.
[3] Does not include phosphate rock.

Source: Bureau of Census and Office of Export Administration.

TABLE 3.—*Fertilizer imports, crop-year 1974,[1] trade for July-March of crop-years 1974–75*[1]

[In short tons]

Commodity	July to December 1973	January to June 1974	July to December 1974	January to March 1974	January to March 1975	Actual, April to June 1974
Nitrogenous:						
Anhydrous ammonia	146,354	273,007	182,359	137,812	160,305	135,195
Urea	338,422	339,894	377,317	188,628	221,853	151,216
Ammonium nitrate	107,223	158,946	175,267	78,632	70,908	115,314
Ammonium sulfate	123,603	149,268	108,329	88,090	91,287	60,678
Ammonium nitrate limestone	10,000	198,776	134,087	23	1,241	198,754
Phosphatic:						
Phosphoric acid	61,462	44,953	72,102	9,991	36,991	34,962
Concentrated superphosphate	18,154	56,773	28,613	28,510	17,916	38,163
Ammonium phosphate	158,271	238,486	105,917	99,059	25,867	138,827

[1] Crop-years extend from July to June.

Source: Bureau of Census.

Exports and anticipated exports, March 1975

Unit of measure and commodity area of destination	Actual, July 1974 to March 1975	Unfilled contracts, April to June, 1975
IN CONTENT-TONS		
Nitrogen (N):		
Western Hemisphere	631,598	87,543
Western Europe	82,960	6,904
Asia	307,747	76,667
Australia and Oceania	5,481	13
Africa	18,541	
Phosphate (P_2O_5):		
Western Hemisphere	597,555	138,545
Western Europe	130,112	49,528
Communist areas in Europe	24,406	16,486
Asia	570,473	149,477
Australia and Oceania	13,315	
Africa	9,518	
IN SHORT TONS		
Ammonia:		
Western Hemisphere	215,653	35,520
Western Europe	41,344	
Asia	966	
Australia and Oceania	49	
Africa	17,511	
Percent exported to developing countries in 1975	96	
Urea:		
Western Hemisphere	58,186	2,315
Western Europe	3,540	
Asia	273,130	59,130
Percent exported to developing countries in 1975	97	
Ammonium nitrate:		
Western Hemisphere	16,071	
Asia	197	
Australia and Oceania	360	30
Africa	110	
Percent exported to developing countries in 1975	76	
Ammonium sulfate:		
Western Hemisphere	306,118	112,346
Western Europe	62	
Asia	63,460	
Australia and Oceania	56	
Africa	746	
Percent exported to developing countries in 1975	93	
Phosphoric acid:		
Western Hemisphere	90,641	34,716
Western Europe	26,014	2,750
Asia	50,992	21,905
Australia and Oceania	1,177	
Africa	150	
Percent exported to developing countries in 1975	72	
Phosphate rock (in thousands):		
Western Hemisphere	3,785	1,240
Western Europe	2,643	1,020
Communist areas in Europe	251	116
Asia	3,191	1,233
Percent exported to developing countries	28	
Triple superphosphate:		
Western Hemisphere	465,911	105,987
Western Europe	57,536	67,914
Communist areas in Europe	53,057	36,839
Asia	397,476	64,929
Percent exported to developing countries in 1975	91	
Diammonium phosphate and other ammonium phosphates:		
Western Hemisphere	607,376	146,086
Western Europe	138,213	36,097
Asia	870,921	207,780
Australia and Oceania	27,780	
Africa	21,654	
Percent exported to developing countries in 1975	88	
Mixed fertilizer:		
Western Hemisphere	278,183	1,003
Western Europe	136,257	
Communist areas in Europe	1	
Asia	53,269	65,632
Australia and Oceania	426	
Africa	11	1
Percent exported to developing countries in 1975	21	

TABLE 5.—*Fertilizer production, crop-years 1973–74*[1]*, July-February, crop-years 1974–75*[1]

[Short tons in thousands]

Commodity	July 1972 to June 1973	July 1973 to June1974	Percent change, 1974 from 1973	July 1973 to February 1974	July 1974 to February 1975	Percent change, 1975 from 1974
Nitrogenous:						
Anhydrous ammonia	15,050	15,781	4.8	10,171	10,154	−0.2
Urea	3,427	3,543	3.4	2,286	NA	NA
Ammonium nitrate[2]	6,754	7,191	6.5	4,591	5,011	9.1
Ammonium sulfate	2,386	2,634	10.4	1,869	NA	NA
Phosphatic:						
Phosphoric acid[3]	6,524	6,670	2.2	4,317	4,864	12.7
Concentrated superphosphate[3]	1,673	1,705	1.9	1,135	1,105	−2.6
Ammonium phosphate[4]	6,730	6,746	.1	4,351	4,446	2.2

[1] Crop-years extend from July to June.
[2] Includes coke oven byproduct.
[3] 100 percent APA.
[4] Gross weight.
Source: Bureau of Census.

TABLE 6.—*Producers inventories of fertilizer materials*

[In short tons]

Commodity	June 1973	June 1974	January 1974	January 1975	February 1974	February 1975
Anhydrous ammonia	622,318	615,376	879,145	1,327,265	1,116,823	1,521,631
Urea	NA	NA	NA	NA	NA	NA
Ammonium nitrate	90,811	90,491	408,011	272,236	427,721	213,484
Ammonium sulfate	101,508	153,496	184,609	163,614	226,754	NA
Phosphoric acid	88,150	133,313	86,180	176,942	126,077	166,034
Concentrated superphosphate	103,960	95,016	112,787	163,670	111,278	171,089
Ammonium phosphate	135,048	95,773	109,960	131,275	106,243	137,603

Source: Bureau of Census.

TABLE 7.—*Export prices of selected fertilizer products, February 1975*

[Dollars per ton]

Product	Low	High	Weighted average
Phosphate rock:			
Shipments	22	57	37
Remaining contracts	25	56	39
Ammonia:			
Shipments	291	429	423
Remaining contracts	155	363	241
Urea:			
Shipments	252	350	308
Remaining contracts	103	352	305
Triple superphosphate:			
Shipments	127	338	266
Remaining contracts	113	373	230
Diammonium phosphate:			
Shipments	165	427	303
Remaining contracts	136	445	310

Source: Office of Export Administration, Department of Commerce.

TABLE 8.—*Producers prices of fertilizer materials*

[Dollars per ton]

Commodity	Oct. 24, 1973 (1)	Oct. 21, 1974 (2)	April 7, 1975 (3)	Percent change, Oct. 24, 1973, to May 5, 1975 (4)
Anhydrous ammonia	65	160	210	223
Urea	72	175	175	143
Ammonium nitrate	62	115	115	85
Phosphoric acid	78	157	173	122
Phosphate rock	7	25	25	257
Concentrated superphosphate	55	140	140	155
Ammonium phosphate	75	165	165	120

Source: Price col. 1—Cost of Living Council. Cols. 2 and 3—Chemical Marketing Reporter (high quote).

DONALD E. JOHNSON,
Deputy Assistant Secretary for Domestic & International Business.

[FR Doc.75-16831 Filed 6-30-75;8:45 am]

NUMERICALLY CONTROLLED MACHINE TOOL TECHNICAL ADVISORY COMMITTEE

Partially Closed Meeting

The meeting of the Numerically Controlled Machine Tool Technical Advisory Committee, scheduled for Tuesday, July 15, 1975, at 9:30 a.m. in Room 1851 has been changed to Room 4830 of the Main Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C. The agenda and other information relating to the committee, as published in the FEDERAL REGISTER, 40 FR 24948, on Wednesday, June 11, 1975, remains unchanged.

Date: June 26, 1975.

RAUER H. MEYER,
Director, Office of Export Administration, Bureau of East-West Trade, U.S. Department of Commerce.

[FR Doc.75-17150 Filed 6-30-75;8:45 am]

Office of the Secretary

NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL SITE SELECTION BOARD

Notice of Establishment

In accordance with the provisions of the Federal Advisory Committee Act (5 U.S.C. App. I (Supp. II, 1972)) and as authorized by Sec. 7(g) Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 101 *et seq.*, the Secretary of Commerce will establish the National Academy for Fire Prevention and Control Site Selection Board.

The Committee will advise the Secretary, through the Administrator, National Fire Prevention and Control Administration, as to the site upon which the National Academy should be located. The Site Selection Board shall survey the most suitable sites for the location of the Academy after giving consideration to the training and facility needs of the Academy, environmental effects, the possibility of using a surplus Government facility, and such other factors as are deemed important and relevant.

The Committee will consist of three members, the Academy Superintendent and one member each from the fire services and academic communities in order to insure a balanced representation of interests on the Committee.

The Committee will function solely as an advisory body, and in compliance with the provisions of the Federal Advisory Committee Act. Its charter will be filed under the Act, on or before July 16, 1975.

Interested persons are invited to submit comments regarding the establishment of the National Academy for Fire Prevention and Control Site Selection Board. Such comments, as well as any inquiries, may be addressed to the Administrator, National Fire Prevention and Control Administration, U.S. Department of Commerce, Washington, D.C. 20230.

Dated: June 19, 1975.

GUY W. CHAMBERLIN, JR.,
Acting Assistant Secretary for Administration.

[FR Doc.75-17101 Filed 6-30-75;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[Docket No. D-75-338]

ADMINISTRATOR OF THE FEDERAL DISASTER ASSISTANCE ADMINISTRATION

Delegation of Authority

Pursuant to the authority vested in me to exercise certain of the powers and authorities of the President with respect to Federal disaster assistance pursuant to section 1 of the Executive Order entitled, "Delegating Disaster Relief Functions Pursuant to the Disaster Relief Act of 1974" (E.O. 11795, 30 FR 25939, dated July 11, 1974), I hereby delegate to the Administrator of the Federal Disaster Assistance Administration certain of the authorities, functions and powers granted by section 202 of the Disaster Relief Act of 1974 (hereinafter, "the Act," 88 Stat. 143, 42 U.S.C. 5121 Note) with respect to disaster warnings, to wit:

1. The authority to insure that all appropriate Federal agencies are prepared to issue warnings of disasters to State and local officials;

2. The authority to provide general policy guidance and coordination to the Secretary of the Interior, the Secretary of Commerce, and the Secretary of Agriculture with respect to their Delegations of Authority from the Secretary of Housing and Urban Development concerning disaster warnings pursuant to section 202 of the Act;

3. The authority contained in section 202 (b) of the Act to direct appropriate Federal agencies to provide technical assistance to State and local governments to insure that timely and effective disaster warning is provided;

4. The authority to issue such rules and regulations as may be necessary and appropriate to effectuate this delegation; and

5. The authority contained in Section 202(d) of the Act to approve agreements to be entered into between the Secretary of the Interior, the Secretary of Agriculture, or the Secretary of Commerce (pursuant to their above-mentioned Delegations of Authority for Disaster Warnings) and the officers or agents of any private or commercial communications systems who volunteer the use of their systems on a reimbursable basis for the purpose of providing warning to governmental authorities and the civilian population endangered by disasters.

AUTHORITY: Disaster Relief Act of 1974, 42 U.S.C. 5121 Note; Section 7(d) Department partment of Housing and Urban Development Act, 42 U.S.C. 3535(d); Executive Order 11795, signed July 11, 1974, 39 FR 25939.

Effective Date: This delegation shall be effective July 1, 1975.

CARLA A. HILLS,
Secretary of Housing and Urban Development.

[FR Doc.75-17084 Filed 6-30-75;8:45 am]

[Docket No. D-75-340]

ASSISTANT SECRETARY FOR HOUSING MANAGEMENT

Redelegation of Authority Delegated by Administrator of General Services With Respect to Representation Before Interstate Commerce Commission

SECTION A. *Authority redelegated.* The Assistant Secretary for Housing Management is authorized to exercise the authority delegated to the Secretary of Housing and Urban Development by the Administrator of General Services to represent the consumer interests of the executive agencies of the Federal Government before the Interstate Commerce Commission involving an application for Motor Carrier Permanent Authority in order to assure adequate transport capability in connection with disaster relief activities. This redelegation is made pursuant to the authority vested in the Administrator of General Services by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)). This authority may only be exercised pursuant to the issuance of a later specific delegation of authority from the Administrator of General Services.

SEC. B. *Authority to Redelegate.* The Assistant Secretary for Housing Management is authorized to redelegate to employees of the Department the authority set forth in section A.

(Sec. 7(d) Department of HUD Act (42 U.S.C. 3535(d)) and specific authority delegated by the Administrator of General Services)

Effective date. This redelegation of authority is effective as of June 25, 1975.

CARLA A. HILLS,
Secretary of Housing and Urban Development.

[FR Doc.75-17105 Filed 6-30-75;8:45 am]

[Docket No. D-75-341]

DIRECTOR, EMERGENCY PREPAREDNESS STAFF

Redelegation of Authority Delegated by Administrator of General Services With Respect to Representation Before Interstate Commerce Commission

Authority redelegated. The Director, Emergency Preparedness Staff, or his designee, is authorized to exercise the authority delegated to the Secretary of Housing and Urban Development by the Administrator of General Services to represent the consumer interests of the executive agencies of the Federal Government before the Interstate Commerce Commission involving an application for Motor Carrier Permanent Authority in order to assure adequate transport capability in connection with disaster relief activities. This redelegation is made pursuant to the authority vested in the Administrator of General Services by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(4) (a) and 486(d)). This authority may only be exercised pursuant to the issuance of a later specific delegation of authority from the Administrator of General Services. (Secretary's Redelegation With Respect to Disaster Relief activities being published concurrently herewith)

Effective date. This redelegation of authority is effective as of June 25, 1975.

H. R. CRAWFORD,
Assistant Secretary for Housing Management.

[FR Doc.75-17106 Filed 6-30-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

FIRESTONE 500 STEEL BELT TIRES

Rescheduling of Public Proceeding

Pursuant to section 152 of the National Traffic and Motor Vehicle Safety Act of 1966 as amended (Pub. L. 93-492, 88 Stat. 1470; October 27, 1974), 15 U.S.C. 1412, the Associate Administrator, Motor Vehicle Programs, has made an initial determination that a noncompliance with an applicable Federal motor vehicle safety standard exists with respect to the Firestone 500 Steel Belt Tires.

A public meeting initially set for June 12, 1975 (40 FR 20982), May 14, 1975) was rescheduled for July 2, 1975 (40 FR 25502, June 10, 1975). That public meeting again has been rescheduled at the request of Firestone Tire and Rubber Company and will be held at 10:00 a.m., July 10, 1975, in Room 3200, Department of Transportation Building, 400 Seventh Street, SW, Washington, D.C. 20590. At that meeting, Firestone will be afforded an opportunity to present data, views and arguments to establish that there is no failure to comply in the Steel Belt 500 tires.

Interested persons are invited to participate through written or oral presentations. Persons wishing to make oral presentations are requested to notify Mrs. Gail Willis, Office of Standards Enforcement, National Highway Traffic Safety Administration, Washington, D.C. 20590. Telephone (202) 426-2832, before the close of business (4:15 p.m.) on July 8, 1975.

The agency's investigative file in this matter is available for public inspection during working hours (7:45 a.m.-4:15 p.m.) in the Technical Reference Division, Room 5108, 400 Seventh Street SW, Washington, D.C. 20590.

(Sec. 152, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1412); delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.)

Issued on June 27, 1975.

ROBERT L. CARTER,
Associate Administrator, Motor Vehicle Programs.

[FR Doc.75-17239 Filed 6-27-75;2:57 pm]

CIVIL AERONAUTICS BOARD

[Docket No. 28001; Order 75-6-126]

AMERICAN AIRLINES, INC.

Order of Suspension and Investigation Regarding Surcharges Per Shipment of Restricted Articles

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of June 1975.

By tariff revision[1] filed May 28 and marked to become effective June 27, 1975, American Airlines, Inc. (American) proposes to establish a $3.25 surcharge per shipment of restricted articles as defined in the Restricted Articles Tariff, C.A.B. No. 82.

American asserts, inter alia, that (1) the surcharge is intended to offset in part the additional manpower costs involved in processing such shipments; (2) based on a recent company study, the additional labor burden in handling these shipments over regular bulk freight is 44.58 man-minutes at a cost of $7.94 per shipment; (3) the surcharge proposed is held to $3.25 so as not to exceed competition; and (4) the estimated annual revenue impact of the filing is $28,000, which will be below estimated costs by $40,500, excluding training and materials costs.

A complaint requesting suspension and investigation was filed against the proposal by Shulman Air Freight, Inc. (Shulman). The complainant contends, inter alia, that (1) a great many commodities commonly moving in air transportation would be subject to this surcharge; (2) no comparable surcharge level was found as a result of Shulman's survey of various motor and ocean freight tariffs; (3) the $3.25 surcharge would represent 13 percent of Shulman's current door-to-door charge for a typical radioactive restricted-articles shipment, resulting in cost increases to the shipper rising at a disproportionate rate; and (4) the proposal is not sufficiently supported.[2]

Upon consideration of all relevant matters, the Board finds that American's proposal may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and should be investigated. The Board further concludes that the proposal should be suspended pending investigation.

The Board has noted the study presented by American in support of its proposal, showing the number of additional man-minutes required for each restricted-articles shipment, the labor

[1] Revision to Airline Tariff Publishing Company, Agent, Tariff C.A.B. No. 96.

[2] By motion received June 23, American requested leave to file an otherwise unauthorized document, specifically, a late-filed answer to the Shulman complaint. The Board has considered the motion and cannot find that the circumstances set forth therein justify the delay.

cost per man-minute by type of employee, over a month's period which arrives at a total of $7.936 in additional costs per shipment. The carrier asserts, for example, that fleet service clerks at the ramps spend an average of 12.25 minutes (at $.10 per minute) on each shipment, totaling $1.225 of additional cost per shipment. American has furnished, however, no information as to how these figures were derived, what time period was involved, or to what extent the sample adequately covers its system. The figures are presented on a per-shipment basis with no explanation of the basic data and assumptions used, the method of sampling, the services provided by the employees listed, or any justification of the labor-cost-plus benefits rates computed per man-minute. Consequently, we do not believe that American's proposal has been adequately justified.

The suspension action ordered herein is consistent with the Board's action on the identical surcharge of $3.25 proposed by Trans World Airlines, Inc. in Order 75–5–103, dated May 27, 1975, and in previous orders cited therein.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a, 403, 404, and 1002 thereof:

It is ordered, That:

1. An investigation is instituted to determine whether the provision reading "(Applicable to AA only)" in Rule No. 51 and the charge and provisions in Rule No. 51(c) on 10th Revised Page 18–C of Airline Tariff Publishing Company, Agent, tariff C.A.B. No. 96, and rules, regulations, and practices affecting such provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, or otherwise unlawful, and, if found to be unlawful, to determine and prescribe the lawful provisions, and rules, regulations or practices affecting such provisions;

2. Pending hearing and decision by the Board, the provision reading "(Applicable to AA only)" in Rule No. 51 and the charge and provisions in Rule No. 51(c) on 10th Revised Page 18–C of Airline Tariff Publishing Company, Agent, tariff C.A.B. No. 96, are suspended and their use deferred to and including September 24, 1975, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding herein designated Docket 28001, be assigned to hearing before an Administrative Law Judge of the Board at a time and place hereafter to be designated;

4. Except to the extent granted herein, the complaint of Shulman Air Freight, Inc. in Docket 27921 is dismissed.

5. The motion of American Airlines, Inc. to file an unauthorized document is denied; and

6. Copies of this order shall be filed with the tariff and served upon American Airlines, Inc. and Shulman Air Freight, Inc., which are hereby made parties to Docket 28001.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75–17148 Filed 6–30–75;8:45 am]

[Docket No. 27738]

AVIACION Y COMERCIO

Prehearing Conference and Hearing Regarding Foreign Charter Permit Renewal (Spain-U.S.)

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on July 14, 1975, at 10:00 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Richard M. Hartsock.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before July 3, 1975.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., June 25, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75–17146 Filed 6–30–75;8:45 am]

[Docket No. 27990]

CHICAGO-NEW ORLEANS NONSTOP ROUTE PROCEEDING

Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on August 26, 1975, at 10 a.m. (local time), in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge William H. Dapper.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and four copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before August 1, 1975, and the other parties on or before August 15, 1975. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., June 25, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75–17147 Filed 6–30–75;8:45 am]

[Docket Nos. 28004, 26755, 26881; Order 75–6–131]

CONTINENTAL AIR LINES, INC. ET AL.

Order Instituting Investigation and Terminating Show Cause Proceedings Regarding Youth, Student Standby and Family Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of June 1975.

By Order 74–11–147, November 27, 1974, the Board dismissed a joint petition filed October 3, 1974, by the Legislature of American Samoa and the Director of Territorial Affairs, Department of the Interior, requesting that the Board reconsider its decision in Order 74–9–43, September 13, 1974, to permit Pan American World Airways, Inc. (Pan American) to increase its fares to Pago Pago, American Samoa. The United States and the Government of American Samoa have filed a petition for judicial review of the Board's order in the U.S. Court of Appeals for the District of Columbia Circuit and have filed a brief in the matter. Upon further consideration of the various pleadings before the Board and the Court, the Board has decided to institute an investigation of overseas air transportation fares to American Samoa.

By Orders 74–5–145 and 74–7–80, the Board tentatively concluded that student, youth, and family fares published by Continental Air Lines, Inc. (Continental), Pan American, and Trans World Airlines, Inc. (TWA) between American Samoa, Guam, the Trust Territory of the Pacific and points in the 50 states may be unjustly discriminatory, particularly in light of the Board's decision in Phase 5 of the "Domestic Passenger-Fare Investigation," and directed the carriers to show cause why these fares should not be canceled. All youth fares were subsequently cancelled by the carriers and only Continental now publishes student fares, which are limited to service between Guam and the Trust Territory, on the one hand, and Hawaii, on the other hand. Only those family fares applicable between U.S. west coast points and Micronesia were canceled subsequent to the show cause order.

Effective July 15, 1975, Pan American proposes to reestablish youth standby fares in the mainland/Hawaii-Guam and Pago Pago markets at a one-third discount from the normal coach fare. Pan American alleges that its proposal is justified by the geographic isolation and dependence upon air transportation of these two Pacific points and is also required for competitive reasons.[1] The carrier also alleges that the lack of surface transportation makes the Guam and Pago Pago situation analogous to the North Atlantic where the Board has permitted reestablishment of youth fares. Pan American believes the fares will be

[1] Although Continental's service is a 5-stop flight, Pan American alleges that it is a diversionary threat, and that the absence of such a fare has cast Pan American as hostile to students.

40 percent generative and result in an incremental profit of slightly over $100,000 annually. The fares are marked to expire December 31, 1976.

Effective July 6, 1975, Continental proposes to add family fares between Guam and mainland/Hawaii to match existing family fares of Pan American. The discount is 50 percent for the spouse and accompanying children 12 through 21 years of age. The fare for children 2 through 11 years is 25 percent of the full fare.[2]

Upon consideration of the responses to Show Cause Orders 74-5-145 and 74-7-80, the current youth and family fare proposals, and all other relevant data, the Board concludes that it should terminate the earlier show cause proceedings and in lieu thereof institute an investigation of both existing and proposed family and youth fares. We will not, however, suspend the recently filed family and youth fare proposals since they essentially match existing fares of this type.

Accordingly, upon consideration of the foregoing, and all other relevant matters:

It is ordered, That:

1. An investigation of Pacific overseas fares, Docket 28004 be instituted to determine whether (1) the fares between the United States mainland and Hawaii, on the one hand, and Pago Pago, American Samoa, on the other, and (2) youth, student, and family fares between the United States mainland and Hawaii, on the one hand, and Pago Pago, American Samoa, Guam, and the Pacific Trust Territories, on the other, and rules, regulations, or practices affecting such fares, and revisions and reissues thereof, are unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial or otherwise unlawful, and, if found to be unlawful, to determine and prescribe the lawful maximum or minimum, or maximum and minimum fares, and rules, regulations, and practices affecting such fares and provisions;

2. The investigation ordered herein be assigned before an Administrative Law Judge of the Board at a time and place hereafter to be designated;

3. The show cause proceedings in Dockets 26755 and 26881 be and hereby are terminated;

4. Except to the extent granted herein, the complaints of Northwest Airlines, Inc. in Dockets 27941 and 27987 are hereby dismissed; and

5. This order be served upon Continental Air Lines, Inc., Northwest Airlines, Inc., Pan American World Airways, Inc., the Legislature of American Samoa, and the Director of Territorial Affairs, Department of the Interior, on behalf of the Government of American Samoa, which are hereby made parties to this investigation, and Trans World Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-17149 Filed 6-30-75;8:45 am]

[2] Northwest Airlines, Inc. (Northwest) has complained against Pan American's youth fare proposal and Continental's family fare proposal, alleging that they are contrary to the Board's findings in Phase 5 of the DPFI. It further alleges that the carriers providing family fares have not provided justification for continuation of these fares as required by the Board's show cause order (74-7-80), issued July 18, 1974.

[Docket No. 27628]

SOCIETA AEREA MEDITERRANEA-SAM S.P.A.

Prehearing Conference and Hearing Regarding Foreign Charter Permit Renewal (Italy-U.S.)

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on July 15, 1975, at 10:00 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Dee C. Blythe.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before July 3, 1975.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., June 25, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-17144 Filed 6-30-75;8:45 am]

[Docket No. 27432]

SPANTAX, S.A.

Prehearing Conference and Hearing Regarding Foreign Charter Permit Amendment and Renewal (Spain-U.S.)

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on July 17, 1975, at 10 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Richard M. Hartsock.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before July 7, 1975.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., June 25, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-17145 Filed 6-30-75;8:45 am]

CIVIL SERVICE COMMISSION

DEPARTMENT OF AGRICULTURE

Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Agriculture to fill by noncareer executive assignment in the excepted service the position of Director, Commodity Operations Division, Office of the Director, Deputy Administrator, Commodity Operations, Agricultural Stabilization and Conservation Service.

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

[FR Doc.75-17024 Filed 6-30-75;8:45 am]

DEPARTMENT OF DEFENSE

Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary (Inter-American Affairs, Foreign Trade, Disclosure, and Military Rights Affairs), ODAS (Inter-American Affairs, Foreign Trade, Disclosure, and Military Rights Affairs), OASD (International Security Affairs), Office of the Secretary of Defense.

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

[FR Doc.75-17025 Filed 6-30-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Deputy Commissioner, Rehabilitation Services Administration, Social and Rehabilitation Service.

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

[FR Doc.75-17028 Filed 6-30-75;8:45 am]

DEPARTMENT OF JUSTICE

Revocation of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Justice to fill by noncareer executive assignment in the ex-

cepted service the position of Chief, General Crimes Section, Criminal Division.

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

[FR Doc.75-17027 Filed 6-30-75;8:45 am]

DEPARTMENT OF JUSTICE

Revocation of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Assistant for Civil Trials, Office of Assistant Attorney General, Tax Division.

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

[FR Doc.75-17026 Filed 6-30-75;8:45 am]

DEPARTMENT OF JUSTICE

Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Commissioner (Special Projects), Office of the Commissioner, Immigration and Naturalization Service.

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

[FR Doc.75-17021 Filed 6-30-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Revocation of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Transportation to fill by noncareer executive assignment in the excepted service the position of Director, Office of Policy and Program Analysis, Federal Railroad Administration.

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

[FR Doc.75-17029 Filed 6-30-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Federal Energy Administration to fill by noncareer executive assignment in the excepted service the position of Associate Assistant Administrator for Allocation Regulation Development, Office of Allocation Regulation Development, Office of the Assistant Administrator for Regulatory Programs.

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

[FR Doc.75-17020 Filed 6-30-75;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

Title Change in Noncareer Executive Assignment

By notice of December 20, 1969, FR Doc. 69-15148 the Civil Service Commission authorized the Office of Management and Budget to make a change in title for the position of Assistant to the Director, Executive Office of the President, Bureau of the Budget, authorized to be filled by noncareer executive assignment. This is notice that the title of this position is now being changed to Assistant to the Director for Public Affairs, Executive Office of the President, Office of Management and Budget.

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

[FR Doc.75-17022 Filed 6-30-75;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

Title Change in Noncareer Executive Assignment

By notice of December 5, 1974, FR Doc. 74-28420 the Civil Service Commission authorized the Office of Management and Budget to fill by noncareer executive assignment the position of Congressional Relations Officer, Office of the Director. This is notice that the title of this position is now being changed to Assistant to the Director for Congressional Relations, Office of the Director.

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

[FR Doc.75-17023 Filed 6-30-75;8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

[ERDA-1543]

EXPANSION OF THE U.S. URANIUM ENRICHMENT CAPACITY PROGRAM

Availability of Draft Environmental Statement

Notice is hereby given that a Draft Environmental Statement, "Expansion of U.S. Uranium Enrichment Capacity" (ERDA-1543) was issued June 26, 1975, pursuant to the Energy Research and Development Administration Act of 1974 (Pub. L. 93-438). The Statement was prepared in support of ERDA's implementation of the National Environmental Policy Act of 1969. The Statement was prepared in support of ERDA's administrative actions related to expansion of the U.S. uranium enrichment capacity and the President's message and legislative proposal sent to Congress on June 26, 1975. This Statement replaces the Gas Centrifuge Program Statement that was announced in the FEDERAL REGISTER on April 23, 1975, as being under preparation. The gas centrifuge technology is covered in this Statement in addition to the currently used gaseous diffusion and other enrichment technologies.

Copies of the Draft Statement have been distributed for review and comment to Federal agencies, States and organizations and individuals that have expressed an interest in the uranium enrichment activity. Copies of the Draft Statement are available for public inspection in the ERDA's Public Document Rooms at 1717 H Street NW., Washington, D.C.; Albuquerque Operations Office, Kirtland Air Force Base East, Albuquerque, New Mexico; Chicago Operations Office, 9800 South Cass Avenue, Argonne, Illinois; Idaho Operations Office, 550 Second Street, Idaho Falls, Idaho; Nevada Operations Office, 2753 South Highland Drive, Las Vegas, Nevada; Oak Ridge Operations Office, Federal Building, Oak Ridge, Tennessee; Richland Operations Office, Federal Building, Richland, Washington; San Francisco Operations Office, 1333 Broadway, Oakland, California; and Savannah River Operations Office, Savannah River Plant, Aiken, South Carolina.

Comments and views concerning the Draft Statement are requested from other interested agencies, organizations and individuals. Single copies of the Draft Environmental Statement will be furnished for review and comment upon request addressed to W. H. Pennington, Office of the Assistant Administrator for Environment and Safety, Mail Station E-201, U.S. Energy Research and Development Administration, Washington, D.C. 20545, (301) 973-4241. Comments should be sent to the same address.

In accordance with guidelines from the Council on Environmental Quality, agencies and members of the public submitting comments on the draft environmental statement should endeavor to make their comments as specific, substantive, and factual as possible without undue attention to matters of form in the impact statement. It would assist in the review of comments if the comments were organized in a manner consistent with the structure of the draft statement. Emphasis should be placed on the assessment of the environmental impacts of the expansion activities, and the acceptability of those impacts on the quality of the environment, particularly as contrasted with the impacts of reasonable alternatives. Commenting entities may recommend modifications and/or new alternatives that will enhance environmental quality and avoid or minimize adverse environmental impacts.

Copies of comments on the Draft Environmental Statement will be placed in the above referenced Document Rooms and will be considered in the preparation of the Final Environmental Statement if received by August 18, 1975.

Dated at Germantown, Maryland, this 24th day of June 1975.

For the Energy Research and Development Administration.

JAMES L. LIVERMAN,
Assistant Administrator for Environment and Safety.

[FR Doc.75-17320 Filed 6-30-75;10:13 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 391-7; OPP-33000/272]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, SW Washington, D.C. 20460.

On or before September 2, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW, Washington DC 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after September 2, 1975.

Dated: June 24, 1975.

JOHN B. RITCH, Jr.,
Director, Registration Division.

APPLICATIONS RECEIVED [OPP-33000/272]

EPA File Symbol 8612-II. B & G Co., PO Box 20372, Dallas TX 75220. B & G SYN-PY-TE. Active Ingredients: (5-Benzyl-3-Furyl) Methyl 2,2-Dimethyl-3-(2-Methylpropenyl) Cyclopropanecarboxylate 0.250%; Related Compounds 0.034%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 8186-A. Carboline Co., 350 Hanley Industrial Ct., St. Louis MO 63144. CARBOLINE SUPER TROPICAL ANTI-FOULING BLACK 1240-18. Active Ingredients: Tri-n-butyltin Fluoride 16.0%; Bis (tri-n-butyltin) Oxide 3.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM24

EPA File Symbol 8186-E. Carboline Co. CARBOLINE SUPER TROPICAL ANTI-FOULING RED 1240-18. Active Ingredients: Tri-n-butyltin Fluoride 16.0%; Bis (tri-n-butyltin) Oxide 3.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM24

EPA File Symbol 8186-G. Carboline Co. CARBOLINE TROPICAL ANTI-FOULING RED AD 1023. Active Ingredients: Copper 0.5%; Cuprous Oxide 26.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM22

EPA File Symbol 8186-L. Carboline Co. POLYCLAD ANTI-FOULING RED 1240-19. Active Ingredients: Copper 0.3%; Cuprous Oxide 16.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM22

EPA File Symbol 8186-U. Carboline Co. POLYCLAD TROPICAL ANTI-FOULING RED 1240-2. Active Ingredients: Copper 0.7%; Cuprous Oxide 38.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM22

EPA File Symbol 1990-GTA. Farmland Industries, Inc., PO Box 7305, Kansas City MO 64116. ATRAZINE TECH (BRAND OF TECHNICAL ATRAZINE). Active Ingredients: Atrazine [2-chloro-4-(ethylamine)-6-(isopropylamino)-S-triazine] 92%; Related Compounds 2%. Republished: Method of Support changed from 2(b) to 2(c) of interim policy. PM25

EPA File Symbol 8764-UT. FMC Corp., PO Box 522, Riverside CA 92502. FUNGICIDE CONC. 1020. Active Ingredients: 2-(4-Thiazolyl) benzimidazole (Thiabendazole) 10.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM21

EPA Reg. No. 279-1380. FMC Agricultural Chemical Div., 100 Niagara St., Middleport NY 14105. THIODAN 50 WP. Active Ingredients: Endosulfan (Hexachlorohexahydromethano - 2,4,3 - benzodioxathiepin oxide) 50.0%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Additional uses. PM15

EPA File Symbol 5404-A. Green's, Inc., PO Box 3309, Albuquerque NM 87110. SANITERG. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 4.5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 4.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium Carbonate 4.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 5404-I. Green's, Inc. POOLCIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 5404-L. Green's, Inc. 4-D DISINFECTANT. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 2.25%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 2.25%; Sodium Carbonate 3.00%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 5404-O. Green's, Inc. QUATGUARD. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 5404-T. Green's, Inc. ALGACIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 35892-R. J & F Pest Control Co., 46 Channing Station, NW, Washington DC 20001. HAMMERHEAD ROACH AND INSECT KILLER. Active Ingredients: 0,0-diethyl O-(2-isopropyl-6-methyl-4- pyrimidinyl) phosphorothioate 0.50%; Petroleum Distalates 98.97%; Aromatic Petroleum Derivative Solvent 0.41%. Method of Support: Application proceeds under 2(c) of interim policy. PM15

EPA Reg. No. 1471-35. Elanco Products Co., A Div. of Eli Lilly & Co., PO Box 1750, Indianapolis IN 46206. ELANCO TREFLAN E.C. Active Ingredients: trifluralin (a,a,a-trifluoro-2,6-dinitro - N,N - dipropyl-p-toluidine) 44.5%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Increased application rates on cotton. PM23

EPA File Symbol 8123-TO. Frank Miller & Sons, 13831 S. Emerald Ave., Chicago IL 60627. BROADLEAF WEED KILLER. Active Ingredients: Dimethylamine salt of 2,4-Dichlorophenoxyacetic acid 3.5%; Diethanolamine salt of 2-(2-methyl-4-chlorophenoxy) propionic acid 4.3%. Method of Support: Application proceeds under 2(c) of interim policy. PM23

EPA File Symbol 8123-IN. Frank Miller & Sons, 13831 S. Emerald Ave., Chicago IL 60627. VIRUCIDE DISINFECTANT CLEANER FUNGICIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18 dimethyl benzyl ammonium chlorides 0.035%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 0.035%; Sodium Carbonate 0.050%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA Reg. No. 7001-171. Occidental Chemical Co., A Div. of Occidental Petroleum Corp., P.O. Box 198, Lathrop CA 95330. LAWN FOOD PLUS INSECTICIDE 15-5-7. Active Ingredients: Chlorpyrifos (0,0-diethyl 0-(3,5,6-trichloro-2-pyridyl) phosphorothioate) 0.46%. Method of Support: Application proceeds under 2(c) of interim policy. PM12

EPA File Symbol 9652-UI. Rite-Off Corp., 163 Dupont St., Plainview NY 11803. RITE-OFF VEG-A-DUST INSECTICIDE. Active Ingredients: Pyrethrins 0.1%; Piperonyl Butoxide, Technical 1.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA Reg. No. 201-279. Shell Chemical Co., Agricultural Div., Suite 300, 1700 K St. NW, Washington DC 20006. BLADEX 80 WETTABLE POWDER HERBICIDE. Active Ingredients: 2-(4-chloro-6-ethylamino-s-triazin-2-ylamino) - 2 - methylpropionitrile 80%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Added use. PM25.

EPA File Symbol 1729-RNO. Tesco Chemicals, Inc., PO Box 6433, Marietta GA 30062. S-88 SUPER SOLUBLE CHLORINE STICK. Active Ingredients: Sodium dichloro-s-triazinetrione Dihydrate 99.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM34

EPA Reg. No. 2724-262. Thuron Industries, Inc., 12200 Denton Dr., Dallas TX 75234. STARBAR GX-118. Active Ingredients: N-(mercaptomethyl) phthalimide *S*-(*0,0*-dimethyl phosphorodithioate) 11.6%; Petroleum hydrocarbon solvent 72.9%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Added uses. PM15

EPA Reg. No. 400-92. Uniroyal Chemical, Div. of Uniroyal, Inc., 74 Amity Rd., Bethany CT 06525. VITAVAX-200 FUNGICIDE. Active Ingredients: Carboxin (5,6-dihydro-2-methyl-1,4-oxathiin - 3 - carboxanilide) 37.5%; Thiram (tetramethylthiuram disulfide) 37.5%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: added use. PM21

EPA Reg. No. 400-93. Uniroyal Chemical, Div. of Uniroyal, Inc. VITAVAX-300 FUNGICIDE. Active Ingredients: Carboxin (5,6-dihydro-2-methyl-1,4 - oxathiin-3-carboxanilide) 37.5%; Captan (N-trichloromethylthio-4-cyclohexene-1,2 - dicarboximide) 37.5%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added use. PM21

EPA File Symbol 400-REU Uniroyal Chemical, Div. of Uniroyal, Inc. VITAVAX-EVS CONCENTRATE. Active Ingredients: Carboxin (5,6 - dihydro - 2-methyl-1,4-oxathiin-3-carboxanilide) 29.52%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added use. PM21

EPA File Symbol 10485-RL. United Chemical Corp. of New Mexico, 601 N Leech, PO Box 1499, Hobbs NM 88240. ALPHA 530. Active Ingredients: n-Alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chloride 10%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

[FR Doc.75-16985 Filed 6-30-75;8:45 am]

[FRL 394-4]

NATIONAL AIR POLLUTION MANPOWER DEVELOPMENT ADVISORY COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given that the National Air Pollution Manpower Development Advisory Committee will be held July 18-19, 1975 in Denver, Colorado. The meeting will be held at the Cosmopolitan, 18th and Broadway, in Meeting Room #341, and will begin at 9 a.m., July 18.

This is the regular quarterly meeting of the Advisory Committee. Primarily the meeting will be devoted to Committee review of the status of the fellowships, training grants, and direct training programs. There will be a presentation by Region VIII personnel and Colorado State University staff on the Vehicle Emission Control Training Program at Colorado State University.

The meeting will be open to the public. Any member of the public wishing to attend or participate should contact Mr. Ronnie E. Townsend, Executive Secretary, National Air Pollution Manpower Development Advisory Committee, Research Triangle Park, North Carolina, (919) 549-8411, extension 2492.

Dated: June 27, 1975.

ROGER STIELON,
Assistant Administrator for Air and Waste Management.

[FR Doc.75-17291 Filed 6-30-75;9:11 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20510, File No. BPH-8873; Docket No. 20511, File No. BPH-9015; Docket No. 20512, File No. BPH-9211]

HAROLD SHARP, ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re Applications of Harold James Sharp, Ocala, Florida, Requests: 92.7 MHz, Channel No. 224, 3 kW(H&V), 290 feet; Greater Ocala Broadcasting Corporation, Ocala, Florida, Requests: 92.7 MHz, Channel No. 224, 3 kW(H&V), 190.-92 feet; Hunter-Arnette Broadcasting Co., Ocala, Florida, Requests: 92.7 MHz, Channel No. 224, 3 kW(H&V), 300 feet, For Construction Permits.

1. The Commission, by the Chief of the Broadcast Bureau, acting pursuant to delegated authority, has before it the three above-captioned applications, which are mutually exclusive in that they seek the same channel in Ocala, Florida.

2. Data submitted by the applicants indicate that there would be a significant difference in the size of the area which would receive service from the proposal of Harold James Sharp and the other two applicants. Consequently, for the purposes of comparison, the areas and populations which would receive primary service, together with the availability of other primary aural services (1mV/m of greater in the case of FM) in such areas will be considered under the standard comparative issue, for the purpose of determining whether a comparative preference should accrue to any of the applicants.

3. Greater Ocala will not provide a 3.16 mV/m signal over the entire city of Ocala, as required by § 73.315(a) of the rules. Accordingly, Greater Ocala requests a waiver of this section of the rules and in so doing states that the signal level within the Ocala city limits at the most distant point from the proposed transmitter location will be 66.8 dBu. It also states that the area not served by a 70 dBu signal level is presently inhabited by 519 people within a 1.97 square mile area. This number represents 1.8 percent of the total population of the city of Ocala. Greater Ocala indicates that there is no other property available to them closer to the city limits which would allow proper spacing for channel 224A. Additionally, Greater Ocala states that it has selected a tower height which is less than the maximum allowable by the Commission's rules and regulations, in order to comply with existing Federal Aviation Administration obstruction standards applicable for the proposed site. In light of these facts, and since the general coverage of the city will be satisfactory, we find that a waiver of § 73.315(a) of our rules is warranted in this instance.

4. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

5. Accordingly, *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine which of the proposals would, on a comparative basis, best serve the public interest.

2. To determine, in light of the evidence adduced pursuant to the foregoing issue, which of the applications should be granted.

6. *It is further ordered*, That if the application of Greater Ocala Broadcasting Corporation is preferred, the construction permit shall specify that the provisions of § 73.315(a) of our rules are waived to permit a signal level of less than 3.16 mV/m over the entire city of Ocala, Florida.

7. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

8. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: June 12, 1975.

Released: June 16, 1975.

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

[FR Doc.75-17085 Filed 6-30-75;8:45 am]

[SC-65]

SHIP RADAR

Meeting

The members of Special Committee No. 65 "SHIP RADAR", will hold the 39th meeting on Wednesday, July 16, 1975—1:30 p.m. at Conference Room 8210, 2025 M Street NW, Washington, D.C.

The agenda for SC-65 Committee Meeting appears below.

Formal meeting schedule for SC-65 working groups, to be held at 2025 M St. NW., Washington, D.C.

Working group	Room	Date	Time
Collision avoidance (all day).	8210	July 15	9:30 a.m.
Small boat specifications.	8210	July 16	Do.

NOTES.—Meeting room location is subject to change. Check at room 8210 first.

If other working group meetings are scheduled, group members will be notified.

AGENDA

1. Call to Order; Chairman's Report; Adoption of Agenda.
2. Acceptance of SC-65 Summary Records; Appointment of Rapporteur. 18 June 1975. Paper 98-75/SC 65-190.
3. Progress Reports of Working Groups on: a. Collision Avoidance Systems; b. Small Boat Specifications.
4. Status Reports on Other Working Groups.
5. Other business.
6. Establishment of next meeting date (Proposed Oct. 15, 1975).
7. Transponder Specifications—Paper 109-74/SC 65-168, Rev. E.

Direct inquiries to Irvin Hurwitz, Chairman, SC-65, Federal Communications Commission, Washington, D.C. 20554, Phone: (202) 632-7197.

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

[FR Doc.75-17191 Filed 7-1-75;8:45 am]

FEDERAL HOME LOAN BANK BOARD

FEDERAL SAVINGS AND LOAN ADVISORY COUNCIL

Meeting

JUNE 26, 1975.

Pursuant to section 10(a) of Pub. L. 92-463, entitled the Federal Advisory Committee Act, notice is hereby given of the meeting of the Federal Savings and Loan Advisory Council on Monday, July 21; Tuesday, July 22; and Wednesday, July 23, 1975. The meeting will commence at 9 a.m. on July 21, 22, 23, at the Madison Hotel, 15th and M Streets, NW., Washington, D.C. in the Arlington Room.

MONDAY, JULY 21

9-11 a.m.— General discussion
2:30 pm— Up-date on Keogh, IRA retirement accounts and trustee liability
Up-date on merger program
Review of reserve requirement study
Duplication of examiners and auditors
Proposed IRS regulation for taxation of associations owned by holding companies
Report of Board study on loan repayment terms on other than one-to-four family
Definition of "general obligations" of municipal securities and timely answers
Associations loaning funds to other associations

TUESDAY, JULY 22

Easing of limitations on participations and whole loans
Reserve requirements
Accounting treatment of add-on interest on unsecured loans
FHLBB long term fixed rate advances
Planning for the impact of inflation on savings and loan industry—Part 5
Review of scheduled items and loans to facilitate (as related to punitive action)
Loan repayment terms
Restructuring of the Federal Home Loan Bank System

WEDNESDAY, JULY 23

9-11 a.m.— General Discussion

The meeting will be open to the public on July 21 from 9-5, on July 22 from 9-5, and on July 23 from 9-5.

GARTH MARSTON,
Board Member.

[FR Doc.75-17104 Filed 6-30-75;8:45 am]

FEDERAL MARITIME COMMISSION

ATLANTIC AND GULF—INDONESIA CONFERENCE ET AL.

Agreements Filed

Notice is hereby given that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, (46 U.S.C. 814).)

Interested parties may inspect and obtain a copy of the 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, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before July 21, 1975. 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:

John R. Mahoney, Esq., Casey, Lane & Mittendorf, 26 Broadway, New York, New York 10004.

The Atlantic and Gulf—Indonesia Conference and the Atlantic and Gulf—Singapore, Malaya and Thailand Conference have filed identical amendments to their conference agreements. These amendments, Agreements Nos. 8080-11 and 8240-9 respectively, would extend the geographic scope of each agreement to include ports, points and places on inland waterways which inland waterways are tributary to the ocean ports and ranges included in the basic conference agreements.

Dated: June 26, 1975.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-17135 Filed 6-30-75;8:45 am]

[Agreement No. T-2879]

CASTLE & COOK TERMINALS LTD., ET AL.

Order Extending Expiration Date

Agreement No. T-2879, between Castle & Cooke Terminals, Ltd., C. Brewer Corporation d.b.a. Hilo Transportation & Terminal Co., Honolulu Terminals Co., Ltd., Matson Terminals, Inc., McCabe, Hamilton & Renny Co., Ltd., Seatrain Terminals of California and Theo H. Davies & Company, Limited (Employes), establishes a formula and procedures for the continuing allocation among the Employers of the costs of certain fringe benefits payable to their employees under the terms of collective bargaining agreements with the International Longshoremen's and Warehousemen's Union (ILWU).

Agreement No. T-2879 was approved by this Commission on February 27, 1974, and is scheduled to expire by its own terms on June 30, 1975.

Counsel for the Employers has advised us that the Employers and the ILWU have not been able to negotiate new collective bargaining agreements to succeed those agreements expiring June 30, 1975, due in part to delay in the settlement of the West Coast longshore negotiations. Accordingly, counsel for the Employers has requested that we extend Agreement No. T-2879 on an indefinite basis on its present terms and conditions, subject to cancellation upon notice by the parties to the Commission.

In our opinion, an indefinite extension of the subject agreement would operate in the public interest in that it would contribute to waterfront labor peace in Hawaii during the period of negotiation between the Employers and the ILWU. It is noted that all terms, conditions and parties to the agreement will remain unchanged; the agreement's expiration date is the only thing affected by the Employers' request. Since no change in the competitive impact of Agreement No. T-2879 would be created by extending that agreement, we believe that the public interest requires that the request for an extension be granted forthwith.

It is ordered, That Agreement No. T-2879 is hereby extended for an indefinite period on its present terms and conditions subject to cancellation upon notice by the parties to the Commission.

It is further ordered, That a copy of this Order shall be published in the FEDERAL REGISTER.

By the Commission June 24, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-17139 Filed 6-30-75;8:45 am]

COMPANIA TRAATLANTIC ESPANOLA S.A. AND KONINKLIJKE NEDERLANDSCHE STOOMBOOT-MAATSCHAPPIJ B.V.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, (46 U.S.C. 814)).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., San Juan, Puerto Rico and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before July 11, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Elliot B. Nixon, Esquire, Burlingham Underwood & Lord, 25 Broadway, New York, New York 10004.

Agreement No. 10162, between Compania Trasatlantica Espanola S.A. (CTE) and Koninklijke Nederlandsche Stoomboot-Maatschappij B.V. (KNSM) would establish a joint service under the trade name of TRAS-ROYAL in the westbound and eastbound trades between, on the one hand, Italian ports and ports on the east and south coasts of Spain, as well as Marseilles and Lisbon, and, on the other hand, ports in Puerto Rico, under terms and conditions set forth in the agreement.

Dated: June 26, 1975.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-17138 Filed 6-30-75;8:45 am]

[NO. 73-28; 73-29]

PUBLICATION OF DISCRIMINATORY RATES IN THE U.S. WEST COAST/JAPAN TRADE AND U.S. ATLANTIC AND GULF/JAPAN TRADE

Extension of Alternate Procedures

These proceedings were instituted by Commission order directing respondent conferences to show cause why certain rates in the U.S./Japan trades should not be altered or cancelled because they indicated a disparity between inbound and outbound rates. Subsequently, the Commission approved an alternative procedure permitting respondents and Hearing Counsel to resolve the issues informally. The authority for this procedure expires June 26, 1975.

Respondents have now moved for an extension of the alternate procedures until December 31, 1975. Hearing Counsel have advised that they have no objection to extension.

In light of the progress made to date under the alternate procedures it appears that an extension thereof is in order to permit a less expensive means of resolving the issues in this proceeding.

Accordingly, respondents petition for extension of alternate procedures to and including December 31, 1975, is hereby granted.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-17141 Filed 6-30-75;8:45 am]

[NO. 75-22]

ROBINSON LUMBER CO., INC. V. DELTA STEAMSHIP LINES, INC.

Filing of Complaint

JUNE 25, 1975.

Notice is hereby given that a complaint filed by Robinson Lumber Company, Inc. against Delta Steamship Lines, Inc., was served June 25, 1975. The complaint alleges that complainant has been subjected to the payment of rates for transportation of certain lumber items which were violative of sections 15, 16, 17, 18, and 22 of the Shipping Act, 1916.

Hearing in this matter shall commence on or before December 26, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-17140 Filed 6-30-75;8:45 am]

SOUTH ATLANTIC-NORTH EUROPE FREIGHT CONFERENCE

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, (46 U.S.C. 814)).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before July 21, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Howard A. Levy, Esquire, Suite 727, 17 Battery Place, New York, New York 10004.

Agreement No. 10163, among American Export Lines, Inc.; Combi Line; Sea-Land Service, Inc.; Seatrain International, S.A. and United States Lines, Inc., establishes a conference covering traffic moving from U.S. South Atlantic ports and from interior points via such ports to ports and points in the United Kingdom, the Republic of Ireland, Continental Europe (via Bordeaux/Ham-

burg range ports) and ports and points in the Scandinavia/Baltic area.

Dated: June 26, 1975.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-17137 Filed 6-30-75;8:45 am]

SOUTH ATLANTIC–NORTH ATLANTIC EUROPE RATE

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, (46 U.S.C. 814)).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before July 21, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Howard A. Levy, Esquire, Suite 727, 17 Battery Place, New York, New York 10004.

Agreement No. 9984–6, among the member lines of the above-named rate agreement, deletes eastbound traffic from the United Kingdom, Republic of Ireland and the Continent from the scope of the Agreement.

Dated: June 26, 1975.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-17136 Filed 6-30-75;8:45 am]

[Docket No. 75-23]

TRANS-PACIFIC FREIGHT CONFERENCE (HONG KONG) AND NEW YORK FREIGHT BUREAU (HONG KONG)

Order To Show Cause

Pursuant to section 15 of the Shipping Act, 1916, the Trans-Pacific Freight Conference (Hong Kong) has filed Agreement No. 14–42, and the New York Freight Bureau (Hong Kong) has filed Agreement No. 5700–23, with the Commission for approval. These Agreements modify the basic agreement of each conference by adding a new subparagraph to provide for the establishment of a Rate Policy Committee consisting of six (6) members and a Committee Chairman. Each committee would have the authority to consider and establish rates, including changes in rates (exclusive of rules, regulations and accessorial charges), and to delegate authority to the rates committees presently established under each agreement. Unless extended by the respective conference memberships, the authority of each Rate Policy Committee would terminate on October 31, 1975.

Notice of the filing of Agreements Nos. 14–42 and 5700–23 was published in the FEDERAL REGISTER on May 6, 1975. Pursuant to that notice, protests and requests for a hearing were filed by Zim Israel Navigation Co., Ltd. (Zim), Orient Overseas Line (OOL) and Orient Overseas Container Line (OOCL), independent carriers in the trades covered by the Agreements.

The protestants object to the approval of Agreements Nos. 14–42 and 5700–23 on the grounds that the Agreements (1) fail to provide reasonable and equal terms and conditions for admission and readmission to conference membership of other qualified carriers in the trade, in violation of section 15 of the Act; (2) would discriminate against OOL, OOCL, and Zim, in violation of section 15 of the Act; and (3) would subject OOL and OOCL to undue or unreasonable prejudice or disadvantage, in violation of section 16, First of the Act.

A reply to the protests and comments has been filed by the New York Freight Bureau (Hong Kong), the Trans-Pacific Freight Conference (Hong Kong), and the member lines of each, alleging the lawfulness of the Agreements, and asserting that the interest of the protestants is remote; that the protestants' contentions are extremely speculative; and, that the assertions of the protestants are without factual support.

Section 15 of the Shipping Act, 1916, provides:

> The Commission shall by order, after notice and hearing, disapprove, cancel or modify any agreement, or any modification or cancellation thereof, whether or not previously approved by it, that it finds to be unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or to operate to the detriment of the commerce of the United States, or to be contrary to the public interest, or to be in violation of this Act, and shall approve all other agreements, modifications, or cancellations.

The Commission has considered the protests and requests for hearing, and the replies thereto. Deeming it just and proper that the protestants should be permitted to support their protest of these agreements, the Commission has determined to afford the parties a hearing in this matter. However, recognizing the desire of the conferences for expedition, and balancing that against the interests of the protestants, the Commission has determined that an evidentiary hearing, at this time, is neither appropriate nor required.

Therefore, *It is ordered*, That pursuant to sections 15 and 22 of the Shipping Act, 1916, Zim Israel Navigation Co., Ltd., Orient Overseas Line, and Orient Overseas Container Line are ordered to show cause why Agreement No. 14–42 and Agreement No. 5700–23 should not be approved pursuant to section 15 of the Shipping Act, 1916.

It is further ordered, That this proceeding shall be limited to the submission of affidavits of fact and memoranda of law, and replies thereto. Should any party feel that an evidentiary hearing is required, that party shall accompany any request for such a hearing with a statement setting forth in detail the *facts* to be proven in such a hearing, a description of the evidence to be used to prove those facts, the relevance of those facts to the issues in this proceeding, and why such proof cannot be submitted through affidavits. Affidavits of fact, memoranda of law, and requests for an evidentiary hearing shall be filed by Zim Israel Navigation Co., Ltd., Orient Overseas Line, and Orient Overseas Container Line, if at all, on or before July 17, 1975. Reply affidavits, memoranda or requests shall be filed by Hearing Counsel, the New York Freight Bureau (Hong Kong) and its members, the Trans-Pacific Freight Conference (Hong Kong) and its members, if at all, on or before July 31, 1975. The parties herein shall address themselves to, among other things, the desirability of oral argument herein. Unless the Commission shall grant an evidentiary hearing herein, or oral argument, or both, this matter shall be decided upon the written submissions filed herein.

It is further ordered, That this Order shall be served upon Orient Overseas Lines, Orient Overseas Container Line, Zim Israel Navigation Co., Ltd., the New York Freight Bureau (Hong Kong) and its members, the Trans-Pacific Freight Conference (Hong Kong) and its members, and Hearing Counsel.

It is further ordered, That all documents filed by any party herein shall be directed to the Secretary, Federal Maritime Commission, Washington, D.C. 20573 in an original and 15 copies, and shall be served upon all parties herein on the date those documents are filed with the Secretary.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-17142 Filed 6-30-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RP72-110, PGA 75-9]

ALGONQUIN GAS TRANSMISSION CO.

Rate Change Pursuant to Purchased Gas Cost Adjustment Provision

JUNE 24, 1975.

Take notice that Algonquin Gas Transmission Company ("Algonquin Gas"), on May 29, 1975, tendered for filing Revised Second Substitute Sixth Revised Sheet No. 10 and Second Substitute Sixth Revised Sheet No. 10 to its FPC Gas Tariff, First Revised Volume No. 1.

These sheets are being filed pursuant to Algonquin Gas' Purchased Gas Cost Adjustment Provision set forth in section 17 of the General Terms and Conditions of its FPC Gas Tariff, First Revised Volume No. 1. The rate change is being filed under Algonquin Gas' Revised Second Substitute Sixth Revised Sheet No. 10 to reflect a change in its purchased gas costs (including amounts associated with small producer and emergency purchases in excess of the national rate level established in the Commission's Opinion No. 699-H) to be paid to its supplier, Texas Eastern Transmission Corporation ("Texas Eastern"). In the event the Commission should suspend for one day the underlying tariff page of Texas Eastern, Algonquin Gas also filed Second Substitute Sixth Revised Sheet No. 10 which reflects a change in the cost of purchased gas (exclusive of amounts associated with small producer and emergency purchases in excess of the Commission's Opinion No. 699-H) from its supplier, Texas Eastern. Algonquin Gas requests that the Commission accept for filing the appropriate tariff sheet or sheets to be effective July 1, 1975 which will synchronize its rates with those of Texas Eastern.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§ 1.8, 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 8, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17031 Filed 6-30-75;8:45 am]

[Docket Nos. CI75-191, CI75-205]

CITIES SERVICE OIL CO. AND CONTINENTAL OIL CO.

Extension of Time

JUNE 24, 1975.

On June 20, 1975, the Associated Gas Distributors filed a motion to extend the date for filing briefs on exceptions to the initial decision of the Presiding Administrative Law Judge issued May 29, 1975, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the date for filing briefs on exceptions in the above matter is extended to and including August 29, 1975, and the date for briefs opposing exceptions is extended to and including September 18, 1975.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17032 Filed 6-30-75;8:45 am]

[Docket Nos. RP75-86, RP75-83, RP75-85]

COLORADO INTERSTATE GAS CO.

Order Granting Intervention

JUNE 24, 1975.

On March 31, 1975, the Colorado Interstate Gas Company, a division of Colorado Interstate Corporation (CIG), tendered for filing proposed changes in its FPC Gas Tariff, Second Revised Volume No. 1. Notice of CIG's filing was issued by the Commission on April 7, 1975, with protests and petitions to intervene due on or before April 21, 1975.

An untimely petition to intervene was filed by CF&I Steel Corporation. Having reviewed the above petition to intervene, we believe that the petitioner has sufficient interest in the proceedings to warrant intervention.

The Commission finds. It is desirable and in the public interest to allow the above-named petitioner to intervene.

The Commission orders. (A) The above-named petitioner is hereby permitted to intervene in these proceedings subject to the rules and regulations of the Commission: *Provided, however,* That participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intervene: *And provided, further,* That the admission of such intervenor shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

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

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-17033 Filed 6-30-75;8:45 am]

[Docket No. RP75-112]

COLORADO INTERSTATE GAS CO. AND COLORADO INTERSTATE CORP.

Proposed Changes in FPC Gas Tariff

JUNE 24, 1975.

Take notice that Colorado Interstate Gas Company, a division of Colorado Interstate Corporation (CIG), on June 16, 1975, tendered for filing proposed changes in its FPC Gas Tariff, Second Revised Volume No. 2. CIG states that the proposed changes will make effective Initial Rate Schedule X-54, a Letter Agreement between CIG and Northern Natural Gas Company, operating as Peoples Natural Gas Division (Peoples), which provides charges for increased delivery pressure for gas volumes delivered at the existing Hugo, Colorado, delivery point during the months of June, July, and August.

CIG states that, in order for Peoples to serve its market requirements, from time to time during the period June through August Peoples requires more pressure at the Hugo delivery point than that available under CIG's normal summertime operating conditions. CIG has agreed to provide the necessary pressure up to the maximum under the Service Agreement to Peoples at Hugo on a "best efforts" basis. Peoples has agreed to reimburse CIG for the incremental cost of providing the higher delivery pressure. The proposed charge is $250 times the number of compressor units placed in service up to a maximum of four units. CIG and Peoples have agreed that the minimum charge on any day when Peoples requests such increased pressure at the Hugo delivery point will be $250.

An effective date of July 1, 1975, is requested.

CIG states that copies of the filing were mailed to Peoples.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 8, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17034 Filed 6-30-75;8:45 am]

[Docket No. CP73-340, etc.]

COLORADO INTERSTATE GAS CO., AND COLORADO INTERSTATE CORP., ET AL.

Postponement of Hearing; Correction

JUNE 10, 1975.

In the notice of postponement of hearing issued June 6, 1975, and published in the FEDERAL REGISTER on Tuesday, June 17, 1975, 40 FR 25629, the date of the hearing in the above-designated matter should be corrected to: "June 23, 1975, at 10:00 a.m., e.d.t."

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-17035 Filed 6-30-75;8:45 am]

[Docket No. RP72-89]

COLUMBIA GAS TRANSMISSION CORP.

Amendatory Compliance Filing

JUNE 24, 1975.

Take notice that on June 13, 1975, Columbia Gas Transmission Corporation (Columbia) tendered for filing Fourth Revised Sheet No. 62A, for the purpose of excluding from the General Terms and Conditions of its FPC Gas Tariff, Original Volume No. 1, a paragraph relating to the compensation features of its curtailment provisions, which paragraph it inadvertently failed to delete from the revised tariff sheets tendered with its compliance filing of May 5, 1975. Columbia requests, in accordance with the Commission's order issued April 25, 1975, in the above captioned proceeding, that said Fourth Revised Sheet No. 62A be permitted to become effective as of May 1, 1975.

Copies of the filing were served upon Columbia's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, Union Center Plaza Building, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before July 3, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene in accordance with the Commission's rules. Persons that have previously filed a Notice or Petition for intervention in this proceeding need not file additional Notices or petitions to become parties with respect to the instant filing. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17036 Filed 6-30-75;8:45 am]

[Docket No. RI75-146]

DEMOVA K. FROST AND THE APPLEBY FOUNDATION

Petition for Special Relief

JUNE 24, 1975.

Take notice that on May 19, 1975, Demova K. Frost and the Appleby Foundation (Petitioner), PO Box 953, Midland, Texas 79701, filed a petition for special relief in Docket No. RI75-146, seeking a rate above the applicable area ceiling pursuant to Order No. 481 and § 2.76 of the Commission's Statements of General Policy and Interpretations under the Natural Gas Act. Petitioner seeks a rate of 45¢ per Mcf, with 1¢ per Mcf escalation each year, for the sale of gas to El Paso Natural Gas Company from the G. E. Allison Lease, North Branch Field, Sutton County, Texas. Petitioner states that it will not be economically feasible to continue to produce this well at the current rate of 18.5¢ per Mcf.

Any person desiring to be heard or to make any protest with reference to said petition should on or before July 9, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17041 Filed 6-30-75;8:45 am]

[Docket No. E-9294]

DETROIT EDISON CO.

Extension of Procedural Dates

JUNE 23, 1975.

On June 17, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued March 27, 1975, in the above-designated matter. On June 18, 1975, a supplemental filing stated that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff
Testimony, September 8, 1975.
Service of Intervenor
Testimony, September 29, 1975.
Service of Company
Rebuttal, October 15, 1975.
Hearing, November 4, 1975 (10:00 a.m., e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-17037 Filed 6-30-75;8:45 am]

[Docket No. E-9498]

DUKE POWER CO.

Filing of Supplement to Contract

JUNE 24, 1975.

Take notice that on June 16, 1975 Duke Power Company (Duke) tendered for filing a supplement to Duke Rate Schedule FPC No. 139. That rate schedule is the contract between Duke and Rutherford Electric Membership Corporation. The supplement provides for changes in designated Kw demand at various delivery points. Duke states that the changes are made at the request of and with the approval of the customer. The proposed effective date is July 21, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 16, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17038 Filed 6-30-75;8:45 am]

[Docket No. RP75-1]

FLORIDA GAS TRANSMISSION CO.

Further Extension of Procedural Dates

JUNE 24, 1975.

On May 8, 1975 and June 20, 1975, Sun Oil Company and Florida Gas Transmission Company, respectively, filed motions to extend the procedural dates fixed by order issued July 31, 1974, as most recently modified by notice issued April 2, 1975, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Company Rebuttal, July 30, 1975.
Hearing, August 26, 1975 (10 a.m., e.d.t.).

By direction of the Commission.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17039 Filed 6-30-75;8:45 am]

[Docket No. RP75-53]

FLORIDA GAS TRANSMISSION CO.

Proposed Changes in Rates and Charges

JUNE 24, 1975.

Take notice that on June 10, 1975, Florida Gas Transmission Company (Florida Gas) tendered for filing Substitute Eighth Revised Sheet No. 3-A to its FPC Gas Tariff, Original Volume No. 1, containing changes in rates in its Rate Schedules G and I for effectiveness on July 10, 1975. The changes in rates result from the application of the purchased gas cost adjustment provision in section 15, General Terms and Conditions of the tariff, which was approved by the Commission in Docket No. RP72-136.

The rates proposed by Florida Gas in Docket No. RP75-53 for service under Rate Schedules G and I initially filed January 10, 1975, do not reflect subsequent changes resulting from purchased gas cost adjustments. Accordingly, in Substitute Eighth Revised Sheet No. 3-A, Florida Gas has incorporated these changes in its G and I rates in Docket No. RP75-53 which were filed January 10, 1975 and suspended until July 10, 1975.

A comparison between the Docket No. RP75–53 rates and those to be made effective on July 10, 1975 under this filing is as follows:

	Cents per therm	
	Docket No. RP75–53 as filed Oct. 10, 1975	To become effective July 10, 1975
Rate schedule G	7.500	7.632
Rate schedule I	5.959	6.091

The annual effect on the proposed changes is $978,000 above the Docket No. RP75–53 rates based on sales for the twelve months ended March 31, 1975.

Florida Gas states that a copy of its filing has been served upon all customers purchasing gas under its FPC Gas Tariff, Original Volume No. 1 and the Florida Public Service Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 8, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17040 Filed 6-30-75;8:45 am]

[Docket No. E-9490]

KANSAS POWER AND LIGHT CO. AND CENTRAL KANSAS POWER CO., INC.

Joint Application for Approval of Statutory Merger

JUNE 24, 1975.

Take notice that on June 11, 1975, Kansas Power and Light Company (KP&L) and Central Kansas Power Company (CKP) filed a joint application with the Federal Power Commission, pursuant to the provisions of section 203 of the Federal Power Act, for an order authorizing the statutory merger of the two corporations with the Kansas Power and Light Company remaining as the surviving corporation.

Kansas Power and Light Company is incorporated under the laws of the State of Kansas, with its principal business office at Topeka, Kansas, and is primarily engaged in the business of generation, transaction, distribution and sale of electric energy and the purchase, transmission, distribution and sale of natural gas in the northeastern and central portions of Kansas, aggregating approximately 27,500 square miles or about 33 percent of the area of the State. The population of the territory that KP&L provides with one or more retail or wholesale services is approximately 900,000.

Central Kansas Power Company is incorporated under the laws of the State of Kansas, with its principal business office at Hays, Kansas, and provides electric power to approximately 16,200 customers in 42 communities in northwestern Kansas; provides natural gas to about 8,000 customers located in four communities in said area; and operates a water plant serving about 700 customers.

The merger is to be accounted for under generally accepted accounting principles applicable to this type of transaction. The Uniform System of Accounts of the Kansas Commission and the Federal Power Commission require that the amounts recorded by the company for utility plant in service be the original cost of the property at the time it was first devoted to public service. Original cost is the amount at which the property is carried on the books of CKP and also the amount anticipated to be recovered through rates in the future. The excess of the purchase price over the net book value of assets acquired less liabilities assumed, which it estimated to be $1,118,000, will be recorded as a Plant Acquisition Adjustment to be amortized over the remaining lives of the related assets.

The application proposes a statutory merger under which all facilities of CKP for the operation of electric, gas and water services will be merged into KP&L and operated thereafter by KP&L, the surviving company, along with the existing electric, gas and steam facilities of that company. All outstanding contracts or other obligations for the purchase, sale or intercharge of electric energy between CKP and their parties will be assumed and performed by KP&L as the surviving corporation and the merger will not adversely affect the satisfactory performance of any such contracts.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 18, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and is available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17042 Filed 6-30-75;8:45 am]

[Docket No. CS73-15, etc.]

LEON L. HOYT, JR. AND HUGHES SEEWALD ET AL.

Applications for "Small Producer" Certificates [1]

JUNE 24, 1975.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before July 23, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

MARY B. KIDD,
Acting Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No.	Date filed	Applicant
C873-15	June 16, 1975[1]	Leon L. Hoyt, Jr., and Hughes Seewald, independent executors of the estate of D. D. Harrington, deceased, P.O. Box 189, Amarillo, Tex. 79105.
C875-530	June 11, 1975	Swanco Trust Co. for Frederick Swanson Bucholz, 8401 West Douglas Rd., Omaha, Nebr. 68114.
C875-531	....do.....	O. A. Sutton, 809 Sutton Pl., Wichita, Kans. 67202.
C875-532	....do.....	Jack G. Paulsen and Christine F. Paulsen, 800 Sutton Pl. Wichita, Kans. 67202.
C875-533	....do.....	Elbie G. McNeil and Phyllis B. McNeil, 800 Sutton Pl., Wichita, Kans., 67202.
C875-534	....do.....	Robert M. Enwer and Barbara D. Enwer, 800 Sutton Pl., Wichita, Kans. 67202.
C875-535	....do.....	Hooper, Kimball & Williams, Inc., 89 Broad Street, Room 1216, Boston, Mass. 02110.
C875-536	June 9, 1975	Nancy P. Tonkin, 1524 Park Ave., S.W., Albuquerque, N. Mex. 87104.
C875-537	June 12, 1975	Harold H. Anderson, Room 1475, 111 West Monroe St., Chicago, Ill. 60603.
C875-538	....do.....	W. R. Maxson, Shinglehouse, Pa. 16748.
C875-539	....do.....	Lee M. Crane, 313 South Mesa Verde, Aztec, N. Mex. 87410.
C875-540	June 13, 1975	Robert W. Walker, 2418 Terwilleger Blvd., Tulsa, Okla. 74114.
C875-541	June 16, 1975	Wilson Equity Resources, 1237 Delaware Ave., Buffalo, N.Y. 14209.
C875-542	....do.....	H. L. Bammert, Weesatche, Tex. 77993.
C875-543	June 11, 1975	Premier oil and gas program; 1974 Series Spring 1974 Partnership, 633 17th St., Suite 2100, Denver, Colo. 80202.

[1] Petition to amend to substitute Leon L. Hoyt, Jr. and Hughes Seewald, independent executors of the estate of D. D. Harrington, deceased, in lieu of D. D. Harrington, as certificate holder.

[FR Doc.75-17060 Filed 6-30-75;8:45 am]

[Rate Schedule Nos. 93, etc.]

MARATHON OIL CO., ET AL.

Rate Change Filings

JUNE 23, 1975.

Take notice that the producers listed in the Appendix attached below have filed proposed increased rates to the applicable new gas national ceiling based on the interpretation of vintaging concepts set forth by the Commission in its Opinion No. 699-H, issued December 4, 1974. Pursuant to Opinion No. 699-H the rates, if accepted, will become effective as of the date of filing.

The information relevant to each of these sales is listed in the Appendix below.

Any person desiring to be heard or to make any protest with reference to said filings should on or before July 7, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). A protest will not serve to make the protestant a party to the proceeding. Any party wishing to become a party to a proceeding must file a petition to intervene in accordance with the Commission's rules.

MARY B. KIDD,
Acting Secretary.

APPENDIX

Filing date	Producer	Rate Schedule No.	Buyer	Area
June 6, 1975	Marathon Oil Co., 539 South Main St., Findlay, Ohio 45840.	93	Montana-Dakota Utilities Co.	Rocky Mountain.
	Skelly Oil Co., P.O. Box 1650, Tulsa, Okla. 74102.	8	Texas Eastern Transmission Corp.	Texas Gulf Coast.

[FR Doc.75-17061 Filed 6-30-75;8:45 am]

[Docket No. CP72-184]

MICHIGAN WISCONSIN PIPE LINE CO.

Petition To Amend

JUNE 23, 1975.

Take notice that on June 16, 1975, Michigan Wisconsin Pipe Line Company (Petitioner), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP72-184 a petition to amend the order of the Commission issued in said docket on June 1, 1972, as amended on July 26, 1973, pursuant to Section 7(c) of the Natural Gas Act by authorizing an increase in the daily redelivery rate of natural gas stored by Petitioner for Wisconsin Southern Gas Company, Inc. (Wisconsin Southern), from 4,000 Mcf to 6,000 Mcf, all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

Petitioner states that the Commission authorized by its order of June 1, 1972, as amended July 26, 1973, Petitioner to store natural gas for and to deliver gas to Wisconsin Southern. Petitioner further states that the amended order authorized it to store an annual volume of up to 400,000 Mcf of gas and to redeliver up to 4,000 Mcf of gas per day. The gas is delivered to Petitioner in the summer months for redelivery during the period from November 1 to the next succeeding March 1. Petitioner requests authorization in the instant petition to increase the volume to be redelivered per day by 2,000 Mcf, to a proposed maximum of 6,000 Mcf of gas per day. Petitioner further states that the proposed increase in available daily deliveries is pursuant to an agreement dated March 1, 1975, amending the Storage Agreement to provided for the service requested by Wisconsin Southern to assist Wisconsin Southern in meeting anticipated winter peak requirements. No increase in the annual storage volume is proposed.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before July 10, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17043 Filed 6-30-75;8:45 am]

[Docket No. E-9499]

MINNESOTA POWER & LIGHT CO.

Filing of Electric Service Agreement

JUNE 24, 1975.

Take notice that on June 16, 1975, Minnesota Power & Light Company (MP&L) tendered for filing an Electric Service Agreement dated June 11, 1975, between the City of Wadena, Minnesota and MP&L.

MP&L states that this Agreement replaces Federal Power Commission Rate Schedule No. 28 which has expired and that this new Agreement will have no anticipated effect upon revenue.

MP&L states that service has been made upon the City of Wadena in accordance with § 35.2(d) of the Commission's regulations.

MP&L requests the Agreement become effective as soon as possible under the Commission's regulations.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 8, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person

wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17044 Filed 6-30-75;8:45 am]

[Docket No. CP75-357]

NATIONAL FUEL GAS SUPPLY CORP.

Application

JUNE 23, 1975.

Take notice that on June 5, 1975, National Fuel Gas Supply Corporation (Applicant), 308 Seneca Street, Oil City, Pennsylvania 16301, filed in Docket No. CP75-357 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and transportation of natural gas from supplemental sources to its non-affiliated wholesale customers, all as more fully set forth in the application on file with the Commission and open to pubic inspection.

Applicant states that it is a natural gas company that sells at wholesale to three non-affiliated customers, Mercer Gas Company (Mercer), North East Heat & Light Co. (North East), and the Peoples Natural Gas Co. (Peoples) and to its affiliate, National Fuel Gas Distribution Corporation (Distribution). Sales to the non-affiliated customers together are said to account for 1.33 percent of Applicant's total sales. Applicant alleges that Distribution purchases at $1.33 per Mcf subject to adjustment, a higher cost than that of natural gas from historic sources, synthetic natural gas (SNG) from Ashland Oil, Inc., and that in the future it will purchase SNG from the Columbia Gas System and other sources. Applicant states that the SNG so purchased becomes part of the total supply of Applicant's system.

Applicant proposes to sell gas to its non-affiliated customers both from historic and supplemental sources. Applicant states that it would not transport any SNG purchased by Distribution, but that the SNG deliveries would be made by displacement. Applicant further states that these supplemental supplies would be on a firm basis and not subject to curtailment except as provided under Applicant's FPC Gas Tariff, Original Volume No. 1, sections 10 and 16 of the General Terms and Conditions. Applicant alleges that Mercer, North East, and Peoples have agreed to purchase the SNG on a *pro rata* basis[1] at the cost to the system. Applicant states that the supplies from traditional sources of natural gas have been declining since 1971 and that the supplemental supply would be used to offset the decline and minimize the curtailments of Applicant's deliveries in the future. Applicant states that it is requesting that this service be authorized by July 1, 1975 and that no facilities would need to be constructed to implement this proposal. No change in delivery volumes is proposed. The instant proposal is intended, according to Applicant, to permit the non-affiliated customers to bear a share of the higher system costs of purchased gas.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 10, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

	Pro rata basis (percent)	Initial annual supplemental supply (in thousand cubic feet)	
		Reflecting Ashland supply	Reflecting Columbia supply
Mercer Gas Co.	0.22	38,500	937
North East Heat & Light Co.	0.42	73,500	1,789
The Peoples Natural Gas Co.	0.69	120,750	2,940
	1.33	232,750	5,666

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17062 Filed 6-30-75;8:45 am]

[Docket No. RP71-125, PGA75-12]

NATURAL GAS PIPELINE COMPANY OF AMERICA

PGA Filing To Track a Pipeline Supplier Rate Increase and Elimination of Special One-Time PGA Surcharge

JUNE 25, 1975.

Take notice that on June 16, 1975, Natural Gas Pipeline Company of America (Natural) submitted for filing as part of its FPC Gas Tariff, Third Revised Volume No. 1, Substitute Twenty-Fourth Revised Sheet No. 5, to be effective August 1, 1975.

Natural states the purpose of this filing is:

1. To track the increased cost of gas purchased from Colorado Interstate Gas Company (Colorado) and Great Lakes Gas Transmission Company (Great Lakes) pursuant to the provisions of section 18, Purchased Gas Cost Adjustment, of the General Terms and Conditions of Natural's FPC Gas Tariff. Colorado's filing of June 6, 1975 and Great Lakes' filing of June 13, 1975 were filed to reflect increase from their suppliers due to an increase in the cost of Canadian gas to be effective August 1, 1975.

2. To eliminate the special one-time PGA surcharge of 3.31 cents that became effective February 5, 1975, as provided for in the Commission's Opinion No. 699-G at Docket No. R389-B. This surcharge was designed to be effective for a six month period from February 5, 1975; however, Natural is requesting that the reduction become effective August 1, 1975, to coincide with the effective date of the pipeline increases being tracked herein.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 16, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17045 Filed 6-30-75;8:45 am]

[Docket No. CS71-6]

NORTHERN NATURAL GAS CO. AND JOHN L. CRAWFORD

Extension of Time for Filing Interventions

JUNE 24, 1975.

On June 23, 1975, Dow Chemical Company and Dan J. Harrison, Jr., et al., jointly filed a motion to extend the time for filing interventions fixed by notice issued May 30, 1975, in the above-designated matter. The motion states Northern Natural Gas Company has been notified and has no objection.

Upon consideration, notice is hereby given that the date for filing petitions to intervene is extended to and including June 30, 1975.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17046 Filed 6-30-75;8:45 am]

[1] The resultant annual volumes of supplemental supply are said to be as follows:

[Docket No. CP74-31]

NORTHERN NATURAL GAS CO.

Petition To Amend

JUNE 25, 1975.

Take notice that on June 16, 1975, Northern Natural Gas Company (Petitioner), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP74-31 a petition to amend the order of the Commission issued pursuant to section 7(c) of the Nautral Gas Act in said docket by conforming the authorization granted therein to the facilities constructed in excess of authorized costs, all as more fully set forth in the petition on file with the Commission and open to public inspection.

By order issued October 3, 1973 (50 FPC 1004), Petitioner was authorized to construct unspecified gas purchase facilities within the contemplation of § 157.7(b) of the regulations under the Natural Gas Act (18 CFR 157.7(b)). Said facilities were not to exceed a total cost of $7,000,000 nor was any individual project to exceed a cost of $1,000,000.

Petitioner states that it constructed a 2,000 h.p. compressor addition, estimated to cost $923,000 but actually costing $1,174,606, at its Hugoton Station and a 2,000 h.p. compressor addition, estimated to cost $924,000 but actually costing $1,185,631, at its Hemphill County No. 2 gathering station. Petitioner attributes the excess costs at the Hugoton station to the increased costs of labor and materials and the excess costs at the Hemphill station to increased costs of materials. Total expenditures for all facilities are said to have been $7,293,856.

Petitioner requests that the order granting the authorization for the subject facilities be amended to conform the certificate to the actual costs.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before July 17, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17047 Filed 6-30-75;8:45 am]

[Project No. 502]

PACIFIC GAS AND ELECTRIC CO.

Issuance of Annual License

JUNE 24, 1975.

On October 31, 1963, Pacific Gas and Electric Company, Licensee for Drum-Spaulding-Summit Transmission Line Project No. 502, located in Nevada County, State of California, filed an application for surrender of license. On the same date, Pacific Gas and Electric Company filed an application for amendment of license for Project No. 2310. The proposed amendment would incorporate the Drum-Spaulding-Summit transmission line as a part of the license for Project No. 2310, to be effective the date of the surrender of the license for Project No. 502.

The license for Project No. 502 was issued effective June 23, 1924, for a period ending June 23, 1974. Since the original date of expiration, the project has been under annual license. In order to authorize the continued operation and maintenance of the project pending Commission action on Licensee's application to surrender or the filing of an application for a new license and Commission action thereon, it is appropriate and in the public interest to issue an annual license to Pacific Gas and Electric Company for continued operation and maintenance of Project No. 502.

Take notice that an annual license is issued to Pacific Gas and Electric Company (Licensee) for the period June 24, 1975, to June 23, 1976, or until amendment of the license for Project No. 2310, or the issuance of a new license for the project, whichever comes first, for the continued operation and maintenance of Drum-Spaulding-Summit Transmission Line Project No. 502, subject to the terms and conditions of its present license.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-17048 Filed 6-30-75;8:45 am]

[Docket No. E-7777; (Phase II)]

PACIFIC GAS AND ELECTRIC CO.

Further Extension of Procedural Dates; Correction

JUNE 10, 1975.

In the notice of further extension of procedural dates, issued May 29, 1975, and published in the FEDERAL REGISTER on June 5, 1975, 40 FR 24246, the above notice should be corrected to add the following service date:

Service of Staff Testimony, August 28, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-17049 Filed 6-30-75;8:45 am]

[Docket No. E-8882]

PUBLIC SERVICE COMPANY OF COLORADO

Filing of Proposed Stipulation and Agreement of Settlement

JUNE 24, 1975.

Take notice that on June 19, 1975, Public Service Company of Colorado (PSCC) tendered for filing a proposed Stipulation and Agreement of Settlement which, if approved, would dispose of all of the issues in this proceeding with one exception. The Agreement provides that certain matters enumerated therein which pertain to PSCC's service to Intermountain Rural Electric Association will be resolved before or during PSCC's next general rate increase filing, to be made before December 31, 1975. PSCC states that neither the Public Utilities Commission of Colorado, nor Central Telephone and Utilities Corporation, Southern Colorado Power Division, the only other parties to this proceeding, objects to the proposed Agreement.

Inasmuch as the terms of the Agreement require that the Commission waive the notice requirements of its Regulations, PSCC requests a waiver according to said terms.

PSCC states that copies of the proposed Agreement have been sent to all interested parties.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 7, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17050 Filed 6-30-75;8:45 am]

[Docket No. CP71-273]

SOUTHERN NATURAL GAS CO.

Petition To Amend

JUNE 24, 1975.

Take notice that on June 12, 1975, Southern Natural Gas Company (Petitioner), PO. Box 2563, Birmingham, Alabama 35202, filed in Docket No. CP71-273 a petition to amend the order of the Commission issued October 8, 1971, pursuant to section 7(c) of the Natural Gas Act by authorizing the construction and operation of 22 additional injection-withdrawal wells, 3 observation wells, 2.9 miles of pipeline, and various appurtenant facilities, in Muldon Field, Monroe County, Mississippi, to increase the storage capacity of that field, all as more fully set forth in the petition on file with the Commission and open to public inspection.

Petitioner requests authorization to construct and operate 22 additional injection-withdrawal wells, 3 observation wells, certain wellhead measuring facilities and other ancillary facilities, dehydration, regulating and measurement facilities at the central plant, and 1.0 mile of 12-inch pipeline, 0.2 mile of 10-inch pipeline, and 1.7 miles of 8-inch pipeline to connect the proposed injection-withdrawal wells with the central plant. Petitioner further requests that the order be amended to authorize cer-

tain alterations in Petitioner's regulating equipment located at its existing North Main Line facilities near Brooksville Junction. Petitioner also requests authorization to increase the active working gas inventory from approximately 42,800,000 Mcf to approximately 52,000,000 Mcf which would be available for withdrawal during winter heating seasons at a maximum daily rate of approximately 750,000 Mcf.

Petitioner alleges that the proposed changes would increase the maximum withdrawal rate from the Muldon Field during peak demand days from approximately 459,000 Mcf to approximately 750,000 Mcf and increase the working gas capacity of the field from approximately 42,800,000 Mcf to approximately 52,000,000 Mcf, and that these increases would be accomplished without increasing the maximum inventory of gas stored in the reservoir or additional compression facilities. Petitioner estimates that the costs of the proposed facilities would be $15,019,070, which would be paid from cash on hand and from Petitioner's credit sources.

Petitioner alleges that the proposed facilities would further assist Petitioner in serving its Priority 1 and 2 requirements during winter heating seasons.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before July 14, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17051 Filed 6-30-75;8:45 am]

[Docket No. CP75-163]

SOUTHERN NATURAL GAS CO.

Petition To Amend

JUNE 23, 1975.

Take notice that on May 14, 1975, Southern Natural Gas Company (Petitioner), P.O. Box 2563, Birmingham, Alabama 35202, filed in Docket No. CP75-163 a petition to amend its application of November 26, 1974, for a certificate of public convenience and necessity authorizing the construction of certain facilities, to wit approximately 1½ miles of 18-inch pipeline and one 3,600 h.p. compressor in St. Mary Parish near Shadyside, Louisiana, all as more fully set forth in the petition on file with the Commission and open to public inspection.

Petitioner alleges that it has filed a general rate increase pursuant to section 4 of the Natural Gas Act and anticipates that the rate increase will become effective on October 16, 1975. As a result of this increase, Petitioner states that the cost of service for the subject facilities would increase.

The application of November 26, 1974, indicates that the incremental cost of service for the subject facilities for the first three years of operation would be $597,781, $572,546 and $549,584, respectively; and the instant petition indicates that the incremental cost of service after the rate increase for the first three years of operation would be $953,609, $905,707 and $860,176, respectively.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before July 2, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17052 Filed 6-30-75;8:45 am]

[Docket No. RP74-41, PGA 75-9]

TEXAS EASTERN TRANSMISSION CORP.

Proposed Changes in FPC Gas Tariff

JUNE 24, 1975.

Take notice that Texas Eastern Transmission Corporation on June, 1975 tendered for filing proposed changes in its FPC Gas Tariff, Fourth Revised Volume No. 1, the following sheets:

Thirteenth Revised Sheet No. 14
Thirteenth Revised Sheet No. 14A
Thirteenth Revised Sheet No. 14B
Thirteenth Revised Sheet No. 14C
Thirteenth Revised Sheet No. 14D

These sheets are issued pursuant to the purchased gas cost adjustment provision contained in section 23 of the General Terms and Conditions of Texas Eastern's FPC Gas Tariff, Fourth Revised Volume No. 1. The change in Texas Eastern rates proposed by this filing reflects changes in the cost of gas purchased from two of Texas Eastern's pipeline suppliers, Southern Natural Gas Company and Texas Gas Transmission Corporation. The proposed effective date of the above tariff sheets is August 1, 1975.

Copies of the filing were served upon the company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 14, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17053 Filed 6-30-75;8:45 am]

[Docket Nos. RP74-25, RP72-156, PGA75-2, PGA75-2A]

TEXAS GAS TRANSMISSION CORP.

Order Setting Date for Hearing

JUNE 17, 1975.

On June 13, 1974, Texas Gas Transmission Corporation (Texas Gas) tendered for filing a proposed tariff sheet providing for a purchased gas cost adjustment (PGA) rate increase. Commission review of the June 13 filing indicated that Texas Gas was making emergency purchases from eleven producers at rates above the national rate established by Opinion No. 699[2] at that time. By order of July 31, 1974, Docket No. RP72-156, the Commission found that the claimed increased costs not pertaining to emergency purchases at rates in excess of Opinion No. 699 levels were justified, but that those pertaining to such emergency purchases should be suspended for one day until August 2, 1974.

Texas Gas on December 26, 1974, filed settlement rates approved by order issued December 20, 1974, in Docket No. RP74-25, adjusted to reflect and supersede the cumulative effect of PGA rate increase filings made by it December 16 and 23, 1974.[3] By order of January 31, 1975, Docket Nos. RP74-25, RP72-156, PGA75-2, and PGA75-2A, the Commission found that the claimed costs of the December 26 filing other than those associated with emergency purchases at rates in excess of Opinion No. 699-H levels were justified, but that those associated with such emergency purchases should be suspended for one day until February 2, 1975.

Texas Gas' PGA rate increase filings in the instant dockets, discussed above, raise a question as to whether the in-

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[1] Tenth Revised Sheet No. 7 to FPC Gas Tariff Third Revised Volume No. 1.

[2] Opinion No. 699, Docket No. R-389-B, Opinion And Order Prescribing Uniform National Rate For Sales Of Natural Gas Produced From Wells Commenced On Or After January 1, 1973, And New Dedications of Natural Gas To Interstate Commerce On Or After January 1, 1973, issued June 21, 1974. That opinion was modified by Opinion No. 699-H issued December 4, 1974.

[3] Fifth Substitute Tenth Revised Sheet No. 7 to Third Revised Volume No. 1.

creased costs claimed therein relating to emergency gas purchases at rates in excess of Opinion No. 699–H levels are justified.[4]

We indicated in Order No. 491–B issued November 2, 1973, mimeo p. 13, that we would "scrutinize the rates of all 180 day emergency purchases in the review of purchased gas costs in pipeline rate proceedings, including purchased gas [sic] adjustment clause increases." We made it clear that we would "permit the pipeline to pass on to the consumer the rates of emergency purchases only when such rates can be shown to have been required by the public interest." Accordingly, we are setting these matters for hearing to give Texas Gas an opportunity to show that the prices paid by it for emergency sales made by producers pursuant to Order No. 491 as amended, which are reflected in its PGA increases, are in the public interest. In this connection we shall also make the producers involved respondents herein so that they may present project cost evidence to show that the rates charged by them are in the public interest.[5] These producers are listed on the Appendix hereto.

Cost evidence relating to the producer sales under Order No. 491 can clearly provide the basis for "just and reasonable" rate findings. "F.P.C. v. Texaco Inc.", 417 U.S. 380 (1974). It follows then, that the producer should introduce relevant evidence of the cost involved in its sale. Such evidence shall be considered together with all other material evidence which would support a finding of a just and reasonable rate in excess of the national rate.

The cost evidence submitted by the producer should include, *inter alia*, the direct and indirect costs, including the cost of all capital funds reasonably allocated to its sale. In addition, the producer should indicate the price for which the subject gas is now being sold, whether in intrastate or interstate commerce.

The pipeline should submit evidence as to (1) its need for the gas, (2) the availability of other gas supplies, (3) the amount of gas purchased from the producer involved under the emergency provisions of Order No. 491, as amended, (4) the rates of other producer sales under Order No. 491 approved for flow through, and (5) the prevailing prices in the area for both interstate and intrastate sales of gas.

Finally, the parties may submit any other evidence relevant to the Commission's determination of whether the rates paid by the pipeline with respect to sales under Order No. 491, as amended, are in the public interest.

The Commission finds. It is necessary and in the public interest that the above-docketed proceeding be set for hearing.

The Commission orders. (A) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, 7, 14 and 16 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), Docket Nos. RP74–25, RP72–156, PGA75–2, and PGA75–2A, are set for the purpose of hearing and disposition with respect to the emergency purchases of Texas Gas discussed in the body of this order.

(B) A public hearing on the issues presented herein shall be held commencing on July 30, 1975, at 10 a.m. (EDT) in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426.

(C) The producers listed on the Appendix hereto are hereby made respondents in this proceeding.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5 (d)) shall preside at the hearing in this proceeding pursuant to the Commission's rules of practice and procedure.

(E) Texas Gas and the producers listed in the Appendix shall file their direct testimony and evidence on or before July 16, 1975. All testimony and evidence shall be served upon the Presiding Administrative Law Judge, the Commission Staff, and all parties.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX

Producer respondents:	*Rate cents*
Texas Gas Explor. Co	65
Quintana Prod. Co	60
Robert J. Hewitt	60
North Am. Royalties, Inc	60
Wayne J. Spears	60
Hulsache Operating Co	66.66

[FR Doc.75–17063 Filed 6–30–75;8:45 am]

[Docket No. E–9385]

UNION ELECTRIC CO.

Compliance Filing

JUNE 23, 1975.

Take notice that on June 16, 1975, the Missouri Utilities Company (Missouri) tendered for filing a Certificate of Concurrence asserting to and concurring with the supplement to its electric service agreement filed by Union Electric Company (Union) in this proceeding on April 17, 1975. This filing is made pursuant to a deficiency letter from the Secretary of the Federal Power Commission, dated May 13, 1975.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 3, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75–17055 Filed 6–30–75;8:45 am]

[Docket Nos. RP74–20, RP74–83]

UNITED GAS PIPE LINE CO.

Conference

JUNE 23, 1975.

Take notice that on Tuesday, July 1, 1975, a conference of all interested parties in the above-referenced dockets will be convened at 11 a.m., in Room 5200 at the offices of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426.

The conference will be held pursuant to § 1.18 (Conferences, Offers of Settlement) of the Commission's rules of practice and procedure (18 CFR 1.8). Customers and other interested persons will be permitted to attend, but if such persons have not previously been permitted to intervene by order of the Commission, such attendance at the conference will not be deemed to authorize such intervention as a party in the proceedings.

In accordance with the provisions of Section 1.18 of the Rules, all parties will be expected to come fully prepared to discuss the merits of all issues concerning the lawfulness of United Gas Pipe Line Company's proposed tariff changes, any procedural matters preparatory to a full evidentiary hearing, or to make commitments with respect to such issues and any offers of settlement or stipulations discussed at the conference.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75–17056 Filed 6–30–75;8:45 am]

[Docket No. CP74–94]

UNITED GAS PIPE LINE CO. ET AL.

Order Reopening Record and Establishing Procedures To Consider Proposed Settlement

JUNE 17, 1975.

Public notice is hereby given that on May 8, 1975, United Gas Pipe Line Company (United) filed with the Commission a motion pursuant to § 1.12 of the Commission's rules of practice and procedure for an order which would reopen the record in the captioned proceeding for the limited purpose of admitting and considering certain proposed settlement agreements, gas purchase contracts, guaranty agreements and releases submitted therewith and collectively designated as "Appendix A". United represents that its motion has the full support

[4] There is no need for Texas Gas to present any evidence with respect to those emergency sales reflected in its filing in Docket No. RP72–156, which exceed the rate established in Opinion No. 699 but do not exceed the higher rate prescribed in Opinion No. 699–H to be effective as of June 21, 1974.

[5] Under Order No. 491–B producers are not required to make any refunds.

of Billy J. McCombs, R. James Stillings, d/b/a Gastill Company, David A. Onsgard, Basin Petroleum Corporation, E. I. du Pont de Nemours & Company and Bill Forney (collectively designated as the McCombs Group); Louis H. Haring, Jr. (Haring) and National Exploration Company (NEC), all respondents herein. No answers have been filed although the time for doing so has expired.

United asserts in support of its motion that on October 9, 1973, it filed a complaint in Docket No. CP74-94 against the members of the McCombs Group (except Mr. Forney, who was made a respondent later), Haring and NEC alleging, in substance, that they were violating section 7 of the Natural Gas Act by participating in the sale of natural gas in intrastate commerce from the Butler B lease in Goliad and Karnes Counties, Texas, which acreage had been dedicated to United in interstate commerce under a gas purchase contract dated April 29, 1953 (the 1953 Contract), between United and Mrs. Bee Quin, individually and as independent executrix of the estate of W. R. Quin, pursuant to certificates of public convenience and necessity issued by the Commission in Docket Nos. G-2997 and G-2998. United asserts, further, that it requested that the respondents be ordered to deliver to it all gas produced from or attributable to the Butler B lease, and that they be required to deliver to it volumes equivalent to those previously produced from or attributable to such lease. United asserts, still further, that the respondents denied its claims; that the Commission instituted a proceeding by order dated November 27, 1973, for the purpose of investigating its complaint; that hearings were held before an administrative law judge who issued an initial decision on April 26, 1974; and that exceptions were filed by all parties which are now pending before the Commission.

Additionally, United asserts that nearly two years of settlement efforts by all parties have resulted in the execution of three settlement agreements which are intended to resolve all controversies existing between United and each of the three groups in this proceeding—the McCombs Group, Haring (which is now said to be the Haring Group) and NEC. United asserts, further, that effectiveness of all of the agreements is specifically conditioned on approval in their entirety stances of the agreements, which cover future sales of gas from the Butler B lease and other acreage, may be summarized as follows:

UNITED-HARING AGREEMENT

United and Haring have agreed to amend certain portions of the 1953 Contract including the minimum volume, measurement, pricing and tax reimbursement provisions thereof. The amended agreement provides for the sale to United of gas produced from that portion of the Butler B lease to which Haring holds title at a price of 60 cents per Mcf through November 1, 1975, with one cent annual escalations thereafter. Such sales will be made by Haring under his existing small producer certificate issued in Docket No. CS72-778.

UNITED-NEC AGREEMENT

United and NEC have entered into a new gas purchase contract covering gas produced from and attributable to NEC's interest in the Butler B lease, subject to the reservation by NEC of sufficient gas for development and operation of its Butler B leasehold, the processing, treating or compressing of gas produced from such leasehold, and the supplying of gas to its lessors. The contract calls for a price of 60 cents per Mcf through November 1, 1975, with one cent annual escalations thereafter. NEC intends to make this sale under its small producer certificate issued in Docket No. CS71-484. This new gas purchase contract completely supersedes the 1953 Contract except for any and all obligations of warranty owed to United with respect to gas delivered thereunder.

UNITED-MCCOMBS GROUP AGREEMENT

The McCombs Group agrees to make available for delivery to United quantities of gas not to exceed 8.5 Bcf, produced from the following wells: (1) Basin Petroleum Corp. No. 1 Marie Fruge Well, N.W. Chalkley Field, Calcasieu Parish, Louisiana; (2) Basin Petroleum Corp. No. 1 Miami Corp. Well, Bayou Sale Field, St. Marys Parish, Louisiana; (3) Bill Forney No. 1 Wychopen Well, Unnamed Field, Wharton County, Texas; (4) Bill Forney No. 1 Hutchins-Pearson Well, Unnamed Field, Wharton County, Texas; (5) Bill Forney No. 3 B. C. Butler et al Well, McCaskill Field, Karnes County, Texas, only insofar as the gas may be produced from the Wilcox M-1, M-2, and M-2A zones. The Bill Forney No. 3, well is the only McCombs Group well physically located on the Butler B lease. In addition, each member of the McCombs Group severally executed a guaranty that within three years from the date these agreements become effective following Commission approval each shall spend not less than his proportionate share of $500,000 in the exploration for additional reserves of gas in areas where such gas could be delivered, either directly or by exchange to United. Any such reserves would be sold to United until a total of 8.5 Bcf of gas has been sold and delivered to United by the McCombs Group.

As part of this settlement, United and the McCombs Group has executed gas purchase contracts covering the sale of gas from the above-mentioned wells. Basically, these agreements provide that the McCombs Group will arrange and pay for delivery of gas to United's system from these wells and will charge therefor 60 cents per Mcf through November 1, 1975 with one cent per Mcf annual escalations thereafter. Each of the contracts provides for a reservation of gas by the McCombs Group identical to that contained in the NEC contract. Each member of the McCombs Group proposes to sell gas to United under existing small producer certificates issued in Docket Nos. CS71-1119, CS72-338, CS72-578, CS72-609, and CS72-611.

As conditions precedent to the effectiveness of the United-McCombs Group agreements, the parties would require that the Commission (1) authorize the McCombs Group to make the sales contemplated by the gas purchase agreements under existing small producer certificates, (2) authorize the McCombs Group to increase the rates provided for in the gas purchase agreements on the terms contained therein or state that such authority otherwise exists, (3) permit pre-granted abandonment of service to United at such time as an aggregate of 8.5 Bcf of gas has been delivered to United under any one or more of the gas purchase agreements, and any other agreement providing for gas to be sold to United as contemplated by the settlement, and (4) amends its regulations to provide that a rate of at least 150 percent of the Commission-determined base ceiling rate applicable to a comparable large producer sale may be charged and received by a small producer and paid by the purchaser, as the lawful, just, and reasonable rate provided by the Commission pursuant to the Natural Gas Act.

While United asserts that further hearings in this matter would not serve any useful purpose, the Commission finds that the record in this proceeding should be reopened for the limited purpose of admitting and considering the documents designated as Appendix A, that a further hearing should be held for the purpose of receiving and considering evidence to support the proposed settlement embraced by Appendix A fully on its merits and that the presiding administrative law judge should thereafter certify to us the proposed settlement together with the record and his initial decision thereon.

Any persons desiring to protest the proposed settlement or to be heard in connection therewith should file protests or petitions to intervene with the Federal Power Commission, Washington, D.C. 20426, in accordance with the requirements of § 1.10 or § 1.8, respectively, of the Commission's rules of practice and procedure, 18 CFR 1.10 or 1.8, respectively, on or before July 16, 1975. All duly filed protests will be considered by the administrative law judge and by the Commission in determining the appropriate action to be taken but will not make the protestants parties to the proceeding. Persons wishing to participate as parties in the further hearing must become parties to the proceeding by filing petitions to intervene in accordance with § 1.8 of the Commission's rules. Appendix A is on file with the Commission and is available for public inspection.

The parties shall file their direct evidence to support the proposed settlement together with their initial comments thereon on or before July 16, 1975. Rebuttal evidence and reply comments, if any, shall be filed by July 30, 1975. The presiding administrative law judge shall establish further procedural dates.

The Commission finds. Good cause exists for reopening the record in this proceeding for the limited purpose of admitting, supporting and considernig Appendix A described herein.

The Commission orders. Public notice of the filing of the proposed settlement embraced by Appendix A described herein and of this action shall be given and published forthwith, and the record in this proceeding is reopened for the limited purpose of admitting, supporting and

considering Appendix A in accordance with the procedures established herein.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-17057 Filed 6-30-75;8:45 am]

[Docket Nos. RP73-94, etc.]

VALLEY GAS TRANSMISSION, INC. AND TENNESSEE GAS PIPELINE CO.

Order Prescribing Procedures

JUNE 17, 1975.

The Commission Staff on April 18, 1975, moved the Commission for an order (1) severing the rate proceedings in Docket No. RP73-94 from the other consolidated proceedings, (2) denying withdrawal of a petition to amend filed by Valley Gas Transmission, Inc. (Valley) in Docket No. G-19618, (3) requiring Valley to show cause why it should not be held in violation of the Natural Gas Act for dedicating gas reserves twice over, (4) requiring Tennessee Gas Pipeline Company, a division of Tenneco, Inc., (Tennessee) to show cause why it should not be held in violation of the Natural Gas Act for receiving gas dedicated to Natural Fuel Gas Company (NFG), (5), requiring Tennessee to show cause why it should not be required to pay back to NFG 74.69 Bcf of natural gas wrongly diverted, and (6) vacating hearings previously ordered. Answers opposing the Staff's motion in whole or in part were filed on or about May 5, 1975, by Valley, Tennessee, NFG, Consolidated Gas Supply Corporation, Bay State Gas Company et al., and Columbia Gas Transmission Company.

Docket No. RP73-94 arose from a rate increase filing by Valley and involved a proposed purchased gas cost adjustment provision. Tennessee is authorized by Commission orders in Docket Nos. CP63-247 (29 FPC 1000) and CP75-93 (33 FPC 617) to transport for NFG up to 34,810 Mcf of gas per day (14.73 psia), which gas is purchased by NFG from Valley under Commission orders in Docket Nos. CP63-270 (30 FPC 349) and CP65-123 (33 FPC 617). Various filings were made in these several certificate dockets and in Docket No. CP75-53 to carry out a proposed settlement agreement dated July 8, 1974, relating to the supply and delivery of gas to Tennessee and NFG.

In an order of December 27, 1974, the Commission considered the proposed 1974 settlement. It found that Tennessee's customers in Docket No. RP73-94 were taken somewhat by surprise and that the rate proceeding should be consolidated with the certificate proceedings, and it remanded the settlement and the six certificate filings so that a record could be formed and the public interest determined.

Subsequently on March 6, 1975, the parties entered into a new settlement agreement providing as follows:

(1) All of the Luby and Petronilla Field reserves available to Valley under a contract with Pan American Petroleum Corporation were dedicated *ab initio* to NFG;

(2) The entire balance of the Luby and Petronilla Field reserves estimated at 40 Bcf is committed by Valley to NFG;

(3) The existing sales contract dated March 27, 1963 between NFG and Valley, which is the basis of the certificate in Docket No. CP63-270, will be terminated;

(4) The sales contract dated October 23, 1964, between NFG and Valley that is the basis of the certificate rate in Docket No. CP65-123 will be amended so that NFG will be entitled to all of the gas produced from the reserves. Further Valley dedicated its reserves and sufficient additional reserves to bring aggregated daily deliveries up to 35,000 Mcf.

(5) Valley will cause its affiliate, HNG Fossil Fuels Company, to sell to NFG all of its interest in gas from certain offshore reserves.

(6) NFG and Tennessee will execute agreements for the transportation of the gas sold by Valley and Fossil Fuels to NFG.

(7) Tennessee will pay back to NFG a total of 29.2 Bcf of Natural Gas, but this will be reduced by deliveries in excess of 35,000 Mcf a day to NFG.

As a result of the proposed settlement, Tennessee withdrew its application of August 23, 1974, in Docket No. CP75-53 and in that docket now requests authorization to sell to NFG 9,946 Mcf of gas per day so as to effect the pay-back deliveries. Tennessee also withdrew its application filed the same date in Docket Nos. CP63-247 and CP65-93 covering the transportation gas and submits a request that the transportation volume be reduced from 34,810 to 14,919 Mcf per day. In addition Valley withdrew its applications filed August 13, 1974, in Docket Nos. G-19618, CP63-270 and CP 65-123. In CP63-270 Valley seeks to abandon sales to NFG of 24,864 Mcf per day and in CP65-123 to consolidate all of its sales to NFG under one certificate.

We can consider the Staff's several requests as follows:

(1) Severing Docket No. RP73-94 from the ceritficate cases—The Staff contends that the certificate matters are inappropriate for consolidation with the original rate proceedings and should be severed. It says that severance is advisable in view of questions raised by the parties and the Administrative Law Judge concerning the relationship between Valley's purchased gas adjustment sought in Docket No. RP73-94 and the present proceedings. No party except Columbia [1] objects, and we agree with the Staff that the rate case should be severed from the certificate cases.

(2) Denying withdrawal of the petition to amend Valley's certificate in Docket No. G-19618—Valley says that its petition to amend the certificate in Docket No. G-19618 is designed to carry out the 1974 settlement by shifting gas production from NFG to Tennessee, but under the 1975 settlement the reserves dedicated to NFG will remain dedicated to NFG, so that the Commission should permit Valley to withdraw its petition to amend in Docket No. G-19618. The Staff says, on the other hand, that the petition to clarify the reserve dedications of Valley to Tennessee forms a part of the issues in this docket and should accordingly be retained to permit continued examination of Docket No. G-19618. We agree with this view and deny withdrawal of the petition.

(3) (4) Orders to show cause as to why Valley and Tennessee should not be held in violation of the Natural Gas Act—Staff takes the position that no activities in violation of the Natural Gas Act can be concealed by settlement and that under the present factual situation Staff is unable to enter into any agreement to conceal these activities. Staff says that Valley has apparently made an overlapping dedication in Docket No. G-19618 and CP63-270 between Tennessee and NFG. Also Tennessee with knowledge of Valley's letter dedicating reserves to it nevertheless undertook a transportation agreement in Docket No. CP63-247 to deliver gas to NFG, and continued to deliver the amounts specified in the docket by making up shortages from the Luby and Yeary Fields without certificate authority.

Valley denies Staff's allegations. It says that it made a limited dedication in the Petronilla Field to Tennessee and a specific dedication to NFG and that this did not constitute the dedication of the same reserves twice, nor an overlapping dedication, but assuming an overlapping dedication, it was wholly inadvertent.

Tennessee argues that all of the gas sold to NFG or Tennessee is carried by the Tennessee system in any case, and that if gas should have been sold to NFG but was sold to Tennessee, it would have been used for the benefit of all of Tennessee's customers, including NFG.

While we understand these contentions, the record shows a controversy over the dedication of the Valley reserves and some indication that shifting of reserves between NFG and Tennessee have occurred without Commission approval. We are of the opinion, therefore, that the whole matter should be examined through the issuance of an order to show cause directed to Valley and Tennessee. We think the show cause issues should be heard separately from the issues arising from the certificate applications and the proposed settlement. Therefore we shall designate the proceedings relating to the certificates and settlement as Phase I and the proceedings relating to the show cause issues as Phase II.

(5) Order to show cause why Tennessee should not pay back 74.69 Bcf to NFG—The Staff cites proposed testimony of NFG's witness that through February 1973, Tennessee received upwards of 74.69 Bcf of natural gas from the Petronilla Fields that was dedicated

[1] In its answer Columbia says that the Staff intends to splinter the present proceedings into a number of proceedings which will require independent determination. The Staff asked only that Docket No. RP73-94 be severed from the other proceedings.

to NFG. Staff suggests that this testimony be deemed a complaint and that an order be issued directing Tennessee to show cause why it should not be directed to pay back up to 74.69 Bcf of natural gas to NFG.

Valley contends that focusing on the 74.69 Bcf figure overlooks the agreement of Valley's affiliate, HNG Fossil Fuels Company to dedicate to NFG production from seven offshore tracts. Moreover, Valley asserts that the 74.69 Bcf is a figure for which there is no explanation in the record. Tennessee contends that NFG has agreed to accept 29.2 Bcf, and Tennessee's customers should not be forced to give up the 74.69 Bcf.

The Bay State Group contends that the Staff's motion would prejudice the question of pay-back and would put a much heavier burden on Tennessee and its customers than the parties had agreed upon. Consolidated Gas says that it is Tennessee's customers who will suffer the real burden of the pay-back and it is improper to shift the burden to Tennessee to show why 74.69 Bcf of gas should not be diverted from its other customers to NFG. Columbia Gas would not prolong the litigation over liability.

In our opinion the question of how much gas, if any, has been diverted from NFG to Tennessee is a question that should be investigated in Phase I in determining whether the 1975 settlement and any payback associated with that settlement is appropriate and in the public interest. We expect the presiding Judge to address the certificate issues concerning the diversion, including what customers were given an advantage by the diversion and what customers would be injured by payback. Because the payback question is the subject of Phase I as provided below, we shall not include it in our order to show cause. Our action is without prejudice to its renewal in Phase II should Phase I fail to reach a satisfactory resolution of the diversion and payback issues.

(6) Vacating hearings previously ordered—No respondent agreed with this suggestion; Valley and NFG objected to it specifically. Since some of the record already made relates to the reserve dedication, we do not believe it should be wiped out and proceedings begun anew. Rather we believe that the show cause matters, listed above under (3) and (4) should be heard in a separate phase of these proceedings, which we have designated as Phase II. This would leave in Phase I the 1975 settlement, the pay back issue and the other issues raised in the certificate proceedings.

The Commission further finds. It is necessary and appropriate in the administration of the Natural Gas Act that Docket No. RP73-94 be severed from the certificate proceedings, that withdrawal of Valley's petition to amend in Docket No. G-19618 be denied, that Tennessee and Valley be ordered to show cause as provided below, and that Staff's motion to vacate previous hearings be denied, but the show cause proceedings be heard in Phase II of the certificate case.

The Commission orders. (A) Docket No. RP73-94 is severed from the remaining dockets consolidated herein.

(B) Valley's withdrawal of its petition to amend its certificate in Docket No. G-19618 is denied.

(C) Valley shall show cause why it should not be held in violation of the Natural Gas Act with respect to the matters discussed above.

(D) Tennessee shall show cause why it should not be held in violation of the Natural Gas Act with respect to the matters discussed above.

(E) So much of Staff's motion which seeks an order for Tennessee to show cause why it should not be required to pay back to NFG 74.69 Bcf of natural gas diverted to Tennessee's own use is denied without prejudice to its renewal in Phase II of these proceedings.

(F) The matter covered by ordering paragraphs (C) and (D) shall be heard in Phase II of the proceedings in Docket Nos. G-19618, CP63-270, CP65-123, CP63-247, CP65-93, and CP75-53.

(G) A public hearing on the Phase II matters covered by ordering paragraphs (C), (D), and (F) shall be held in a hearing room of the Federal Power Commission, 825 North Capitol St. NE., Washington, D.C. 20426 commencing on September 9, 1975.

(H) The Presiding Administrative Law Judge shall hold such pre-hearing conferences as necessary; and the parties shall file their evidence on dates to be fixed by him.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[F.R. Doc.75-17058 Filed 6-30-75;8:45 am]

[Docket No. E-9500]

VIRGINIA ELECTRIC AND POWER CO.

Contract Supplement

JUNE 24, 1975.

Take notice that on June 17, 1975, Virginia Electric and Power Company (VEPCO) tendered for filing a contract supplement dated April 4, 1975, to its FPC Electric Tariff Original Volume No. 2 for the Greenville Utilities Commission (GUC), Greenville, North Carolina. This supplement supersedes Supplement B dated January 30, 1969. A copy of the revised Supplement B was submitted with this filing.

VEPCO states that this supplement is to allow VEPCO to combine GUC's new 115 KV delivery point with the existing 34.5 KV delivery point by totalized metering, and that after the connection is made GUC will limit its 34.5 KV delivery point load to 100 MVA.

VEPCO states further that no later than April 30, 1980, the Greenville Utilities Commission will have ceased receiving 34.5 KV delivery and will have only a 115 KV delivery point connected, or will pay to VEPCO a Monthly Facilities Charge for Excess Facilities in accordance with Article 15 of VEPCO's FPC Electric Tariff, Original Volume No. 1.

VEPCO requests that the effective date of this Supplement Contract with GUC to be as of the date of connection of the facilities which is expected to occur sometime in September, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 15, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-17054 Filed 6-30-75;8:45 am]

[Docket Nos. E-9420, E-9421]

YANKEE ATOMIC ELECTRIC POWER CO. AND PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

Order Accepting Proposed Rate Increases for Filing, Suspending Same, Consolidating Dockets, and Establishing Procedures; Correction

JUNE 10, 1975.

In the order accepting proposed rate increases for filing, suspending same, consolidating dockets, and establishing procedures, issued May 30, 1975, add the word "tendered" to the second line of the first paragraph of the Order issued May 30, 1975. The word should appear after the word "(Yankee)", published in the FEDERAL REGISTER on June 5, 1975, 40 FR 24250.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-17059 Filed 6-30-75;8:45 am]

[Docket No. E-9239]

INDIANA & MICHIGAN ELECTRIC CO.

Tariff Change

JUNE 25, 1975.

Take notice that Indiana & Michigan Electric Company (I&M), on June 20, 1975, tendered for filing proposed changes in its FPC Rate Schedule No. 58 applicable to service rendered by I&M to the City of Richmond, Indiana (Richmond). The proposed changes, I&M states, implement the contractual obligations as set forth in the service agreement between I&M and Richmond. The filing of those changes, I&M further asserts, is authorized by the decision of the United States Court of Appeals for the District of Columbia Circuit in "Richmond Power and Light v. FPC," 481 F.2d 490 (D.C. Cir. 1973).

According to I&M, the proposed changes, if accepted for filing, and if they had been in effect for the twelve calendar months for 1974, would have resulted in a decrease in the rates and charges paid to I&M by Richmond in the sum of $208,392 and would also have resulted in a decrease in the rates and charges to Richmond for the twelve months ending May 1975, in the sum of $168,528, if the

rates and charges had been in effect for that time period.

I&M states that copies of the filing were served upon Richmond and upon its counsel, as well as upon the Public Service Commission of Indiana.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 8, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-17030 Filed 6-30-75;8:45 am]

[Docket No. G-5720, etc.]

CALIFORNIA CO., DIVISION OF CHEVRON OIL CO. ET AL.

Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

JUNE 10, 1975.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before July 3, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-5720 D 5-27-75	The California Co., a Division of Chevron Oil Co., 1111 Tulane Ave., New Orleans, La. 70112.	Texas Eastern Transmission Corp., Hico, North Choudrant and Tremont Fields, Lincoln and Ouachita Parishes, La.	Production has ceased	.....
G-6045 C 5-27-75	Sun Oil Co., P.O. Box 2880, Dallas, Tex. 75221.	United Gas Pipe Line Co., Cotton Valley Field, Webster Parish, La.	[1] 60.0414	15.025
C161-1162 E 5-20-75	Ocean Production Co., successor to Ocean Drilling & Exploration Co., P.O. Box 61780, New Orleans, La. 70161.	Transcontinental Gas Pipe Line Corp., Block 16 Field, offshore Vermilion Parish, La.	[2] 31.1125	15.025
C161-1469 E 5-20-75	Ocean Production Co., successor to Ocean Drilling & Exploration Co.	Transcontinental Gas Pipe Line Corp., Block 113 Field, Ship Shoal Area, offshore Louisiana.	[2] 27.0	15.025
C161-1708 E 5-20-75	do	Transcontinental Gas Pipe Line Corp., South Pelto Block 30 Field, offshore Louisiana.	[2] 27.0	15.025
C166-1124 E 2-10-75	Northern Pump Co., Operator, and others, successor to Forest Oil Corp., 1915 57th Ave. North, Minneapolis, Minn. 55430.	Tennessee Gas Pipeline Co., a Division of Tenneco Inc., North Weslaco Field, Hidalgo County, Tex.	[3] 20.06469	14.65
C168-1406 E 5-20-75	Ocean Production Co., successor to Ocean Drilling & Exploration Co.	Transcontinental Gas Pipe Line Corp., Block 17 Field, offshore Vermilion Parish, La.	[2] 31.1125	15.025
C169-670 E 5-20-75	do	Transcontinental Gas Pipe Line Corp., Block 239 Field, Ship Shoal Area, offshore Louisiana.	27.0	15.025
C170-543 E 5-20-75	Ocean Production Co., successor to Ocean Drilling & Exploration Co., P.O. Box 61780, New Orleans, La. 70161.	Transcontinental Gas Pipe Line Corp., Block 172 Field, Eugene Island Area, offshore Louisiana.	[2] 27.0	15.025
C170-915 E 5-20-75	Ocean Production Co., successor to Ocean Drilling & Exploration Co.	Transcontinental Gas Pipe Line Corp., Block 101 Field, Vermilion Area, offshore Louisiana.	27.0	15.025
C175-94 E 5-20-75	do	Transcontinental Gas Pipe Line Corp., Block 118 Field, East Cameron Area, offshore Louisiana.	43.0	14.73
C175-708 (C160-722) F 5-19-75	Cabot Corp., SW, successor to Amoco Production Co., P.O. Box 1101, Pampa, Tex. 79065.	Panhandle Eastern Pipe Line Co., Barby Ranch Well 1-34 Gas Unit, Beaver County, Okla.	[4] 22.2691	14.65
C175-710 (G-4579) F 5-19-75	Texaco Inc., successor to Cities Service Oil Co., P.O. Box 2420, Tulsa, Okla. 74102.	Colorado Interstate Gas Co., a Division of Colorado Interstate Corp., Keyes Field, Texas County, Okla.	[5] 19.3075	14.65
C175-711 A 5-22-75	Skelly Oil Co., P.O. Box 1650, Tulsa, Okla. 74102.	Northwest Pipeline Corp., Craig Gas Unit, LaPlata County, Colo.	[6] 56.0	14.73
C175-713 A 5-27-75	Cities Service Oil Co., P.O. Box 300, Tulsa, Okla. 74102.	Panhandle Eastern Pipe Line Co., Acreage in Texas County, Okla.	[6] 54.5909	14.65
C175-714 A 5-27-75	Amoco Production Co., P.O. Box 3092, Houston, Tex. 77001.	Transwestern Pipeline Co., Black River Wolfcamp Field, Eddy County, N. Mex.	[7] 63.2306	14.65
C175-715 A 5-27-75	Tejas Gas Corp., P.O. Box 2806, Corpus Christi, Tex. 78403.	Transcontinental Gas Pipe Line Corp., LaSara Field, Willacy County, Tex.	[6] 50.0	14.65
C175-716 A 5-27-75	Champlin Petroleum Co., P.O. Box 9365, Fort Worth, Tex. 76107.	Colorado Interstate Gas Co., a Division of Colorado Interstate Corp., Wamsutter Area, Sweetwater County, Wyo.	[6] 57.96	14.65
C175-717 A 5-27-75	Tenneco Exploration, Ltd., P.O. Box 2511, Houston, Tex. 77001.	Tenneco Oil Co., Eugene Island Block 208 Field, offshore Louisiana.	[8] 51.0	15.025
C175-718 (CS72-458) B 5-27-75	Horizon Oil & Gas Co. of Texas, and others, 1216 Hartford Bldg., Dallas, Tex. 75201.	Colorado Interstate Gas Co., a Division of Colorado Interstate Corp., Adams Ranch Field, Meade County, Kans.	Depleted	.....
C175-719 A 5-28-75	Tenneco Oil Co., P.O. Box 2511, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a Division of Tenneco Inc. Eugene Island Block 208 Field, offshore Louisiana.	[8] 51.0	15.025
C175-720 A 5-30-75	HNG Oil Co., P.O. Box 1188, Houston, Tex. 77001.	El Paso Natural Gas Co., Cooper, Morrow, Field, Lea County, N. Mex.	[6] 57.4954	14.73

[1] Subject to upward and downward Btu adjustment; includes 1.02¢ per Mcf gathering allowance.
[2] Rate for gas from reservoirs discovered after 10-1-68.
[3] Subject to downward Btu adjustment; includes 0.06469¢ per Mcf tax reimbursement.
[4] Includes 0.3291¢ per Mcf tax reimbursement and 2.44¢ per Mcf upward Btu adjustment.
[5] Includes 0.3075¢ per Mcf tax reimbursement and is subject to upward and downward Btu adjustment.
[6] Subject to upward and downward Btu adjustment.
[7] Includes 8.2463¢ per Mcf upward Btu adjustment.
[8] Applicant is willing to accept a certificate in accordance with § 2.56a of the Commission's General Policy and Interpretations.
[9] Includes 2.9457¢ per Mcf upward Btu adjustment and 3.549678¢ per Mcf tax reimbursement.

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

[FR Doc.75-16952 Filed 6-30-75;8:45 am]

GENERAL SERVICES ADMINISTRATION

[GSA Order PBS 1095]

ENVIRONMENTAL IMPACT STATEMENTS

Preparation Procedures

Notice is hereby given that the General Services Administration in accordance with the National Environmental Policy Act of 1969 (Pub. L. 91-190) is proposing procedures to be followed in implementing ADM 1095.1, Environmental consideration in decisionmaking, that are applicable to the Public Buildings Service facility planning programs in acquisition, leasing, design, construction, management and alterations to GSA property.

Any person who wishes to submit written comments pertaining to the proposed procedures may do so by filing them in triplicate with the General Services Administration (PR), Washington, D.C. 20405, on or before August 15, 1975.

Dated: June 10, 1975.

W. A. MEISEN,
Acting Commissioner,
Public Buildings Service.

[PBS 1095.]

GSA ORDER

IMPLEMENTATION OF ENVIRONMENTAL POLICY

1. *Purpose.* This order prescribes the procedures to be followed in implementing ADM 1095.1, Environmental considerations in decisionmaking; laws; Executive orders; and directives with respect to major actions which significantly affect the quality of the human environment. These laws, Executive orders, and directives include the National Environmental Policy Act of 1969 (42 U.S.C. 4321, et seq.), hereinafter referred to as NEPA; Executive Order 11514 of March 5, 1970, entitled "Protection and Enhancement of Environmental Quality"; section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 407f); Executive Order 11593 of May 13, 1971, entitled "Protection and Enhancement of the Cultural Environmental"; Executive Order 11752 of December 17, 1973, entitled "Prevention, Control, and Abatement of Environmental Pollution at Federal Facilities"; and the Guidelines issued by the Council on Environmental Quality (CEQ) for preparing environmental impact statements, hereinafter referred to as the Guidelines, published in the Federal Register August 1, 1973, 38 FR 21265 (Appendix A). This order is applicable to PBS facility planning programs in acquisition, leasing, design, construction, management and alterations to GSA property.

2. *Cancellations.* a. PBS 1095.1B is canceled.

b. Chap. 3, Part 3, dated, June 6, 1972, Environmental Considerations in Planning, GSA Order PBS P 7000.6 CHGE 5, subject: Space Requirements and Project Development, is canceled.

c. The letter dated April 9, 1974, from Deputy Administrator for Special Projects to all Regional Administrators, subject: Bureau of Prisons projects, is canceled.

d. The letter dated April 23, 1973, from the Acting Commissioner, PBS to All Regional Commissioners, PBS; All Assistant Commissioners, PBS; the Associate Commissioner for Project Management (PJ), subject: Environmental Impact Statements, is canceled.

e. The letter dated June 19, 1973, from the Acting Commissioner, PBS, to All Regional Commissioners, PBS, and Assistant Commissioner for Operating Programs (PM), subject: Environmental Assessments, is canceled.

f. The letter dated May 30, 1974, from the Deputy Administrator for Special Projects to Heads of Services and Staff Offices and All Regional Administrators, subject: Changes in Environmental Impact Statement Requirements, is canceled.

g. The letter dated October 3, 1974, from the Acting Commissioner, PBS, to All Regional Commissioners, PBS and the Assistant Commissioner for Operating Programs (PM), subject: Advanced Coordination on those projects which Might Affect Environmental and Historic Preservation, is canceled.

3. *Background.* Section 102. of NEPA directed all Federal agencies (a) to utilize a systematic, interdisciplinary approach which will ensure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment; (b) to develop methods and procedures which will ensure that environmental concerns, effects, and values are given appropriate consideration with economic and technical issues in decisionmaking; and (c) to prepare detailed statements on recommendations or reports for legislative proposals and other major Federal actions that may significantly affect the quality of the human environment. Executive Order 11514 effectuates the purpose of NEPA, and the revised Guidelines to implement NEPA have been issued by CEQ.

4. *Responsible officials for determining the course of environmental action.* The Regional Commissioners, PBS, and the Assistant Commissioner for Operating Programs (3M) have the initial responsibility for making the threshold decision for (1) determination whether an action is "a major Federal action significantly affecting the quality of the human environment", and (2) the preparation of environmental assessments and submission of negative declarations or draft and final environmental impact statements. The PBS Assistant Commissioners and the Associate Commissioner for Project Management may request the preparation of environmental assessments, and/or draft and final environmental impact statements from the Regional Commissioners. However, when the proposed action has been designated as a project pursuant to GSA Order ADM 5400.24, Project Management in the Public Buildings Service, such determination shall be made only after consultation with the Project Manager.

a. *Assistant Commissioner for Space Planning and Management (PR).* PR shall be responsible for the overall direction of environmental protection within PBS for those policy and procedure programs listed in par. 1, above, and shall:

(1) Provide professional and technical guidance to Commissioner, PBS, Associate Commissioner and other Assistant Commissioners, PBS, and Regional Commissioners, PBS;

(2) Review, evaluate, and process for final approval by office of General Counsel (L); Director of Environmental Affairs (PWA); and Commissioner, PBS, negative declarations (supported by environmental assessments) and draft and final environmental impact statements (EIS);

(3) Consult with the Director, Environmental Affairs (PWA), and the General Counsel (L) on matters pertaining to environmental protection in PBS;

(4) Develop and coordinate service orders, regulations and guidance on the PBS environmental programs; and

(5) Assist the regional offices in scheduling environmental considerations to preclude delays in completing those actions defined in the Attachment, par. 14.a.

b. *Assistant Commissioner for Operating Programs (3M) and Regional Commissioners, PBS.* Responsible for direction and execution of environmental protection of regional PBS programs as defined in par. 4, above and shall:

(1) Maintain a continuing review of activities which have potential significant environmental impact as outlined in this order;

(2) Make initial decision on necessity for preparing a negative declaration or an EIS following preparation and review of the environmental assessment;

(3) Determine the need and the adequacy of an environmental assessment and justification for the writing and processing a negative declaration through PR, for a final approval of the Deputy Administrator for Special Projects, in timely manner;

(4) Prepare and process through PR, draft and final environmental impact statements, and subsequently, distribute the EIS to Federal, State, and local officials and interested individuals not included on Central Office distribution list;

(5) Conduct public meetings, issue press announcements and maintain files for public review; and

(6) Prepare and monitor schedule for environmental considerations to preclude delays in completing those actions defined in the attachment, par. 14.a. This includes ensuring that, for prospectus projects involving delineated areas, draft EIS are submitted to Central Office concurrently with Project Development Reports, and final EIS are submitted concurrently with or immediately following Site Investigation Reports.

c. *Assistant Commissioners for Buildings Management (PB), Construction Management (PC), and Associate Commissioner, Project Management Office (PJ).* These officials shall be responsible for maintaining program reviews of EIS's to ensure program activities are compatible with environmental protection and in compliance with GSA ORDER ADM 1095.1, and illustrated by their review of the following:

(1) New technology, research and development;

(2) Initiation of new programs;

(3) Development and revisions to orders, handbooks specifications and directives to the field;

(4) Initiation of environmental assessments and environmental impact statement action; and

(5) Establishment of continual liaison and coordination with Office of Space Planning and Management on environmental protection programs.

5. *Procedures.* Environmental assessments and negative declarations prepared by the Regional Commissioners on planning, acquisition, and alteration programs are submitted to the Assistant Commissioner for Space Planning and Management to ensure full compliance with all applicable acts, orders and guidelines related to environmental planning. The Commissioner, PBS, is responsible for approving the draft environmental impact statement or negative declaration and transmitting the signed document to the Deputy Administrator for Special Projects through the Office of General Counsel (L), and the Director of Environmental Affairs (PWA). The Office of General Counsel (L), and the Director of Environmental Affairs (PWA) must concur with the negative declaration before any further administrative action can be taken on the project. Draft and final environmental impact statement shall be signed by the Deputy Administrator for Special Projects for submission to the Council on Environmental

Quality (CEQ), heads of Federal agencies, Governors, Senators, and Congressmen. Preparation of the draft environmental statement by the responsible official shall be with full cooperation and coordination with all other PBS officials as necessary. The draft and final environmental impact statement must be circulated as prescribed in GSA Order ADM 1095.1. After all comments on the draft statement are received, the regional office shall prepare a final environmental statement.

Additional procedures for implementing this order are contained in the attachment to this order.

6. *Reports.* The reports required by this order are exempt from reports control.

ATTACHMENT

IMPLEMENTATION OF ENVIRONMENTAL POLICY

1. *Determination of what is a "major Federal Action significantly affecting the quality of the human environment".* This is in a large part a judgment based on the circumstances of the proposed action, and the determination shall be included as a normal part of the decisionmaking process.

a. Types of actions normally requiring an environmental assessment are:

(1) Recommendations or reports concerning legislation, including requests for appropriations, proposed by GSA or members of Congress resulting in physical action involving, but not limited to proposals for new Federal construction under the Public Buildings Act of 1959 as amended.

(2) Administrative action involving:

(a) Procurement of space through major lease-construction or construction of buildings for Federal agency use;

(b) Extensions, repair and alterations to public buildings;

(c) Use of GSA property through lease, permit, or license resulting in a significant change in usage of the property; and

(d) Proposed exchanges of real property to acquire sites.

(3) Formulation and issuance of regulations, procedures and policies which may have environmental consequences.

b. Actions significantly affecting the human environment are those that:

(1) Impact upon the environment even if on balance beneficial effects outweigh the detrimental ones;

(2) Curtail the range of possible beneficial uses of the environment including irreversible and irretrievable commitments of resources;

(3) Serve short-term uses rather than long-term environmental goals;

(4) May be localized in their effect, but nevertheless, have a harmful environmental impact; and

(5) Are attributable to many small actions, possibly taken over a period of time, that collectively can be defined as a major action with a significant impact (either adverse or beneficial).

2. *Changes having an impact on quality of human environment.* A significant change is any change which significantly alters, disrupts, destroys or transforms any aspect of the physical, social or aesthetic environment. Such a change may have either an adverse or beneficial impact on the quality of the environment.

3. *Application of standards.* In some cases where national, state, or local standards have been developed, the impact level determining significance is defined by the minimum acceptable level of the adopted standards. But, where national standards are involved there still may be geographical differences defined by local priorities which may warrant greater emphasis than is specified by the minimum standard.

4. *Criteria.* Factors having potential and identified impact which may significantly affect the quality of human environment, include, but are not limited to the following:

a. The readily recognizable physical factors; i.e., air and water quality, ambient noise levels, sewage and waste disposal, etc.

b. Changes in land use or zoning.

c. Socio-economic factors; i.e., proximity to low and moderate income residential housing on a nondiscriminatory basis, necessity for relocation of residential properties, changes in traffic patterns causing changes in mode of transportation, traffic congestion or increase in distance and commuting costs to the proposed building occupants; known public controversial aspects of the project, and

d. Cultural, architectural or archeological aspects of a project illustrated by possible infringement on historical properties or disturbance to important archeological artifacts.

5. *Class actions and criteria.* To clarify threshold decisions and to categorize class actions applicable to the environmental protection process, typical PBS actions have been identified as follows:

a. *Category I., Projects which will almost always require EIS*

(1) Master Plan

(2) Construction project

(a) Projects requiring preparation of a prospectus, Federal Construction or Lease Construction.

(b) Projects undertaken for another Federal agency where the assessment process identifies significant known or potential environmental impact(s). An example of a project undertaken which would always require an EIS (paragraph 4.c. above) is development of a Federal correctional center.

(3) All PBS projects where the assessment process identifies known or potential significant environmental impact.

(4) Alteration projects entailing laboratory space which will utilize dangerous or hazardous chemicals, drugs, or radioactive materials.

b. *Category II., Projects which may require EIS or further assessments.* (1) Construction (non-prospectus) projects.

(2) Repair and alteration projects requiring a major change in energy requirement or source.

(3) Repair and alteration projects affecting architectural character of buildings of recognized historical importance.

(4) Major leases for new space in existing buildings where assessments have identified environmental controversy.

(5) Real property acquisitions in which the delineated area, but not the site has been identified. (See paragraph 6, below.)

c. *Category III., Projects not requiring EIS (may require assessment and negative declaration).* (1) Supersednig and renewals of lease space.

(2) Projects, any size, which must be undertaken immediately because of inherent fire, public or safety hazard. Regional Counsel is to be notified immediately.

(3) A project in which the Commissioner, PBS, with prior consultation with CEQ has determined that a public or governmental exigency is present. This would be restricted to projects where a limited environmental impact has been identified, but action taken to acquire or renovate property is not irreversible or irretrievable.

(4) Real property acquisitions already covered by EIS for the project or covered by an EIS on the master plan in which the proposed action has been identified and with no change in scope.

(5) Construction project, with no change in scope, which is an integral part of a master plan for which a final EIS has been filed, and all known environmental impacts are being mitigated.

(6) Upgrading of existing space without change in use or relocation of employees.

6. *Negative declaration.* a. A negative declaration is a report of finding, developed to include a brief summary of environmental considerations analyzed and documented as an environmental assessment. The negative declaration is developed and submitted to the Deputy Administrator for Special Projects from the Commissioner, PBS, stating that an analysis of all environmental factors included in an attached assessment for a specific project has been completed.

b. The declaration must state that a review of all environmental factors has been completed and the determination has been made that the development of the project is not considered a major action significantly affecting the quality of human environment; including its impact on historical and cultural properties.

c. In the planning of a project for which the delineated area, but not the site, has been designated, and the environmental assessment provides full support to the negative declaration, the following additional action must be taken by the Assistant Commissioner for Operating Programs (3M) or the Regional Commissioner, PBS. In view of the possibility of environmental impact on one or more sites within the delineated area, an updated assessment is to be prepared. Should the Assistant Commissioner for Operating Programs (3M), or the Regional Commissioner, PBS, conclude there are no known or potential significant environmental impacts following the site selection stage, he shall prepare and sign a confirmation of the negative declaration and document his project files accordingly. Such negative confirmation must have concurrence by Regional Counsel. The negative declaration need not be forwarded to the Central Office in these cases. However, should the updated assessment identify significant environmental impact, he shall proceed with the preparation of the environmental impact statement and notify the Commissioner, PBS, through the Assistant Commissioner for Space Planning and Management (PR). In such cases, it may be necessary to reissue the Solicitation for Offers or Invitation for Bid, or cancel further acquisition actions until the full EIS process is complete.

7. *Environmental assessments.* a. The environmental assessment is one of the most important documents included in the decisionmaking process. It is the basis for judgment by the "responsible official" in his assessment of the proposed action, and can be entered as evidence in hearings and court actions. Therefore, it is of utmost importance that the assessment be a full disclosure document, giving the reader a clear picture of existing and projected environmental conditions, a complete but concise description of the proposed action, and an in-depth evaluation of possible or probable impacts, both primary and secondary, which may be either beneficial or adverse.

b. Each proposed project or action shall be reviewed and a determination made as to whether it constitutes a "major Federal action." Regional Public Buildings Service officials should bear in mind that the effect of many decisions can be individually limited but cumulatively considerable. This can occur when over a period of years decisions by one or a by a number of different agencies are made concerning certain types of projects or actions that individually are minor but collectively are major, when one decision involving a limited amount of money is a

precedent for action in much larger cases or represents a decision in principle about a future major course of action, or when several Government agencies individually make decisions about partial aspects of a major action. In all such cases, an environmental statement should be prepared if it is reasonable to anticipate a cumulatively significant impact on the environment from the Federal action. The following applies to planning for construction, repair and maintenance of public buildings.

(1) In the planning of projects, an environmental assessment shall be prepared at the Project Development stage. In compliance with OMB Circular A-95 and the CEQ Guidelines, the assessment must include a list of local officials contacted. The assessment will result in preparation of either a negative declaration or a draft environmental impact statement. As the project develops, all environmental considerations will be reevaluated periodically as confirmation of the earlier negative declaration or draft environmental impact statement.

(2) A report of the reassessment of environmental impact will be prepared for major repair and alteration projects and when a site is selected, working drawings and specifications are complete. This reevaluation will require a continuing analysis of GSA-PBS planning, acquisition, and alteration programs and shall be accomplished by the appropriate regional officials.

8. *Draft environmental impact statement.*

a. Draft environmental impact statements for historic properties shall be written to meet applicable requirements for compliance with section 106 of the National Historic Preservation Act of 1966 and Advisory Council on Historic Preservation Procedures for the Protection of Historic and Cultural Properties (36 CFR Part 800) and published in the Federal Register when the property may be affected by the proposed project or action to such an extent that a statement is required to be filed with the Advisory Council on Historic Preservation pursuant to section 106. Historic properties are defined as properties listed in the National Register of Historic Places or eligible for listing in the National Register. Contact with the State Historic Preservation Officer and the local historical society shall be documented in the statement. For further clarification on historic preservation procedures and how to determine eligibility for listing in the National Register, refer to GSA Order PBS 1022.1.

b. Each statement must reflect that the particular economic and technical benefits of its proposed action have been assessed and weighed against the environmental costs. In the early stages of preparation of the draft environmental statement, the office preparing the statement should consult with those Federal, State, and local agencies possessing expertise on potential impacts of a proposed action. This will assist in providing the necessary data and guidance for the analyses required to be included in environmental impact statements as described below:

(1) *Coordination processes in accordance with OMB Circular A-95.* (a) Projects resulting in construction shall be reviewed for environmental impact. State clearinghouses must be consulted at the earliest practicable time in the planning of the project. In the development of a Project Development Report in the region, the Regional Commissioner is required to contact the appropriate state, regional and local clearinghouses and other appropriate officials in a formal A-95 process.

(b) In addition, a copy of the letter to the State Clearinghouse, issued in accordance with the provisions of this circular shall be forwarded to the Advisory Council on Historic Preservation and the Council on Environmental Quality.

(c) When the A-95 review process of a proposed project or when the consultation with the clearinghouses takes place prior to the filing of a draft environmental impact statement or negative declaration, the comments received represent inputs to the statement or declaration.

(d) Federal agency comments received prior to filing of statement shall be attached to copies of the statement being sent to the agency submitting the substantive comment. The statements being sent to clearinghouses shall include a listing of all agencies from which comments have been received.

(2) *Technical content of draft statement.* The EIS shall include:

(a) A description of the proposed action or a description of reasonable number of alternatives including the information and technical data adequate to permit a careful assessment of the environmental impact of proposed action(s) by commenting agencies. If available, copies of site maps and topographic maps at suitable scales showing the property and the surrounding area shall be provided;

(b) The probable impact of the proposed action(s) on the environment, including impact on ecological systems such as wildlife, fish, and other marine life; and on physical systems such as water runoff rates, quantities, and downstream impact on wetlands or flood plains. Consequences of direct and indirect impacts on the environment shall be included in the analysis. For example, any effect of the action on population distribution or concentration shall be estimated and an assessment made of the effect of any possible change in population patterns upon the resources of the area including land use, water supply, public services, and traffic patterns;

(c) Any probable adverse environmental effects that cannot be avoided, such as water, air, or noise pollution, undesirable land use patterns, damage to life systems, urban congestion, threats to health or other consequences adverse to the environmental goals set out in section 101(b) of NEPA;

(d) A rigorous exploration and objective evaluation of possible alternative actions that might avoid some or all of the adverse environmental effects, including alternatives outside of GSA's authority to implement. Section 102(2)(D) of NEPA requires the responsible agency to "study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources." Sufficient analysis of such alternatives, their costs, and their impact on the environment shall accompany the proposed action(s) through the agency review process so as not to prematurely foreclose consideration of options which might have less detrimental effects;

(e) The relationship between local short-term uses of man's environment and maintenance and enhancement of long-term productivity. Include a brief discussion of the extent to which the proposed action involves trade-offs between short-term gains at the expense of long-term losses, or vice versa, and a discussion of the extent to which the proposed action forecloses future options. This, in essence, requires assessment of the action(s) from the perspective that each generation is trustee of the environment for succeeding generations;

(f) Any irreversible and irretrievable commitments of resources, i.e.; land, man hours, costs, natural and cultural resources, which would be involved in the proposed action(s) should it be implemented. Identify from the survey of unavoidable adverse impacts the extent to which the action(s) curtails the range of beneficial uses of the environment; and

(g) The economic costs and benefits of the proposed action with the environmental costs and benefits. Alternate courses of action must be discussed as to their effect upon this cost and benefit balance. If a formal cost benefit analysis on the proposed action(s) is prepared, it shall be submitted with the statement. However, information furnished by property owners, appraisers, or public officials such as site offers, estimated site costs, appraisal reports on subsequent site selection or negotiations to acquire sites, shall not be included in draft or final EIS.

9. *List of draft environmental statements and negative declarations.* a. To provide timely public notice and understanding of PBS projects and actions that may have an environmental impact and to obtain the views of interested parties, Regional Commissioners and Assistant Commissioner for Operating Programs shall establish an early notice system for informing the public of the decision to prepare a draft environmental statement on proposed construction, repair, and improvement projects. A list will be maintained of all projects or actions for which environmental statement will be prepared. This list shall be updated weekly. The list shall be available for public inspection. Regional Commissioners and Assistant Commissioner for Operating Programs shall submit early warning lists to the Assistant Commissioner for Space Planning and Management for compilation and forwarding to PWA, as a basis for agency-wide, quarterly reporting to CEQ. Regional lists are to be submitted to PR normally by c.o.b. March 1, June 1, September 1, and December 1 of each year.

b. If it is decided that an environmental statement is not necessary for a proposed project or action (1) which normally requires the preparation of a statement, (2) which is similar to actions for which a significant number of statements have been prepared, (3) which has previously been announced would be the subject of a statement, or (4) for which a negative declaration has been made in response to a request from CEQ pursuant to § 1500.11(f) of the Guidelines, Regional Commissioners and Assistant Commissioner for Operating Programs shall prepare a publicly available record briefly setting forth the decision and the reasons for the declaration.

c. The list of such negative declarations, and any evaluations made to support the declaration or which conclude that preparation of a statement is not yet timely, shall be prepared and made available to the public on request in the same manner as provided for lists of statements under preparation. (See paragraph 9a, above.)

10. *Public meetings.* a. Each major Federal action having a possible adverse effect on the environment will be evaluated to determine whether a public meeting should be held. Consideration will be given to the following elements in deciding whether a public meeting is appropriate:

(1) The magnitude of the proposal in terms of economic costs, the geographic area involved, and the uniqueness or size of commitments of the resources involved;

(2) The degree of interest or probable opposition to controversial items in the proposal, as evidenced by requests from the public and from Federal, State, and local authorities that a meeting be held;

(3) The complexity of the issue and the likelihood that information will be presented

at the meeting which will be of assistance to the agency in fulfilling its responsibilities under NEPA; and

(4) The extent to which public involvement already has been achieved through other means, such as earlier public meetings, meetings with citizen representatives, and/or written comments on the proposed action.

b. Draft environmental statement will be made available to the public at least 15 calendar days prior to the time of such meetings, unless the meetings are held prior to the preparation of the statement.

11. *Submission and distribution of draft environmental statement.* Initially, draft environmental statements shall be processed as follows:

a. Three copies of the preliminary draft environmental impact statement for construction, repair and alteration projects shall be transmitted to the Assistant Commissioner for Space Planning and Management, (PR). All Central Office comments on the preliminary draft shall be consolidated prior to being returned to the regional office for preparation of the draft environmental impact statement. The draft statement shall be submitted to the Assistant Commissioner for Space Planning and Management, (PR).

b. When the Assistant Commissioner for Space Planning and Management determines that the statement is satisfactory, he shall forward the statement to the Office of General Counsel, Director of Environmental Affairs, and the Commissioner, PBS, for concurrence, approval, and submission to the Deputy Administrator for Special Projects. The Deputy Administrator for Special Projects will sign the transmittal letters soliciting comments on the draft environmental statement to CEQ, heads of Federal agencies, the appropriate Congressmen, Senators, and Governor of the State which is affected by the proposed action.

c. For prospectus projects, the preliminary draft environmental impact statement is to be submitted with the Project Development Report.

d. On the day the Deputy Administrator for Special Projects signs the transmittal letters to CEQ, etc., sufficient copies of the numbered, dated statement shall be sent to the responsible Regional or Assistant Commissioner who shall sign transmittal letters, and distribute copies of the statements to appropriate local officials, to Federal, State, and local agencies, special interest groups, and the public for comments. In addition, the comments of appropriate state, regional, or metropolitan clearinghouses (using the procedures in the Office of Management and Budget Circular No. A-95, Revised) shall be solicited unless the Governor of the state involved has designated some other point for obtaining this review.

e. The Council on Environmental Quality (CEQ) will publish in the Federal Register lists of environmental statements received during the preceding week that are available for public comment. The date establishing minimum period of review and advance availability of draft EIS will be calculated from the second Friday following the filing of the statement with CEQ. Draft environmental statements shall be made available to the public without charge to the extent practicable or at a fee which is not more than the cost of reproduction. EIS will also be made available for public review in PBS Central Office and Regional Commissioners' offices during normal working hours.

f. Regional Commissioners and Assistant Commissioner for Operating Programs shall maintain a list of groups, including relevant conservation commissions, known to be interested in PBS activities. In addition, a list shall be maintained of individuals and groups who have requested an opportunity to comment on a project or action. A copy of the draft environmental statement shall be distributed to the individual or groups who have expressed an interest in the project or action covered by the statement.

g. Notice of availability of the draft environmental statement shall be published in one or more local newspapers.

h. Federal agencies which have "jurisdiction by law or special expertise with respect to any environmental impact involved" or "which are authorized to develop and enforce environmental standards" shall be asked to comment on draft environmental impact statements. These agencies are listed in appendix II of the CEQ Guidelines. Appendix III of the Guidelines lists offices within Federal agencies and Federal-state agencies that have information regarding the agencies' NEPA activities and receive other agencies environmental statements for which comments are requested. Draft environmental statements shall be submitted for comment to the regional contact points of agencies being consulted when such offices have been established pursuant to section 1500.9(a) of the Guidelines.

i. In implementing the provisions of section 309 of the Clean Air Act, as amended, the responsible official will submit to the appropriate regional office of EPA for review and comment seven (7) copies of all draft environmental impact statements.

12. *Preparation of final environmental statements.* The final environmental impact statement shall incorporate GSA-PBS responses to all substantive comments submitted by other Federal agencies, local and state officials, individuals and groups. The sections of the statement where change has occurred will be marked by a vertical line in the margin, unless the final differs substantially from the draft. Where opposing professional views and responsible opinion have been overlooked in the draft statement and are brought to our attention the action should be reviewed in light of these comments and a meaningful reference made in the final statement to the existence of these responsible opposing views which were not adequately discussed in the draft statement as well as GSA's position on the issues raised. All substantive comments received on the draft (or summaries thereof where comment has been exceptionally voluminous) should be attached to the final statement, whether or not each comment is thought to merit individual discussion in the text of the statement. PWA will coordinate summarization of comments for forwarding to CEQ.

13. *Submission and distribution of final environmental statements.* a. Following Central Office approval of preliminary final EIS (procedure similar to paragraph 11.a., above), the PBS regional office shall transmit the original and three copies of the final environmental statement as soon as practicable to the Assistant Commisisoner for Space Planning and Management, (PR), on construction, repair and alteration projects and acquisition of real property. The original copy of the final environmental statement shall include the original copy of all comments received and exhibits on the draft environmental statement. After review and approval, the necessary copies of the final text of the environmental statement and comments received shall be sent to the Office of General Counsel, the Office of the Commissioner, PBS, and the Director of Environmental Affairs. Upon review and concurrence, the final statement will be sent to the Deputy Administrator for Special Projects for Submission to CEQ and appropriate officials.

b. Copies of final statements, with comments attached, shall be sent to all Federal, State, and local agencies and private organizations, clearinghouses and individuals that made substantive comments on the draft statement and to individuals who requested a copy of the final statement, as well as any applicant whose project is the subject of the statement. Copies of final statements shall in all cases be sent to the Environmental Protection Agency to assist it in carrying out its responsibilities under section 309 of the Clean Air Act. Where the number of comments on a draft statement is such that distribution of the final statement to all commenting entities appears impracticable, the Assistant Commissioner for Space Planning and Management, (PR), will notify PWA and request that CEQ be consulted concerning alternative arrangement for distribution of the statement.

14. *Time requirements for review of draft and final environmental statements.* a. No action is to be taken sooner than 90 calendar days following commencement of the review period for the draft EIS, nor should such action be taken sooner than 30 calendar days after the final environmental statement has been made available to CEQ, commenting agencies, and the public. The term "action", as used in this subparagraph shall mean issuance of a notice to proceed pursuant to a construction or demolition contract, acceptance of offers to sell, vesting of title, relocation and issuance of the 90 day letter required by Section 301(5), Public Law 91-646 and other such activities. Certain procedures are to be excluded from this prohibition (i.e., continuance of design, contracts for appraisal reports, title evidence and surveys, and negotiations for site acquisition). The determination of whether or not another action is an "action" as used in this subparagraph shall be made by the Commissioner, of PBS with the concurrence of the Office of General Counsel and PWA.

b. A time limit of 45 days is provided for comment to the draft statement. If no reply is received from those consulted or a request for an extension of time in which to comment, it will be presumed that the agency or party consulted has no comment to make. When time permits, an extension of the commenting period of up to 15 calendar days may be granted.

c. If the final text of an environmental statement is filed at least 60 calendar days after the notice is published by CEQ in the FEDERAL REGISTER, the 30-day period and 90-day period may run concurrently to the extent that they overlap.

d. Where emergency circumstances make it necessary to take a major Federal action with significant environmental impact without observing the provisions of the Guidelines concerning minimum periods for agency review, the Assistant Commissioner for Space Planning and Management, PR, will advise PWA of the nature of the action and need for requesting an exception to standard procedures. If PWA concurs, he shall obtain the approval of the Commissioner, PBS, and the Deputy Administrator for Special Projects for the exception and consult with CEQ concerning alternative arrangements. Similarly, where there are overriding considerations of expense to the Government or impaired program effectiveness, PWA will consult with CEQ concerning appropriate modifications of the minimum periods.

15. *Amendment of draft or final environmental statement.* Responsible regional PBS officials shall keep abreast of any substantial changes in the proposed action that may develop or significant new information that becomes available concerning its environmental aspects. These circumstances shall be evaluated to determine whether the draft or final environmental impact statement should be supplemented or amended. Sup-

plements or amendments to the statements will be issued, as appropriate. Notice of the development will be given to PWA by the Assistant Commissioner for Space Planning and Management, PR. PWA should consult with CEQ with respect to the possible need for or desirability of recirculation of the statement for the appropriate period.

16. *Responsibility for draft and final environmental impact statement preparation in multi-agency actions.* a. Except as provided in subparagraph (b) below, when GSA and one or more agencies (1) directly sponsor an action, or are directly involved in a group of actions directly related to each other because of their functional interdependence and geographical proximity, a "lead agency" shall be designated to assume supervisory responsibility for preparation of the statement. Factors relevant in determining the appropriate "lead agency," include the time sequence in which the agencies become involved, the magnitude of their respective involvement, and their relative expertise with respect to the environmental effects of the actions. Where there is a question as to the primary responsibility for statement preparation, the matter will be referred to the Deputy Administrator for Special Projects for referral to the CEQ for resolution. However, it is possible for a statement to be submitted jointly by all agencies concerned with the comments being returned to a single designated agency official. In cases where GSA is the "lead agency" and one or more agencies have partial responsibility for the action, the other agencies shall be requested to provide such information to the responsible PBS official as may be necessary to prepare a suitable and complete environmental impact statement. If another agency is designated to be the "lead agency," the criteria for statement preparation for that agency shall apply.

b. The General Services Administration (GSA) will serve as the lead agency in all projects involving construction of buildings by the Public Buildings Service.

17. *Format requirement.* a. Type draft and final environmental impact statement on white paper with clear black type;

b. The statement number will be assigned in Central Office by the Assistant Commissioner for Space Planning and Management, (PR), in accordance with PBS Information System procedures;

c. Prepare a summary sheet in accordance with the format prescribed in appendix I of the CEQ Guidelines and attach to the environmental statement as the second page; and

d. Prepare a cover sheet for each environmental statement.

[FR Doc.75-17133 Filed 6-30-75;8:45 am]

INTERNATIONAL TRADE COMMISSION

[332-75]

INTERNATIONAL COMMODITY AGREEMENTS

Investigation

In response to a request dated June 17, 1975, by the Subcommittee on Trade of the Senate Committee on Finance, the United States International Trade Commission has instituted an investigation pursuant to section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)) on the experience of the United States with international commodity agreements. The full text of the request is as follows:

I am writing in behalf of the Subcommittee on Trade of the Committee on Finance to request that the Commission prepare a report on the experience of the U.S. with international commodity agreements. We request that this report be completed and made available to the Committee by mid-September, 1975.

As you are aware, the Trade Act of 1974 in a number of instances directs the President in the exercise of his trade agreement authority to negotiate international agreements to assure fair and equitable access to supplies of food, raw materials, and manufactured products. Section 108, for example, provides that:

ACCESS TO SUPPLIES

(a) A principal United States negotiating objective under section 102 shall be to enter into trade agreements with foreign countries and instrumentalities to assure the United States of fair and equitable access at reasonable prices to supplies of articles of commerce which are important to the economic requirements of the United States and for which the United States does not have, or cannot easily develop, the necessary domestic productive capacity to supply its own requirements.

(b) Any agreement entered into under section 102 may include provisions which—

(1) assure to the United States the continued availability of important articles at reasonable prices, and

(2) provide reciprocal concessions or comparable trade obligations, or both, by the United States.

As you may also be aware, the subject of international commodity agreements has received increased attention in recent months in both domestic and international discussions. On a number of occasions, for example, the Secretary of State has spoken of the need to devise a new economic relationship between consuming and producing countries and has suggested that the U.S. may be interested in negotiating a new series of international commodity agreements.

To assist the Subcommittee on Trade in its oversight function and with a view to the possibility of future commodity legislation, the Subcommittee requests that the Commission undertake a study of past international commodity agreements in which the U.S. has been a participating party. Such a study should include among other things:

1. A general summary of the various commodity agreements to which the United States has been or continues to be a party.

2. A description of the reasons such agreements were entered into and the objects sought to be accomplished.

3. An analysis of the market conditions (supply, demand, prices, etc.) which prevailed prior to, during, and subsequent to such agreements with respect to the commodities covered.

4. A statement of the terms of such agreements and the methods of their operation.

5. An evaluation of the success or failure of the agreement from the perspective of the United States.

Should you or your colleagues have any questions regarding this request, I suggest that you direct your inquiries to Mr. Robert A. Best, Chief Economist of the Senate Finance Committee.

With every good wish, I am
Sincerely,

ABRAHAM RIBICOFF,
Chairman,
Subcommittee on International Trade.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

JUNE 26, 1975.

[FR Doc.75-17130 Filed 6-30-75;8:45 am]

[TA-203-3]

WRAPPER TOBACCO

Investigation and Hearing

Investigation instituted. Following receipt of a petition filed by the Cigar Leaf Tobacco Foundation, Inc., Quincy, Florida, the U.S. International Trade Commission, on June 24, 1975, instituted an investigation under section 201(b) of the Trade Act of 1974 to determine whether wrapper tobacco (whether or not mixed with filler tobacco), not stemmed or stemmed, provided for in items 170.10 and 170.15 of the Tariff Schedules of the United States, is being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing an article like or directly competitive with the imported article.

Public hearings ordered. Public hearings in connection with this investigation will be held in Tallahassee, Florida, on Monday, August 11, 1975, at a time and place to be announced in a subsequent notice; in Hartford, Connecticut, on Wednesday, August 13, 1975, at a time and place to be announced in a subsequent notice; and in Washington, D.C., at 10 a.m., e.d.t. on Friday, August 15, 1975, in the Hearing Room, U.S. International Trade Commission, Eighth and E Streets, NW. Requests for appearances at the hearings should be received in writing by the Secretary of the Commission at his offices in Washington not later than noon of the fifth calendar day prior to the hearing.

Inspection of petition. The petition filed in this case is available for public inspection at the Office of the Secretary, U.S. International Trade Commission, and at the New York City office of the U.S. International Trade Commission located at 6 World Trade Center.

By order of the Commission.

KENNETH R. MASON,
Secretary.

JUNE 26, 1975.

[FR Doc.75-17131 Filed 6-30-75;8:45 am]

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

MEETING

Notice is hereby given, pursuant to Pub. L. 92-463, that the next meeting of the National Advisory Council on the Education of Disadvantaged Children will be held on July 18, 1975, at the Marriott Twin Bridges Motel, U.S. 1, Arlington, Virginia, from 9 a.m.—4:30 p.m.; and on July 19, 1975 at 425-13th Street, NW., Suite 1012, Washington, D.C., from 9 a.m.–4 p.m.

The National Advisory Council on the Education of Disadvantaged Children is established under section 148 of the Elementary and Secondary Act (20 U.S.C. 2411) to advise the President and the Congress on the effectiveness of compensatory education to improve the educa-

tional attainment of disadvantaged children.

The meeting of the 18th will include briefings by specialists in Early Childhood Education. The Council will hear Committee reports during the July 19th meeting.

Because of limited space, all persons wishing to attend should call for reservations by July 7, 1975, Area Code 202/382-6945.

Records shall be kept of all Council proceedings and shall be available for public inspection at the Office of the National Advisory Council on the Education of Disadvantaged Children, located at 425-13th Street, NW., Suite 1012, Washington, D.C.

Signed at Washington, D.C. on June 23, 1975.

ROBERTA LOVENHEIM,
Executive Director.

[FR Doc.75-17074 Filed 6-30-75;8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 75-40]

NASA RESEARCH AND TECHNOLOGY ADVISORY COUNCIL (RTAC) AD HOC PANEL

Notice of Determination

JUNE 26, 1975.

Pursuant to section 9(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), and after consultation with the Office of Management and Budget, the NASA Administrator has determined that continuation of the Ad Hoc Panel on Terminal Configured Vehicles of the RTAC Panel on Aeronautical Operating Systems is in the public interest in connection with the performance of duties imposed upon NASA by law.

The functions of this Ad Hoc Panel are to review and evaluate all phases of terminal configured vehicle research and technology in terms of relevance to current needs and future requirements of the air transportation system industry/user community. The Ad Hoc Panel provides recommendations and advice on the goals, trends, content, and technical balance of these efforts. It is being continued to insure that the programs in this area emphasizes the technologies which are most important and most likely to be used.

DUWARD L. CROW,
Assistant Administrator for DOD and Interagency Affairs.

[FR Doc.75-17100 Filed 6-30-75;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

PUBLIC MEDIA ADVISORY PANEL

Meeting; Correction

In reference to the June 18, 1975 issue of the FEDERAL REGISTER, 40 FR 65727, the previously announced open session on July 9 from 2:00 p.m.-5:30 p.m. will be closed due to a change in agenda. The entire meeting will be for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance and, accordingly, will be closed for the reasons set forth in the June 18 notice.

ROBERT SIMS,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.75-17210 Filed 6-30-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS' SUBCOMMITTEE ON CLINCH RIVER BREEDER REACTOR

Meeting

In accordance with the purposes of sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards' Subcommittee on Clinch River Breeder Reactor will hold a meeting on July 17, 1975 in the auditorium of the American Museum of Atomic Energy, South Tulane Avenue, Oak Ridge, Tennessee 37830. The purpose of this meeting will be to develop information for consideration by the ACRS in its review of the combined application of the Tennessee Valley Authority (TVA) and Project Management Corporation (PMC) for a permit to construct this nuclear power plant. The facility will be located in Oak Ridge, Tennessee. The plant is to use a liquid metal fast breeder reactor and is to have a gross capacity of 380 MW(e).

The agenda for the subject meeting shall be as follows:

Thursday, July 17, 1975, 8:30 a.m. until the conclusion of business. The Subcommittee will hear presentations by representatives of the NRC Staff and the TVA and/or PMC and will hold discussions with these groups pertinent to the review of the combined application of the TVA and PMC for a permit to construct the Clinch River Breeder Reactor Plant.

In connection with the above agenda item, the Subcommittee will hold Executive Sessions, not open to the public at 8 a.m. and at the end of the day to consider matters relating to the above application. These sessions will involve an exchange of opinions and discussion of preliminary views and recommendations of Subcommittee members and internal deliberations for the purpose of formulating recommendations to the ACRS.

I have determined, in accordance with subsection 10(d) of Pub. L. 92-463, that the above-noted Executive Sessions will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b). Further, any non-exempt material that will be discussed during the above closed sessions will be inextricably intertwined with exempt material, and no further separation of this material is considered practical. It is essential to close such portions of the meeting to protect the free interchange of internal views, to avoid undue interference with agency or Subcommittee operation.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that, in his judgment, will facilitate the orderly conduct of business, including provisions to carry over an incompleted open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda items may do so by mailing 25 copies thereof, postmarked no later than July 10, 1975 to the Executive Secretary, ACRS, NRC, Washington, D.C. 20555, Attn: Mr. T. G. McCreless. Such comments shall be based upon the Preliminary Safety Analysis Report for this facility and related documents on file and available for public inspection at the NRC Public Document Room, 1717 H St., NW., Washington, D.C. 20555, and the Oak Ridge Public Library, Circulation Center, Oak Ridge, Tennessee 37820, and, also, at the Lawson McGhee Public Library, 500 W. Church Street, Knoxville, Tennessee 37902.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittee between the hours of 11 a.m. and 2 p.m.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been cancelled or rescheduled and in regard to the Chairman's ruling on requests for opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on July 15, 1975 to the Office of the Executive Secretary of the Committee (telephone 202/634-1374, Attn: Mr. T. G. McCreless) between 8:15 a.m. and 5 p.m., e.d.t.

(e) Questions may be propounded only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first served basis.

(g) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(h) A copy of the transcript of the open portion of the meeting will be available for inspection on or after July 22, 1975 at the NRC Public Document Room 1717 H St., NW., Washington, D.C. 20555 and within approximately nine days at the Oak Ridge Public

Library, Circulation Center, Oak Ridge, Tennessee 37830, and at the Lawson McGhee Public Library, 500 W. Church St., Knoxville, Tennessee, 37902. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second St., NE., Washington, D.C. 20002 (telephone 202/547-6222) upon payment of appropriate charges.

(4) On request, copies of the minutes of the meeting will be made available for inspection at the NRC Public Document Room, 1717 H St., NW., Washington, D.C. 20555 after October 20, 1975. Copies may be obtained upon payment of appropriate charges.

Dated: June 26, 1975.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.75-17173 Filed 6-30-75;8:45 am]

[Docket No. 50-213]

CONNECTICUT YANKEE ATOMIC POWER CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 3 to Facility Operating License No. DPR-61 issued to Connecticut Yankee Atomic Power Company which revised Technical Specifications for operation of the Haddam Neck Plant, located in Middlesex County, Connecticut. The amendment is effective as of its date of issuance.

This amendment changes the Technical Specifications to reflect the use of Cycle VI fuel. New safety limit curves are provided, limiting linear heat generation rates are specified for Batch 8 fuel and a revised "flyspeck" curve is provided.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with this action was published in the FEDERAL REGISTER on May 16, 1975 (40 FR 21545). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

For further details with respect to this action, see (1) the application for amendment dated May 12, 1975, (2) Amendment No. 3 to License No. DPR-61, with Change No. 3, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Russell Library, 119 Broad Street, Middletown, Connecticut 06457.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

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

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch #1, Division of Reactor Licensing.

[FR Doc.75-17014 Filed 6-30-75;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on June 26, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF AGRICULTURE

Economic Research Service, Study of U.S. Cash Grain Pricing, single-time, grain elevators, processors, and grain merchants, Lowry, R. L., 395-3772.

DEPARTMENT OF INTERIOR

Bureau of Mines, Plant Identification Report, 6-1562, single-time, manufacturing plants, Lowry, R. L., 395-3772.

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration:
- Request for Supplemental Information—Brakes, MCS-136, on occasion, motor carrier of passenger and property, Lowry, R.L., 395-3772.
- Runway Calibration/Pilot Information System, FAA 9500, on occasion, airline pilots, Lowry, R. L., 395-3772.

Departmental and other, Los Angeles Double Deck Bus Demonstration Project Passenger Survey, on occasion, passengers on board a transit bus, Strasser, A., 395-5867.

National Highway Traffic Safety Administration, Pedestrian/Bicyclist Accident Report Supplement, on occasion, State, city, and county police agencies, Lowry, R. L. 395-3772.

REVISIONS

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Community Planning and Development, Quarterly Narrative and Statistical Progress Report, 41520, quarterly, new community developers, Community and Veterans Affairs Division, Sunderhauf, M. B., 395-3532.

DEPARTMENT OF THE INTERIOR

Bureau of Mines, Gypsum, 6-1218-M, quarterly, gypsum producers, Lowry, R. L., 395-3772.

EXTENSIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration, Medical Report—General, SSA-826, on occasion, physicians, Marsha Traynham, 395-4528.

EXTENSIONS

DEPARTMENT OF THE INTERIOR

Bureau of Sport Fisheries and Wildlife, Application for United States Deputy Game Warden, 3-272, on occasion, State Fish and Game Agents, Lowry, R. L., 395-3772.

DEPARTMENT OF TRANSPORTATION

Departmental and other, Industrial Shippers Survey—Corporate Level, single-time, industrial firms in Fortune 500 and control group, Strasser, A., 395-5867.

Coast Guard:
- Application (USCG Boating Safety Financial Assistance Program, CG-4802, on occasion, State governments as defined in Public Law 92-75, Marsha Traynham, 395-4529.
- Offer and Agreement (USCG Boating Safety Financial Assistance Program), CG 4804, on occasion, State governments as defined in Public Law 32-75, Marsha Traynham, 395-4529.
- Amendment to Agreement (USCG Boating Safety Financial Assistance Program, CG-4805, on occasion, State governments and nonprofit public service organizations, Marsha Traynham, 395-4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-17182 Filed 6-30-75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

EQUITY FUNDING CORPORATION OF AMERICA

Suspension of Trading

JUNE 25, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, warrants to purchase the stock, 9½% debentures due 1990, 5½% convertible subordinated debentures due 1991, and all other securities of Equity Funding Corporation of America being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from June 26, 1975 through July 5, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-17094 Filed 6-30-75;8:45 am]

[File No. 500-1]

INDUSTRIES INTERNATIONAL, INC.

Suspension of Trading

JUNE 25, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Industries International, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from June 26, 1975 through July 5, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.75-17095 Filed 6-30-75;8:45 am]

[Release No. 34-11493]

INTERNATIONAL FLAVORS & FRAGRANCES, INC.

Boston Stock Exchange Application for Unlisted Trading Privileges in Common Stock; Public Hearing

JUNE 25, 1975.

The Securities and Exchange Commission announced that it has issued an order for the institution of a public hearing, pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 ("Act.") to consider whether the granting of the Boston Stock Exchange ("BSE") application for unlisted trading privileges in the common stock of International Flavors & Fragrances, Inc. ("IFF") is necessary or appropriate in the public interest or for the protection of investors.

On August 22, 1974 BSE submitted its application, pursuant to Section 12(f)(1) of the Act, for unlisted trading privileges in IFF securities. In its September 11, 1974 letter IFF notified the Commission of its objection to the application.

The Commission announced that the hearing on BSE's application for unlisted trading in the common stock of IFF will be held before Administrative Law Judge Max O. Regensteiner and will convene at 10 a.m. Tuesday, August 5, 1975, at the Commission's headquarters 500 North Capitol Street, NW., Washington, D.C.

(Sec. 12(f)(2); 78 Stat. 566; 15 U.S.C. 781(f)(2)).

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.75-17097 Filed 6-30-75;8:45 am]

[Release No. 34-11492]

LUDLOW CORP.

Boston Stock Exchange Application for Unlisted Trading Privileges in Common Stock; Public Hearing

JUNE 25, 1975.

The Securities and Exchange Commission announced that it has issued an order for the institution of a public hearing pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 ("Act") to consider whether the granting of the Boston Stock Exchange ("BSE") application for unlisted trading privileges in the common stock of Ludlow Corporation ("Ludlow") is necessary or appropriate in the public interest or for the protection of investors.

On April 23, 1974 BSE submitted its application, pursuant to section 12(f)(1) of the Act, for unlisted trading privileges in Ludlow securities. In its May 10, 1974 letter and May 20, 1974 submission Ludlow notified the Commission of its objection to the application and requested a hearing.

The Commission announced that the hearing on BSE's application for unlisted trading in the common stock of Ludlow will be held before Administrative Law Judge Edward B. Wagner and will convene at 10 a.m. Wednesday, August 6, 1975 at the Commission's headquarters, 500 North Capitol Street, NW., Washington, D.C.

(Sec. 12(f)(2); 78 Stat. 566; 15 U.S.C. 78*l*(f)(2))

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.75-17098 Filed 6-30-75;8:45 am]

[70-5699]

NEW ENGLAND POWER CO.

Amendment to Articles of Organization

JUNE 24, 1975.

Notice is hereby given that New England Power Company ("NEPCO"), 20 Turnpike Road, Westborough, Massachusetts 01581, an electric utility subsidiary company of New England Electric System ("NEES"), a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a)(2), 7(e), and 12(e) of the Act and Rules 62 and 65 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

NEPCO proposes to amend its Articles of Organization and Articles I, III, IV, and IX of its By-Laws to provide for the authorization of a new additional class of stock to be called Preferred Stock-Cumulative to rank on a parity with and have the same preferences and rights as the existing dividend series preferred stock but with a par value of $25 rather than $100. Each series of preferred stock-cumulative would be designated "Cumulative Preferred Stock, $25 par value, --% Series." Whenever any vote of the preferred stock would affect only dividend series preferred stock, the dividend series would vote as a single class. Whenever any vote of the preferred stock would affect only the preferred stock-cumulative, the preferred stock-cumulative would vote as a single class. In all other cases, the dividend series preferred stock and the preferred stock-cumulative would vote as a single class. The new preferred stock-cumulative would have one-quarter vote per share.

NEPCO intends to submit the proposed amendments to its Articles of Organization and By-Laws to its stockholders at a special meeting of stockholders to be held on July 25, 1975. In connection therewith, NEPCO proposes to solicit proxies from the holders of its dividend series preferred stock through the use of solicitation material which sets forth the proposals in detail. The declaration states that the proposed amendments require the affirmative vote of two-thirds of the now outstanding 6% cumulative prefered stock and common stock voting as one class and the approval by two-thirds of the outstanding shares of dividend series preferred stock voting as a class. Since NEES, holder of all of the outstanding shares of NEPCO's common stock has indicated that all such shares will be voted in favor of the proposed amendments, NEPCO is not soliciting the votes of the holders of the 6% cumulative preferred stock and common stock.

The fees and expenses to be paid by NEPCO are estimated at $7,500, including service fees, at cost, of New England Power Service Company, a wholly-owned subsidiary of Nees, of $2,200. It is stated that the Massachusetts Department of Public Utilities has 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.

Notice is further given, that any interested person, may, not later than July 21, 1975, request in writing that a hearing be held with respect to the proposed transaction, 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 (air mail if the person being served is located more than 500 miles from the point of mailing) upon the 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 declaration, as filed or as it may be amended, may be 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.

It appearing to the Commission that the declaration, insofar as it proposes the solicitation of the consents of NEPCO's dividend series preferred stock-

holders, should be permitted to become effective forthwith pursuant to Rule 62:

It is ordered That the declaration regarding the proposed solicitation of the consents of NEPCO's dividend series preferred stockholders be, and it hereby is, permitted to become effective forthwith pursuant to Rule 62 and subject to the terms and conditions prescribed in Rule 24 under the Act.

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

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.75-17091 Filed 6-30-75;8:45 am]

[70-5678]

OHIO ELECTRIC CO.

Proposed Issuance and Sale of First Mortgage Bonds

JUNE 24, 1975.

Notice is hereby given that Ohio Electric Company ("Ohio Electric"), an electric generating subsidiary company of Ohio Power Company ("Ohio"), an electric utility subsidiary company of American Electric Power Company, Inc. ("AEP"), a registered holding company, has filed an application-declaration and amendments thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 6(b), 12(c) of the Act and Rules 42(a) and 42(b)(2) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, as amended, which is summarized below, for a complete statement of the proposed transactions.

Ohio Electric was organized under the laws of the State of Ohio on January 31, 1972 for the purpose of acquiring, completing the construction of, and operating, the General James M. Gavin Plant (Gavin Plant), a fossil-fired steam electric generating station situated in Ohio along the Ohio River near Cheshire, Ohio. The Gavin Plant is to consist of two nominally rated 1,300,000 kilowatt generating units, the first of which was placed in commercial operation on October 20, 1974 and the second of which is scheduled to be placed in commercial operation later in 1975. It is estimated that the total construction costs of the Gavin Plant will equal at least $600,000,000, an estimated unit cost of not less than $230 per kilowatt. Construction costs aggregating $535,085,000 had been incurred through December 31, 1974 and it is estimated that additional construction costs aggregating $52,700,000 will be incurred in 1975 and not less than $18,199,000 additional construction costs incurred after 1975. By order issued March 21, 1972 (HCAR No. 17504) the Commission authorized Ohio Electric to acquire the Gavin Plant from Ohio Power. The order of the Commission also authorized Ohio Electric to issue its unsecured promissory notes from time to time to seventeen banks under a Bank Loan Agreement in an aggregate principal amount up to $300,000,000 and, in connection therewith, authorized Ohio Electric and Ohio Power to enter into and to perform a Capital Funds Agreement and a Power Agreement. On April 10, 1972, Ohio Power transferred the Gavin Plant to Ohio Electric pursuant to the Capital Funds Agreement in consideration of the issuance and delivery by Ohio Electric to Ohio Power of the securities which the Commission authorized Ohio Electric to issue, and thereafter Ohio Electric effected borrowings under the Bank Loan Agreement until it completed in 1974 the borrowing of the $300,000,000 thereunder. The notes issued under the Bank Loan Agreement mature by their terms on May 31, 1979 and bear interest at a rate equal to one-half of one percent plus the prime commercial loan rate of Manufacturers Hanover Trust Company from time to time in effect. Ohio is entitled under the Power Agreement to receive all power (and the energy associated therewith) available at Gavin Plant and Ohio Power agrees to pay Ohio Electric in consideration for the right to receive all such power and energy, such amounts from time to time as, when added to amounts received by Ohio Electric from any other source, will be at least sufficient for Ohio Electric to pay when due all of its operating and other expenses, including (i) any amount which Ohio Electric may be required to pay on account of any interest and/or any substitute interest on all indebtedness for borrowed money issued or assumed by Ohio Electric and on account of the stated maturities of, and/or all required sinking fund payments and other regular amortization requirements applicable to, such indebtedness and (ii) such additional amount as is necessary after any required provision for taxes on, or measured by, income to enable Ohio Electric to pay required dividends on any preferred stock which it may issue and such amount as will represent a fair return on the common stock equity of Ohio Electric as may be permitted by governmental regulatory authorities having jurisdiction. Ohio Electric filed the Power Agreement with the Federal Power Commission (FPC) on July 3, 1974 as an initial rate schedule of Ohio Electric and an investigation was instituted, which is currently continuing, under section 206 of the Federal Power Act as to the reasonability of the rates and charges specified in the Power Agreement.

Ohio Electric proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, up to $75,000,000 principal amount of First Mortgage Bonds, in one initial series, to mature in not less than 5 and not more than 10 years from the date of issuance of such Bonds. The interest rate and the price to be paid to Ohio Electric for the Bonds will be determined by competitive bidding. The terms of the Bonds preclude Ohio Electric from redeeming any such Bonds prior to July 1, 1980, 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 a Mortgage and Deed of Trust, to be dated as of July 1, 1975, to Chase Manhattan Bank, N.A., ("Trustee"), and an Indenture thereto, to be dated as of the first day of the month in which the Bonds are to be issued.

The Mortgage Indenture is designed to finance 60 percent of the construction costs of the 2 unit Gavin plant plus additions thereto as defined in the Mortgage Indenture. Ohio Electric will not assign its interest or rights to any funds due or to become due under the Capital Funds Agreement or Power Agreement to any person other than the Indenture Trustee. Ohio Electric will not declare or pay any dividend on any class of its capital stock, nor directly or indirectly make any payment on account of the purchase, redemption, acquisition or retirement of any shares of its capital stock, of any class, unless, after giving effect to such declaration, payment, purchase, redemption, acquisition or other retirement, the aggregate amount of the proprietary capital of Ohio Electric, including all of its capital stock and paid in and retained earnings, is at least 53.85 percent of the principal amount of all then outstanding indebtedness of Ohio Electric for borrowed money. The Indenture provides for a cash sinking fund pursuant to which Ohio Electric will be required annually to retire Bonds of the first series issued under the Indenture. The amount of the sinking fund payments for this series will be filed by amendment. It is contemplated that the amount of the annual sinking fund payments for this series and the respective amounts of sinking fund payments in the future for additional series will be sufficient to provide for the retirement of all outstanding Bonds at the expiration of the useful life of the depreciable facilities of the Gavin plant.

The proceeds realized from the sale of the Bonds will be deposited in the construction fund under the Mortgage and will be withdrawn by Ohio Electric on application to the Trustee to pay construction costs of the 2 unit Gavin plant.

The fees and expenses to be incurred in connection with the proposed transactions will be supplied by amendment. The proposed issuance and sale of the Bonds is subject to the jurisdiction of the Public Utilities Commission of Ohio and 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 July 17, 1975, 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 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 Ex-

change Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail/(air mail if the person being served is located more than 500 miles from the point of mailing) upon 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-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 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.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.75-17092 Filed 6-30-75;8:45 am]

[File No. 500-1]

WESTGATE CALIFORNIA CORP.

Suspension of Trading

JUNE 25, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock (class A and B), the cumulative preferred stock (5 percent and 6 percent), the 6 percent subordinated debentures due 1979 and the 6½% convertible subordinated debentures due 1987, and all other securities of Westgate California Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from June 26, 1975 through July 5, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.75-17093 Filed 6-30-75;8:46 am]

[812-3770]

EVEREST FUND, INC. ET AL.

Filing of Application for an Order of Exemption

Notice is hereby given that Everest Fund, Inc. ("Everest") and Fidelity Convertible & Senior Securities Fund, Inc. ("Convertible"), 35 Congress Street, Boston, Massachusetts 02109, open-end diversified, management investment companies registered under the Investment Company Act of 1940 (the "Act"), and Fidelity Management & Research Company ("Fidelity"), the investment adviser to, and a shareholder of, Everest and Convertible (collectively referred to as "Applicants"), filed an application on February 28, 1975, and amendments thereto on April 21, 1975, and June 18, 1975, pursuant to section 17(b) of the Act, for an order of the Commission exempting from the provisions of section 17(a) of the Act the merger of Convertible into Everest and, pursuant to section 17(d) of the Act and Rule 17d-1 thereunder, for an order of the Commission permitting Fidelity to participate, as a principal, in the merger of Convertible into Everest. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below. Everest was organized in 1965 and, as of January 31, 1975, had 2,317,364 shares outstanding and net assets of $22,421,968. The present investment objective of Everest is the provison of "modest but growing income . . . combined with capital appreciation * * *." Convertible was organized in 1971 and, as of January 31, 1975, had 1,770,720 shares outstanding and net assets of $11,030,246. The investment objective of Convertible is capital appreciation with income a secondary objective.

Both Everest and Convertible employ Fidelity as investment adviser and a wholly owned subsidiary of Fidelity, The Crosby Corporation, as principal underwriter. The Board of Directors of Everest and Convertible are identical and their officers are susbtantially identical. Accordingly, Everest and Convertible may be deemed to be under common control. Section 2(a)(3) of the Act, in pertinent part, defines an affiliated person of another person to include any person under common control with such other person and an affiliated person of a registered investment company to include any investment adviser of such investment company. Fidelity, therefore, is an affiliated person of both Everest and Convertible, and Everest and Convertible may be deemed to be affiliated persons of each other. Fidelity presently owns 22,912 shares of Everest and 11,269 shares of Convertible. These securities had a value, as of January 31, 1975, of approximately $221,788 and $70,205 respectively and constituted approximately 0.99 percent and 0.64 percent of the respective outstanding voting securities of Everest and Convertible.

Everest and Convertible propose to enter into an Agreement of Merger pursuant to which Convertible will be merged into Everest in accordance with Massachusetts law. Everest will be the surviving corporation and the separate corporate existence of Convertible will cease. The Agreement of Merger and other matters incidental thereto have been approved by the Boards of Directors of Everest and Convertible and must be further approved by the vote of at least two-thirds of the outstanding voting securities of both Everest and Convertible. Shareholders of Everest will also be asked to approve a change in the investment objective of Everest. The proposed new investment objective of Everest is to obtain "reasonable income which shall mean a yield for its shareholders which exceeds the yield on the securities comprising the Standard & Poor's Index of 500 Common Stocks" and to obtain "capital appreciation on the overall portfolio consistent with this objective." The merger of Convertible into Everest will be conditioned upon approval by Everest shareholders of the latter proposal.

On or prior to the effective date of the merger, Convertible will distribute to its shareholders a dividend consisting of substantially all of its net taxable investment income. On the effective date of the merger, the outstanding shares of Convertible held by each stockholder of record will be converted into that number of full and fractional shares of Everest having an aggregate net asset value equal to the value of such stockholder's pro rata interest in the net assets of Convertible. The net asset values of Everest and Convertible, for purposes of the exchange, will be determined as of the close of business on the effective date of the merger.

As of January 31, 1975, Everest and Convertible had, respectively, net unrealized losses of $4,210,670 and $1,905,900, and tax loss carryforwards of $15,624,300 and $4,704,384. Such tax loss carryforwards, or a portion thereof, will be available to offset future taxable gains through January 31, 1980. No adjustments in the aggregate net asset values of Everest and Convertible will be made to compensate shareholders for any potential Federal income tax impact which may result from the differences between Everest and Convertible in the percentage of their unrealized capital losses and tax loss carryforwards to their net assets. Applicants assert that an adjustment is not appropriate because there is no assurance that (1) capital gains will ever be realized which can be offset against the tax loss carryforwards, (2) unrealized losses will ever be realized, or (3) capital gains will be realized against which such losses, if any, may be offset.

SECTION 17(a)

Section 17(a) of the Act, in pertinent part, provides that it shall be unlawful for any affiliated person of a registered investment company, or any affiliated person of such a person, acting as principal, knowingly to sell to or purchase from such registered company any security or other property. Section 17(b) of the Act provides that the Commission, upon application, may exempt a proposed transaction from the provisions of section 17(a) if evidence establishes that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned and that the proposed transaction is consistent with the policy of each registered investment company concerned and with the general

purpose of the Act. Applicants request an order of the Commission exempting from the provisions of section 17(a) of the Act the proposed merger of Convertible into Everest and the exchange of shares of Convertible for shares of Everest by Fidelity in connection with the merger.

Applicants assert that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any person concerned. Shares of Everest will be issued to Convertible shareholders on the basis of the respective net asset values of Everest and Convertible determined at the same point in time. Applicants assert that Fidelity will be treated no differently than all other shareholders of Convertible. Applicants believe that the consummation of the proposed merger will result in certain economies of operation through the reduction of certain expenses, such as auditing fees, filing fees, custodial fees and the expenses of preparation of proxy statements and shareholder reports. The aggregate expenses of consummating the merger of Everest and Convertible are estimated to be $47,700.

Prior to the effective date of the merger, Everest will designate those securities then held by Convertible which are incompatible with the investment objective of Everest or, if delivered to Everest on the effective date of the merger, would be immediately resold by Everest, and such securities will be sold by Convertible. Applicants submit that the proposed merger is consistent with the policies of both Everest and Convertible and the general purposes of the Act. Applicants state that the investment policies and restrictions of Everest and Convertible are substantially identical and that the investment objectives of both Funds are similar.

SECTION 17(d) AND RULE 17d-1

Rule 17d-1, adopted by the Commission pursuant to section 17(d) of the Act, provides, in pertinent part, that no affiliated person of any registered investment company and no affiliated person of such a person, acting as principal, shall participate in, or effect any transaction in connection with, any joint enterprise or other joint arrangement in which such registered company is a participant unless an application regarding such joint enterprise or arrangement has been filed with the Commission and has been granted by an order. A joint enterprise or other joint arrangement as used in this rule is any written or oral plan, contract, authorization or arrangement, or any practice or understanding concerning an enterprise or undertaking whereby a registered investment company and any affiliated person of such registered investment company, or any affiliated person of such a person, have a joint or a joint and several participation, or share in the profits of such enterprise or undertaking. In passing upon such application, the Commission will consider whether the participation of such registered company in such joint enterprise or joint arrangement on the basis proposed is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

Because officers and employees of Fidelity, in their capacity as officers of the Funds, proposed the merger to the directors of Everest and Convertible, and because Fidelity will vote its shares in the Funds in favor of the merger and, if the merger is approved, exchange its shares of Convertible for shares of Everest, Fidelity might be deemed to be a participant in the merger with Everest and Convertible, and thus, subject to the provisions of section 17(d) of the Act and Rule 17d-1 thereunder.

Applicants assert that the proposed merger is consistent with the provisions, policies and purposes of the Act. Applicants further assert that the participation of Fidelity, as a shareholder of Convertible, in the proposed merger will be on the same basis, i.e., net assets value, as all other shareholders of Convertible.

Notice is further given that any interested person may, not later than July 18, 1975 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following July 18, 1975 unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-17065 Filed 6-30-75;8:45 am]

[75-5698]

NATIONAL FUEL GAS CO. ET AL.

Proposal To Issue and Sell Notes to Banks by Holding Company and To Issue and Sell Short-Term Notes to Holding Company by Subsidiary Companies

Notice is hereby given that National Fuel Gas Company ("National"), 30 Rockefeller Plaza, New York, New York 10020, a registered holding company, and two of its subsidiary companies, National Fuel Gas Distribution Corporation ("Distribution Corporation"), 10 Lafayette Square, Buffalo, New York 14203 and National Fuel Gas Supply Corporation ("Supply Corporation"), 308 Seneca Street, Oil City, Pennsylvania 16301, 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 6(a), 6(b), 7, 9(a), 10, 12(b), and 12(f) of the Act and Rules 42, 43, and 45 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

National proposes to issue and sell from time to time through December 31, 1975 unsecured short-term notes in an amount not to exceed $30,000,000 to the following banks:

Bank	*Maximum Amount*
DuBois National Bank, DuBois Pa.	$500,000
Emporium Trust Co., Emporium, Pa.	200,000
McDowell National Bank, Sharon, Pa.	1,100,000
Northwest Pennsylvania Bank & Trust Co., Oil City, Pa.	1,500,000
Pennsylvania Bank & Trust Co., Titusville, Pa.	2,400,000
Producers Bank & Trust Co., Bradford, Pa.	100,000
First Seneca Bank & Trust Co., Oil City, Pa.	2,250,000
First National Bank of Pennsylvania, Erie, Pa.	2,500,000
Marine Midland Chautauqua National Bank, Jamestown, N.Y.	1,000,000
Warren National Bank, Warren, Pa.	1,000,000
Marine National Bank, Erie, Pa.	400,000
Marine Midland Bank-Western, Buffalo, N.Y.	6,000,000
Manufacturers & Traders Trust Co., Buffalo, N.Y.	6,000,000
The Chase Manhattan Bank, N.A., Buffalo, N.Y.	3,000,000
Liberty National Bank & Trust Co., Buffalo, N.Y.	1,000,000
The Chase Manhattan Bank, N.A. ("Chase"), New York, N.Y.	1,050,000
Total	30,000,000

Each note will be dated as of the date of issue, will mature not later than nine months from the date thereof, and will bear interest at the prime commercial rate of interest in effect from time to time at Marine Midland Bank on such date

in the case of banks located in Buffalo and the rate in effect from time to time at Chase in the case of the remaining banks. The notes will be prepayable at any time, in whole or in part, without penalty or premium.

National intends to use the proceeds from the sale of its short-term notes to acquire for cash up to $30,000,000 principal amount of short-term unsecured notes proposed to be issued by Supply Corporation. Each such note will be dated the same date and bear the same interest rate as the related short-term note of National. Each such note will mature within nine months from its date of issue, with interest payable quarterly until the principal amount is paid in full. Supply Corporation will have the option, after payment of all notes of prior maturity held by National, to prepay any note at any time or from time to time, in whole or in part without premium. Supply Corporation proposes to use the proceeds from the above loans to finance the purchase of up to $30,000,000 of natural gas and for working capital.

National also proposes to issue and sell from time to time through December 31, 1975, unsecured short-term notes to Chase, pursuant to a credit agreement ("Credit Agreement"), in an aggregate amount not to exceed $12,000,000 outstanding at any one time. The notes will mature within twelve months from their date of issue, will bear interest at the prime commercial rate in effect from time to time at Chase, and will be prepayable in whole or in part at any time without penalty. National will apply the proceeds to purchase up to $12,000,000 of Distribution Corporation's unsecured short-term notes, which will have the same maturity and bear the same effective interest rate as the related note issued by National. Distribution Corporation will use the proceeds to finance its construction program and for working capital.

National has agreed with Chase to maintain average balances of 10 percent of the line of credit plus 10 percent on any portion of the line of credit taken down. Assuming an average balance of 20 percent and a prime interest rate of 7 percent, the effective cost of money would be 8.75 percent. There will be no commitment fee or other costs paid in connection with National's borrowings from Chase.

The fees and expenses to be incurred in connection with the proposed transactions are estimated at $5,000. The filing states that the New York Public Service Commission and the Pennsylvania Public Utility Commission have jurisdiction over the issuance and sale of notes by National pursuant to the Credit Agreement and that no other State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than July 14, 1975, 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 amended 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 (air mail if the person being served is located more than 500 miles from the point of mailing) 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 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 or 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.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-17066 Filed 6-30-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

MAXIMUM INTEREST RATES

Guaranteed Loan

Notice is given that the Small Business Administration ("SBA") has established the maximum rates of interest that lending institutions participating with SBA may charge on loans approved by SBA on or after July 1, 1975, under section 7 of the Small Business Act, as amended, and section 502 of the Small Business Investment Act, as amended.

Effective July 1, 1975, the maximum rate of interest acceptable to SBA on a guaranteed loan or guaranteed revolving line of credit shall be ten and one-fourth percent (10¼ percent) a year, and the maximum rate on an immediate participation loan shall be nine and one-fourth percent (9¼ percent) a year. These maximum interest rates are unchanged from those published in the FEDERAL REGISTER on March 17, 1975 (40 FR 12169), and shall remain in effect until notification of a change is issued by SBA.

The "SBA Optional Peg Rate" (formerly called the "Treasury Peg Rate") for the quarter-year beginning July 1, 1975, will be seven and seven-eighths percent (7⅞ percent) a year. This is an optional "peg" rate for use in connection with fluctuating interest rate loans made in cooperation with SBA.

This notice is issued under 13 CFR 120.3(b)(2)(vi).

(Catalog of Federal Domestic Assistance Programs:

No. 59.012 Small Business Loans.
No. 59.013 State and Local Development Company Loans.
No. 59.014 Coal Mine Health and Safety Loans.
No. 59.017 Meat and Poultry Inspection Loans (Consumer Protection Loans).
No. 59.018 Occupational Safety and Health Loans.
No. 59.001 Displaced Business Loans.
No. 59.003 Economic Opportunity Loans for Small Business).

Dated: June 30, 1975.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.75-17331 Filed 6-30-75;10:33 am]

VETERANS ADMINISTRATION

DEPENDENCY ALLOWANCE FOR SPOUSE TO CERTAIN FEMALE VETERANS CONCERNING PAYMENT OF CERTAIN EDUCATIONAL BENEFITS

Statement of Policy

By virtue of the authority vested in me by section 210(c)(1) of title 38 of the United States Code and pursuant to § 1.551 of Title 38 of the Code of Federal Regulations, I hereby declare the following to be the policy of the Veterans Administration concerning payment of certain educational benefits.

Whereas, the United States District Court for the Northern District of California in a decision, dated April 4, 1973, in the case of "Kathleen C. Greene, et al., plaintiffs vs. Board of Veterans Appeals, et al., defendants," Civil Action No. C-72-643 OJC, held that sections 102(b), 1652(d)(3) and 1682(a) of title 38, United States Code, as they were stated prior to the 1972 amendments to section 102(b) (Pub. L. 92-540), violated plaintiffs' rights of equal protection under the Fifth Amendment to the United States Constitution.

And Whereas; pursuant to the Order of the Court, promulgated May 4, 1973, the Veterans Administration has paid to the plaintiffs the dependency allowance payable to them for their spouses for the appropriate periods of their schooling.

Therefore, in recognition of the decision of the Court in deciding the constitutionality of these sections of title 38 and in order to do equity to all those similarly circumstanced, I hereby declare that the Veterans Administration will pay to any eligible female veteran the dependency allowance properly payable by reason of her having a living spouse for the period of her pursuit of a program of education under the provisions of chapter 34 of title 38 during the period commencing June 1, 1966, and ending October 24, 1972. Payment of this dependency allowance will be made following receipt by the Veterans Administration of a claim supported by acceptable evidence of the marriage. Such claim and supporting evidence should be submitted promptly to the Veterans Administration Regional Office

having jurisdiction over the geographic area in which such female veteran resides. To be considered, a claim must be filed on or before July 1, 1976.

Approved: June 16, 1975.

[SEAL] RICHARD L. ROUDEBUSH,
Administrator.

[FR Doc.75-17107 Filed 6-30-75;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[V-75-9]

GEORGE A. HORMEL & CO.

Application for Variance and Interim Order; Partial Grant of Interim Order

I. *Notice of application.* Notice is hereby given that George A. Hormel & Company, P.O. Box 800, 501-16th Avenue NE., Austin, Minn. 55912 has made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655) and 29 CFR 1905.11 for a variance and interim order pending a decision on the application for a variance, from the requirement prescribed in 29 CFR 1910.23(c)(1) concerning guarding of open-sided floors, platforms and runways.

The addresses of the places of employment that will be affected by the application are as follows:

George A. Hormel & Co., NE. 6th Place, Austin, Minn. 55912.

George A. Hormel & Co., 160 N. 1st St., Fort Dodge, Iowa 50501.

George A. Hormel & Co., 900 South Platte Avenue, Fremont, Nebr. 68025.

George A. Hormel & Co., East Haven Street, Mitchell, S. Dak. 57301.

George A. Hormel & Co., South H Street, Miami, Okla. 14354.

The applicant certifies that employees who would be affected by the variance have been notified of the application by giving a copy of it to their authorized employee representative, and by posting a copy at all places where notices to employees are normally posted. Employees have also been informed of their right to petition the Assistant Secretary for a hearing.

Applicant originally submitted a request for variance from the above standard's guardrail requirement for the ham-shaving station, pork slaughtering operation, in its facility at Mitchell, South Dakota. On April 7, 1975 applicant amended this request to include all platforms at all work stations in its pork and beef slaughtering operations presently covered by 29 CFR 1910.23(c)(1). On April 24, 1975 applicant submitted extensive supplementary data in support of this amended variance request.

In light of data contained in applicant's submissions and gathered in variance inspections of applicant's Mitchell facility and three other slaughtering facilities not operated by Hormel in the South Dakota-Nebraska area, as well as the observed variation in work stations performing similar operations at these facilities, sufficient information is presently not available to determine whether the safeguards generally proposed by applicant for its beef- and pork-slaughtering platforms would provide working conditions "as safe as" those afforded by standard guardrails. However, such information is available with respect to the ham-shaving operation covered by applicant's original request and continued in its amended application.

These ham-shaving platforms range in height from 4'2" to 6'4" above the adjacent floor and are used by one or more employees, who shave surface hair from slaughtered carcasses which move past the platform by overhead suspension. Employees use razor-sharp knives to perform this operation, which requires considerable flexibility of movement in the shaver's knee-to-shoulder range. The ham-shaving platforms are not less than 3' wide, and are equipped with non-skid surfaces, standard guardrails on three ("non-work") sides, and a toeboard on the working side to signal the location of the edge. In addition, some protection against falls is afforded by the pork carcasses, which move past the platform in close formation immediately next to the open edge and which employees may and do use to steady themselves while performing the shaving operation.

Applicant asserts that installation of a standard 42" guardrail on this working side would severely limit access to carcasses and cause frequent cuts resulting from knives stubbing or striking against the guardrail in the course of shaving activities. It also points to data indicating no recorded injuries from falls from these or any other platforms in over 900,000 man-hours of work in the past five years, and has represented that no falls of any kind from these platforms have occurred. In addition, it has submitted numerous statements from employees and union stewards at its facilities, which statements support its request. It accordingly requests a variance which would permit it to install guardrails 24" in height on the working side of these ham-shaving platforms, asserting that such a rail in combination with the above-described conditions would provide its ham-shavers a workplace as safe against accidental falls as that furnished by standard guardrails.

A copy of the application will be made available for inspection and copying upon request at the Office of Compliance Programming, U.S. Department of Labor, 200 Constitution Avenue, Room NX 3603, Washington, D.C. 20210, and at the following Regional and Area Offices:

U.S. Department of Labor, Occupational Safety and Health Administration, 32nd Floor, Room 3259, 230 S. Dearborn Street, Chicago, Ill. 60604.

U.S. Department of Labor, Occupational Safety and Health Administration, 110 S. Fourth St., Room 437, Minneapolis, Minn. 55401.

U.S. Department of Labor, Occupational Safety and Health Administration, Room 3000, 911 Walnut St., Kansas City, Mo. 64106.

U.S. Department of Labor, Occupational Safety and Health Administration, 210 Walnut St., Room 643, Des Moines, Iowa 50309.

U.S. Department of Labor, Occupational Safety and Health Administration, Room 803, Harney and 16th St., City National Bank Bldg., Omaha, Nebr. 68102.

U.S. Department of Labor, Occupational Safety and Health Administration, Federal Bldg., Room 15010, 1961 Stout Street, Denver, Colo. 80202.

U.S. Department of Labor, Occupational Safety and Health Administration, Court House Plaza Building, Room 408, 300 North Dakota Avenue, Sioux Falls, S. Dak. 57102.

All interested persons, including employers and employees, who believe they would be affected by the grant or denial of the application for a variance are invited to submit written data, views and arguments relating to the pertinent application no later than July 31, 1975. In addition, employers and employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application no later than July 31, 1975, in conformity with the requirements of 29 CFR 1905.15. Submission of written comments and requests for a hearing should be in quadruplicate, and must be addressed to the Office of Compliance Programming at the above address.

II. *Interim Order.* It appears from the application for a variance and interim order, information submitted by the applicant, and information obtained in visits to the slaughtering facilities that an interim order is necessary to prevent undue hardship to the applicant and its employees pending a decision on the variance. Therefore, it is ordered, pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970, and 29 CFR 1905.11 (c) that George A. Hormel and Company be, and it is hereby, authorized to operate its ham shaving stations without standard guardrails on the working side of the platform in lieu of complying with 29 CFR 1910.23(c)(1), with the following provisions:

(1) A guardrail 24" in height and a toeboard 4" in height shall be installed on the working side of all ham-shaving platforms. These safeguards shall in all other respects comply with the requirements of 29 CFR 1910.23 for standard guardrails and toeboards.

(2) The surface of all platforms shall be of non-skid material, and shall permit swift darinage or provide for other rapid removal of blood, fat particles, and similar material.

(3) All platfors shall be no less than 36" wide for their entire length.

(4) Carcasses passing the platform shall be suspended at centers 25" or less, unless wider suspension will not result in significant gaps in the carcass "wall" on the platform's working side.

George A. Hormel and Company shall give notice of this interim order to employees affected thereby, by the same means required to be used to inform them of the application for a variance.

Effective date. This interim order shall be effective as of July 1, 1975, and shall remain in effect until a decision is rendered on the application for variance.

III. *Remainder of variance request.* Applicant's request for a variance and interim order with respect to other platforms and work stations in the above-listed facilities will be determined as expeditiously as possible.

Signed at Washington, D.C., this 24th day of June 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-17089 Filed 6-30-75;8:45 am]

IOWA PLAN

Approval of State Standards

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Assistant Regional Directors for Occupational Safety and Health (hereinafter called the Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On July 20, 1973, notice was published in the FEDERAL REGISTER (38 FR 19368) of the approval of the Iowa plan and the adoption of Subpart J to Part 1952 containing the decision.

The Iowa plan provides for the adoption of Federal Standards as State standards (by reference after comments and public hearing). § 1952.163 of Subpart J sets forth the State's schedule for the adoption of Federal standards. By letter dated April 1, 1975 from Jerry L. Addy, Commissioner of Labor to Joseph A. Reidinger, Assistant Regional Director for the Occupational Safety and Health Administration, and incorporated as part of the plan, the State submitted State standards comparable to 29 CFR 1910.211, 1910.217 (39 FR 41846, December 3, 1974); Part 1910.93(q) (39 FR 41848, December 3, 1974); Part 1910.217 (40 FR 3982, January 27, 1975); Part 1910.106(d)(2) (40 FR 3982, January 27, 1975). These standards, which are contained in Chapter 88 of the Code of Iowa (1973), were promulgated after public comment requested on February 7, 1975, hearings held on March 10, 1975, and resolution adopted by the Iowa Bureau of Labor on March 13, 1975, pursuant to Chapter 17a of the Code. The standards were effective on March 13, 1975, and notice of their adoption was published by the State on March 21, 1975.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards it has been determined that the State standards are identical to the Federal standards and are hereby approved.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Assistant Regional Director, Room 3000, Federal Office Building, 911 Walnut, Kansas City, Missouri; the Iowa Bureau of Labor, East 7th and Court Avenue, 4th Floor, Des Moines, Iowa; and Office of the Associate Assistant Secretary for Regional Programs, Room N3608, 200 Constitution Avenue, NW., Washington, D.C. 20210.

4. *Public participation.* Under § 1953.2 (c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Iowa State plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards and are therefore deemed to be at least as effective.

2. The standards were adopted in accordance with the procedural requirements of State law and further participation would be unnecessary.

This decision is effective July 1, 1975.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667)).

Signed at Kansas City, Missouri this 18th day of June, 1975.

J. A. REIDINGER,
Assistant Regional Director.

[FR Doc.75-17090; Filed 6-30-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 801]

ASSIGNMENT OF HEARINGS

JUNE 26, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 75226 Sub 8, DeCarli's Express, Inc., now assigned July 22, 1975 at Hartford, Connecticut; will be held in Room 134 U.S. Courthouse & Federal Office Building, 450 Maine Street.

MC-F-12332, Great Coastal Express, Inc.—Purchase—Shippers Express, Inc., MC 4991 Sub 14, Great Coastal Express, Inc., and MC 4991 Sub 15, Great Coastal Express, Inc., now assigned July 14, 1975, at New York, N.Y., is canceled and transfered to Modified Procedure.

MC 117851 Sub 17, John R. Cheeseman, Application dismissed.

MC-F-12399, Gaines Motor Lines, Inc., and Control—M. & H. Trucking Company, Inc., now assigned July 23, 1975 at Washington, D.C., has been postponed indefinitely.

MC 112696 Sub 48, Hartmans, Incorporated and MC 138000 Sub 9, Arthur H. Fulton, now assigned July 22, 1975 at Washington, D.C., is postponed indefinitely.

MC 25708 Sub 25, Laney Tank Lines, Incorporated, and MC 103191 Sub 49, The Goe. A. Rheman Co., Inc., and MC 106119 Sub 22, Associated Petroleum Carriers, now assigned July 28, 1975, at Columbia, S.C., will be held in Room 3, 2nd Floor, Municipal Building, 811 Washington St.

MC 14751 Sub 4, Nelson Transfer & Storage Company, now assigned July 29, 1975 at Charleston, West Virginia; will be held in Room D, Main Lobby, 1900 Washington Street, East.

I&S 9046, Increased Fares on Passengers and Vehicles, Lake Michigan, now assigned July 22, 1975, at Milwaukee, Wis., will be held in Room 301D, City Hall, 200 E. Wells St.

MC-F-12379 Courier-Newsom Express, Inc.—Purchase—Bergund Trucking, Inc., and MC 69901 Sub 30, Courier-Newsom Express, Inc., now assigned July 28, 1975, at Chicago, Ill., will be held in Room 346A, Federal Building, 230 S. Dearborn St.

MC 118848 Sub 18, Domenico Bus Service, Inc., now being assigned September 22, 1975 (1 week) at Newark, New Jersey; in a hearing room to be designated later.

MC 138276 Sub 2, J & G Transport LTD., now assigned July 22, 1975, at Olympia, Wash., will be held in Room A, 4th Floor, Division of Motor Vehicles, Highways-Licenses Building, 12th and Washington St.

MC 59367 Sub 94, Decker Truck Line, Inc., now assigned July 28, 1975 at Amarillo, Texas, is canceled and the application is dismissed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-17155 Filed 6-30-75;8:45 am]

[Rule 19, Ex Parte No. 241 Exemption No. 85, Amdt. 3]

CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD CO. ET AL.

Exemption Under Provision of Mandatory Car Service Rules

Upon further consideration of Exemption No. 85 issued September 11, 1974.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Exemption No. 85 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby amended to *expire September 30, 1975.*

This amendment shall become effective June 30, 1975.

Issued at Washington, D.C., June 23, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.75-17165 Filed 6-30-75;8:45 am]

[Rule 19, Ex Parte No. 241 Exemption No. 81, Amdt. 3]

ERIE LACKAWANNA RAILWAY CO. AND LEHIGH VALLEY RAILROAD CO.

Exemption Under Provision of the Mandatory Car Service Rules

Upon further consideration of Exemption No. 81 issued July 15, 1974.

It is ordered, That, under authority vested in me by Car Service Rule 19, Exemption No. 81 to the Mandatory Car Service Rules ordered in Ex Parte No. 241 be, and it is hereby, amended to *expire September 30, 1975*.

This amendment shall become effective June 30, 1975.

Issued at Washington, D.C., June 23, 1975.

INTERSTATE COMMERCE COMMISSION
[SEAL] R. D. PFAHLER, *Agent*.

[FR Doc.75-17164 Filed 6-30-75;8:45 am]

FREIGHT LOSS AND DAMAGE CLAIMS

Location Codes for Quarterly Report; Proposed Revision

This Notice announces proposed alteration of location codes in quarterly reports of freight loss and damage claims to the Interstate Commerce Commission. Motor carriers and railroads filing Form QL&D and Form QL&D-R, shown in 49 CFR Part 1249; 49 CFR Part 1243, are affected. The proposed alteration involves additio nof several location codes to Schedule B, and the renumbering of existing location codes.

By providing a greater number of location codes, theft and loss statistics may be compiled for additional high-loss areas participating in the jointly sponsored Department of Justice and Department of Transportation city campaigns to reduce cargo theft and losses. These additional high-loss areas are either defined specifically or provided for generally in 49 CFR Part 1048.

The existing location codes for commercial zones are being renumbered to form a single set of location codes for use by both motor carriers and railroads. This will facilitate comparison of cargo theft and loss between the two modes. A copy of the revised location codes was filed with the Director, Office of the Federal Register. A copy may be obtained by writing the Director, Bureau of Accounts, Interstate Commerce Commission, Washington, D.C. 20423.

Interested persons are invited to participate in the proposed revision by submitting such written data, views, or arguments as they desire. Communications should be submitted in duplicate to: John A. Grady, Director, Bureau of Accounts, Interstate Commerce Commission, 12th Street and Constitution Avenue NW., Room 6133, Washington, D.C. 20423. All communications received on or before July 30, 1975, will be considered before taking action on the proposed revision. The proposal contained in this Notice may be changed in light of comments received. All comments submitted will be available in the Rules Docket for examination by interested persons, both before and after the closing date.

This revision notice is proposed under the authority of section 17 of the Interstate Commerce Act, as amended (49 U.S.C. 17).

[SEAL] JOHN A. GRADY, *Director, Bureau of Accounts*.

INTERSTATE COMMERCE COMMISSION

Proposed Location Codes for Quarterly Reports of Freight Loss and Damage Claims, Forms QL&D and QL&D-R

Name	Code	Name	Code
COMMERCIAL ZONE		COMMERCIAL ZONE	
Atlanta, Ga	60	Seattle, Wa	80
Baltimore, Md	61	Washington, D.C.; Virginia area*	81
Boston, Ma	62	STATES	
Chicago, Il	63	Alabama	01
Chicago, In	64	Alaska	02
Cleveland, Oh	65	Arizona	04
Dallas, Tx	66	Arkansas	05
Detroit, Mi	67	California	06
Houston, Tx	68	Colorado	08
Los Angeles, Ca	69	Connecticut	09
Miami, Fl	70	Delaware	10
New Orleans, La	71	Dist. of Columbia	11
New York, N.J	72	Florida	12
New York, N.Y	73	Georgia	13
Oakland, Ca	74	Hawaii	15
Philadelphia, N.J	75	Idaho	16
Philadelphia, Pa	76	Illinois	17
East St. Louis, Il	77	Indiana	18
Kentucky	21	Iowa	19
Louisiana	22	Kansas	20
Maine	23	North Dakota	38
Maryland	24	Ohio	39
Massachusetts	25	Oklahoma	40
Michigan	26	Oregon	41
Minnesota	27	Pennsylvania	42
Mississippi	28	Rhode Island	44
Missouri	29	South Carolina	45
Montana	30	South Dakota	46
Nebraska	31	Tennessee	47
Nevada	32	Texas	48
New Hampshire	33	Utah	49
New Jersey	34	Vermont	50
New Mexico	35	Virginia	51
New York	36	Washington	53
North Carolina	37	West Virginia	54
St. Louis, Mo	78	Wisconsin	55
San Francisco, Ca	79	Wyoming	56
FOREIGN COUNTRIES			
Canada	91	Unknown	00
Mexico	92		

*Includes Potomac Yards.

[FR Doc.75-17162 Filed 6-30-75;8:45 am]

[Ex Parte 301]

ENERGY CRISIS AND THE NEED FOR EMERGENCY TRANSPORTATION LEGISLATION

JUNE 25, 1975.

By report and order in the above-entitled proceeding, decided May 9, 1975, and served June 13, 1975, this Commission stated that, "Certain parties, including * * * Houston Chamber of Commerce, * * * assert that we should allow motor carriers to transport as backhaul any traffic they can without the necessity of receiving authority from this Commission." *Energy Crisis and Need for Emergency Transp. Legis.*, 349 I.C.C. 699, 706. By petition filed June 19, 1975, Houston Chamber of Commerce asserts that this misstates its position and requests that the report be corrected and that the parties to the proceeding be notified thereof. Houston Chamber of Commerce suggests further that its participation in the proceeding herein could be summarized more accurately as follows:

> The Freight Traffic Committee of Houston Chamber of Commerce offers certain proposals to effectuate increased fuel utilization, including permissive trip-leasing by common carriers of private carrier equipment, suspension of present prohibitions against intercorporate private carriage and altering present Commission policy that discourages carrier publication of "back-haul" rates at a level below system-wide average costs in that other carriers often protest and seek suspension of such rates.

In order to effect the requested modification, the words "Houston Chamber of Commerce" printed at 349 I.C.C. 706 in the above-entitled report, will be omitted from the bound volume in which that report is to appear.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.75-17163 Filed 6-30-75;8:45 am]

[Notice 16]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 1, 1975.

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-75948. By application filed June 18, 1975, MONROVIA TRANSPORT, INC., 33 East Huntington Drive, Arcadia, Calif. 91006, seeks temporary authority to lease the operating rights of WILEY M. WHITTAKER, 2135 NW. 29th, Portland, Oreg. 97210, under section 210a(b). The transfer to MONROVIA TRANSPORT, INC., of the operating rights of WILEY M. WHITTAKER, is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.75-17156 Filed 6-30-75;8:45 am]

[Notice 17]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JULY 1, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants

that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before July 21, 1975. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75372. By supplemental order entered June 19, 1975, the Motor Carrier Board approved the transfer to Coats Freightlines, Inc., Council Bluffs, Iowa, of the operating rights set forth in Certificate No. MC 133229 (Sub-No. 13), issued February 28, 1975, to Coats Freightways, Inc., Council Bluffs, Iowa, authorizing the transportation of meat, meat products, meat by-products and articles distributed by meat packinghouses, as described in Sections A and C of Appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Minden, Nebr., to points in Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, Massachusetts, and the District of Columbia. Donald L. Stern, Suite 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106.

No. MC-FC-75694. By order of June 19, 1975, the Motor Carrier Board on reconsideration approved the transfer to Morgan Trucking, Inc., Shelton, Wash., of the operating rights in Certificates Nos. MC 115614 (Sub-No. 1) and MC 115614 (Sub-No. 2) issued April 3, 1967, and January 28, 1972, to Melvin Morgan, doing business as Morgan Brothers, Shelton, Wash., authorizing the transportation of lumber and building board, from the plant site of the Simpson Timber Company at Shelton, Wash., to Aberdeen, Wash., and building materials, between Olympia, Shelton, and McCleary, Wash., on the one hand, and, on the other, Longview, Wash. George Kargianis, 2120 Pacific Building, Third Avenue & Columbia Street, Seattle, Wash. 98104, attorney for applicants.

No. MC-FC-75841. By order of June 23, 1975, the Motor Carrier Board approved the transfer to Reed Truck Line, Inc., Manila, Utah, of Certificate No. MC 59743 Sub-No. 3, issued May 14, 1959, to Levi Riley Reed, Levi Reed, Jr., and Derl W. Reed, a partnership, doing business as L. R. Reed and Sons Truck Line, Manila, Utah, authorizing the transportation of: Cement and lumber from and to specified points in Utah, Wyoming, and Colorado. Lawrence A. Marty, Marty and Ragsdale, P.O. Box 231, Green River, Wyoming 82935, applicants' attorney.

No. MC-FC-75843. By order of June 19, 1975, the Motor Carrier Board approved the transfer to Kall-West Transportation, Inc., Downey, Calif., of the operating rights in Permit No. MC 136909 issued September 18, 1974 to Wilferd T. Kallhoff, doing business as Kall-West Transportation, Inc., Downey, Calif., authorizing the transportation of plastic sheets, room dividers, folding screens, and plastic lamp shades, from Redondo Beach, Calif., to Chicago, Ill., Philadelphia, Pa., and Atlanta, Ga., under continuing contract, or contracts with Lancaster Products Co., of Redondo Beach, Calif.; and bronze and iron valves, industrial casters, wheels and platform and hand trucks, from Binghamton, N.Y., and Rome, Ga., to Los Angeles, Calif., Dallas, Tex., Chicago, Ill., Pittsburgh, Pa., and Boston, Mass., and between Binghamton, N.Y., and Rome, Ga., under continuing contract, or contracts with Fairbanks Company of Binghamton, N.Y. Donald Murchison, 9454 Wilshire Blvd., Suite 400, Beverly Hills, Calif. 90212, attorney for applicants.

No. MC-FC-75863. By order of June 19, 1975, the Motor Carrier Board approved the transfer to Hy-Way Transit, Inc., Cedar Grove, Wisconsin, of Permit No. MC 136771 (Sub-No. 2), issued November 7, 1973, to E. H. Teunissen, Cedar Grove, Wisconsin, authorizing the transportation of building materials (except petroleum products), in bulk, from Waterloo and Monticello, Iowa to points in four Wisconsin Counties, under a continuing contract with A. L. Wagner & Company, Inc. Arthur J. Olsen, 602 North 6th Street, Sheboygan, Wis. 53081, attorney for applicants.

No. MC-FC-75867. By order entered June 19, 1975, the Motor Carrier Board approved the transfer to Torino Pacelli, Trumbull, Conn., of the operating rights set forth in Certificate of Registration No. MC 98403 (Sub-No. 2), issued January 13, 1964, to Raymond E. Carroll, doing business as Hampden Trucking Co., Hampden, Mass., evidencing a right to engage in transportation in interstate or foreign commerce of general commodities, anywhere within the Commonwealth. John E. Fay, 630 Oakwood Ave., West Hartford, Conn., 06110, attorney for applicants.

No. MC-FC-75916. By order of June 23, 1975, the Motor Carrier Board approved the transfer to Meier Body Shop & Towing Service, Inc., 3rd and Virginia Streets, Sioux City, Iowa 51101, of the operating rights in Certificate No. MC 118914 issued February 29, 1960, to Clarence E. Meier, doing business as Meier Body Shop & Towing Service, same address, Sioux City, Iowa, authorizing the transportation of wrecked, damaged, or disabled trucks, tractors, trailers, and automobiles, by use of wrecker equipment, between Sioux City, Iowa, on the one hand, and, on the other, specified counties in Iowa, Minnesota, Nebraska, and South Dakota.

No. MC-FC-75926. By order entered June 23, 1975, the Motor Carrier Board approved the transfer to G. Clair Wiley, Colony, Kans., of the operating rights set forth in Certificate No. MC 68665, issued June 17, 1949, to H. W. Powell, Colony, Kans., authorizing the transportation of livestock, between Colony, Kans., and Kansas City, Mo., over specified routes; and general commodities, with the usual exceptions, from Kansas City over specified routes, to Colony, Kans., serving intermediate and off-route points within 12 miles of Colony. James M. Immel, Allen County State Bank Bldg., P.O. Box 348, Iola, Kans. 66749, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-17157 Filed 6-30-75;8:45 am]

[Notice 71]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 25, 1975.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67, (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

No. MC 531 (Sub-No. 313TA), filed June 16, 1975. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine*, in bulk, in tank vehicles, from Cutler, Calif., to Laconia, N.H., for 180 days. Supporting shipper: White Mountain Vineyards, Inc., R.F.D. 2, Providence Road, Laconia, N.H. 03246. Send protests to: John Mensing, District Supervisor, Interstate Commerce Commission, 515 Rusk, Room 8610 Federal Bldg., Houston, Tex. 77002.

No. MC 69397 (Sub-No. 16TA), filed June 16, 1975. Applicant: JAMES H.

HARTMAN & SON, INC., P.O. Box 85, Pocomoke City, Md. 21851. Applicant's representative: Wilmer B. Hill, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Treated and untreated piling*, on special equipment, from Bridgeville, Del., and Hollywood, Md., to points in New York, New Jersey, Pennsylvania, Massachusetts, Connecticut, Rhode Island, Delaware, Maryland, and the District of Columbia, for 180 days. Supporting shipper: C. K. Forest Products, Inc., 2938 Hempstead Turnpike, Levittown, N.Y. 11756. Send protests to: W. C. Hersman, District Supervisor, Interstate Commerce Commission, 12th and Constitution Ave., NW., Room 317, Washington, D.C. 20323.

No. MC 99610 (Sub-No. 20TA), filed June 16, 1975. Applicant: ROSS NEELY EXPRESS, INC., 1500 Second St., Pratt City, Birmingham, Ala. 35214. Applicant's representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Pennsylvania Ave. and 13th St., NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, as follows: (1) between Aliceville, Ala., and Columbus, Miss., via Alabama State Highway 14 and Mississippi State Highway 69, serving all intermediate points; (2) between Reform, Ala., and Columbus, Miss., via U.S. Highway 82, serving all intermediate points; (3) between Sulligent, Ala., and junction in Mississippi, at U.S. Highway 45 via U.S. Highway 278, serving all intermediate points; (4) between Hamilton, Ala., and Tupelo, Miss., via U.S. Highway 78, serving all intermediate points; (5) between Russellville, Ala., and Tremont, Miss., via Alabama State Highway 24 and Mississippi State Highway 23; (6) between Columbus, Miss., and Tupelo, Miss., via U.S. Highway 45, serving all intermediate points and Columbus Air Force Base, Miss., and Prairie, Miss., as off-route points; (7) between Fulton, Miss., and Aberdeen, Miss., via Mississippi State Highway 25, serving all intermediate points; (8) between Amory, Miss., and Nettleton, Miss., via Mississippi State Highway 6, serving all intermediate points; (9) Junction U.S. Highway 728 and Mississippi State Highway 8 to junction Mississippi State Highway 8 and U.S. Highway 45.

NOTE.—Ross Neely Express, Inc., now holds regular route authority between specific routes in Alabama, Georgia and South Mississippi. Neely intends to interline traffic at all points at which concurrences are maintained for interchanging traffic, including, but not limited to, Birmingham, Mobile, Montgomery, Decatur, Gadsden, Anniston, Florence, and Dothan, Ala., and Atlanta, Ga.

Neely proposed to join this authority with its existing permanent and temporary authority to serve points in Alabama, Georgia and Mississippi, for 180 days. Supporting shippers: There are approximately 109 statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Clifford W. White, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Bldg., Birmingham, Ala. 35203.

No. MC 107002 (Sub-No. 472TA), filed June 17, 1975. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bentonite clay*, in bulk, in tank vehicles, from Artesia, Miss., to the sites of the Locks and Dams near Aliceville, Ala., and Columbus, Miss., for 180 days. Supporting shippers: Caisson Corporation, Caisson Drive, Northbrook, Ill. 60062. Inquip Corporation, 2975 Wilshire Blvd., Suite 635, Los Angeles, Calif. 90010. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Room 212, 145 East Amite Bldg., Jackson, Miss. 39201.

No. MC 111729 (Sub-No. 551TA), filed June 18, 1975. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, records, and audit and accounting media*, (1) between Baltimore, Md., on the one hand, and, on the other, Nashaua and Newington, N.J.; Glens Falls, Herkimer, Johnson City, Kingston, Poughkeepsie, and Rome, N.Y.; Rocky Mount, N.C.; Butler, Charlerol, Bubois, Greensburg, Kittaning, Lewiston, Lower Burrell, Meadville, Sunbury, and Uniontown, Pa.; Fredericksburg, Hampton, Norfolk, Portsmouth, and Staunton, Va.; Elkins, Morgantown, and Parkersburg, W. Va.; (2) from North Canton, Ohio to Morgantown, W. Va., for 180 days. Supporting shippers: Montgomery Ward & Company, Inc., 800 Geipe Road, Catonsville, Md. 21228. Danbourne Corporation, 4373 Strausser NW., North Canton, Ohio 44720. Send protests to: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, N.Y. 10007.

No. MC 112520 (Sub-No. 308TA), filed June 16, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Sol H. Proctor, 1107 Blackstone Bldg., Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Propellants explosives* (solids), Class B explosives, smokeless powder for small arms, water wet, in bulk, in tank vehicles, under provisions and restrictions of DOT SP 6040, from the plantsite of Olin Corporation in Wakulla County, Fla., to Marion, Ill. and Wolf Lake, Ill., for 180 days. Supporting shipper: Olin Corporation, P.O. Box 222, St. Marks, Fla. Send protests to: G. H. Fauss, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

No. MC 112822 (Sub-No. 379TA), filed June 16, 1975. Applicant: BRAY LINES INCORPORATED, Box 1911, Cushing, Okla. 74023. Applicant's representative: Charles D. Midkiff (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laundry bleach*, dry (Item 2480-NMFC 100-A) packed in cardboard cartons, from the plantsite of the Clorox Company at Chicago, Ill., to tht facilities of the Clorox Company in Houston, Tex., for 180 days. Supporting shipper: The Clorox Company, Beverly R. Mitchell, 7901 Oakport St., Oakland, Calif. 94621. Send protests to: Marie Spillars, Transportation Assistant, Room 240 Old P.O. Bldg., 215 N.W. Third, Oklahoma City, Okla. 73102.

No. MC 114055 (Sub-No. 5TA) (Correction), filed May 21, 1975, published in the FEDERAL REGISTER issue of June 6, 1975, and republished as corrected this issue. Applicant: RAY KOLNIK, doing business as RAY KOLNIK TRUCKING, Prairie View Road, Sakworth, Wis. 43184. Applicant's representative: Ray Kolnik (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from the plantsite of the G. Heileman Brewing Company, Inc., Newport, Ky., to points in Elgin, Ill., Fox River Grove, Ill., and Waukegan, Ill.; also, from the plantsite of the G. Heileman, Brewing Company of Indiana, Inc., Evansville, Ind., to points in Elgin, Ill., Fox River Grove, Ill., and Waukegan, Ill., also, from the plantsite of the G. Heileman Brewing Company, Inc., LaCrosse, Wis., to points in Waukegan, Ill., for 180 days. Supporting shippers: Andro Pucin Distributing Co., Inc., 405 Oakwood Ave., Waukegan, Ill. 60085. Elgin Beverage Company, 1685 Fleetwood Drive, Elgin, Ill. 60120. L & V Distributing, Inc., Route 14, P.O. Box 44, Fox River Grove, Ill. 60012. Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203. The purpose of this republication is to add the Field Representatives address.

No. MC 114118 (Sub-No. 2 TA), filed June 16, 1975. Applicant: MARSHALL McFARLAND, R.F.D. No. 1, Circleville, Ohio 43113. Applicant's representative: John L. Alden, 1396 West 5th Ave., P.O. Box 5241, Columbus, Ohio 43212. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed*, from Circleville, Ohio, to points in Pennsylvania, under continuing contract with Ralston Purina Company, for 180 days.

Supporting shipper: Ralston Purina Company, 901 South Court St., Circleville, Ohio 43113. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, 220 Federal Bldg. and U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio 43215.

No. MC 114533 (Sub-No. 323TA), filed June 17, 1975. Applicant: BANKERS DISPATCH CORPORATION, 1106 W. 35th St., Chicago, Ill. 60609. Applicant's representative: Warren W. Wallin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Audit media and other business records;* (b) *graphic arts material*, between Wabash, Ind., on the one hand, and, on the other, Huntley, Ill.; (2) *Human blood and blood products*, between Omaha, Nebr., on the one hand, and, on the other, points in Marshall and Nemha Counties, Kans., for 180 days. Supporting shippers: Meredith Brown, D. P. Manager, Wabash Magnetics, Inc., 810 N. Cass St., Wabash, Ind. 46992. Charles W. Cairns, Administrator, American Red Cross, Regional Blood Center, 432 S. 39 St., Omaha, Nebr. 68131. Send protests to: Robert G. Anderson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 116314 (Sub-No. 30TA), filed June 17, 1975. Applicant: MAX BINSWANGER TRUCKING, 13846 Firestone Blvd., Santa Fe Springs, Calif. 90670. Applicant's representative: Carl H. Fritze, 1545 Wilshire Blvd., Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Crestmore and Oro Grande, Calif., to Port Hueneme, Calif., and points in the Los Angeles Harbor Commercial Zone, for 180 days. Supporting shipper: Riverside Cement Company, P.O. Box 832, Riverside, Calif. 92502. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 N. Los Angeles St., Los Angeles, Calif. 90012.

No. MC 116519 (Sub-No. 31TA), filed June 13, 1975. Applicant: FREDERICK TRANSPORT LIMITED, R.R. 6, Chatham, Ontario, Canada. Applicant's representative: Jeremy Kahn, Suite 733, Investment Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural landlevelers*, from De Witt, Ark., to ports of entry on the International Boundary line, located in Michigan and New York, for 180 days. Supporting shipper: Scott Landlevelers, Inc., Assistant Manager, David Estes, Route 2, Box 196X De Witt, Ark. Send protests to: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell, Detroit, Mich. 48226.

No. MC 127824 (Sub-No. 5TA), filed June 17, 1975. Applicant: RONE TRUCKING, INC., U.S. Highway 231, South, Morgantown, Ky. 42261. Applicant's representative: John M. Nader, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in dump vehicles, from points in Butler, Warren, Grayson, Ohio, and Edmonson Counties, Ky., to (a) points in Warren, Ohio, Logan, Edmonson, Grayson, Daviess, and Muhlenberg Counties, Ky., restricted to the transportation of traffic having a subsequent movement by rail; (b) points in Kentucky, restricted to the transportation of traffic having a subsequent movement by water; (c) points in Tennessee, Indiana, Illinois and Ohio. Restriction: Restricted to a transportation service to be performed under a continuing contract or contracts with R. E. Summers Construction Company, Inc., of Bowling Green, Ky., or Rone & McGuyer Lumber Company, Inc., of Morgantown, Ky., for 180 days. Supporting shippers: R. E. Summers, President, R. E. Summers Construction Company, 313 State St., Bowling Green, Ky. 42101. Bobby McGuyer, President, Rone McGuyer Co., Inc., Highway 731, South, Morgantown, Ky. 42261. Send protests to: Elbert Brown, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, 426 Post Office Bldg., Louisville, Ky. 40202.

No. MC 133689 (Sub-No. 62TA), filed June 16, 1975. Applicant: OVERLAND EXPRESS, INC., 719 First Ave. SW., New Brighton, Minn. 55112. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pet foods*, from points in Hopkins, Minn., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont, for 180 days. Supporting shipper: Morton Pet Food Company, Box 621, Hopkins Station, Minneapolis, Minn. 55343. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg. and U.S. Court House 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 134601 (Sub-No. 7TA), filed June 12, 1975. Applicant: GOOSE CREEK TRANSPORT, INC., R.D. No. 1, Ashville, N.Y. 14710. Applicant's representative: Kenneth T. Johnson, Bankers Trust Bldg., Jamestown, N.Y. 14701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (a) *Meats and meat products* distributed by meat packing houses as described in Descriptions of Motor Carriers, 61 M.C.C. 209 and 766, from Dakota City, Nebr.; Emporia, Kans., and Town of Harmony, Chautauqua County, N.Y., to Columbus, Ohio; (b) *Frozen meat patties*, from Town of Harmony, Chautauqua County, N.Y., to Cleveland, Ohio, under continuing contract with Fairbank Farms, Inc., for 180 days. Supporting shipper: Fairbank Farms, Inc., R.D. No. 1, Ashville, N.Y. 14710. Send protests to: George M. Parker, District Supervisor, 612 Federal Office Bldg., 111 West Huron St., Buffalo, N.Y. 14202.

No. MC 138395 (Sub-No. 7TA), filed June 17, 1975. Applicant: DOUGLAS H. WEST, P.O. Box 1274, Salisbury, Md. 21801. Applicant's representative: Charles E. Creager, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Scrap metals*, between points in Maryland, Delaware, New Jersey, New York, West Virginia, Pennsylvania, Virginia, Ohio and D.C.; (2) *Scrap auto parts and reconditioned auto parts and accessories*, therefore between Baltimore, Md., and points in Pennsylvania, New Jersey and Virginia, for 180 days. Supporting shippers: Penn Del Salvage Company, 504 S. Market St., Wilmington, Del. 19899. H. D. Metal Company, Boundary St., Salisbury, Md. 21801. Riegel Scrap, 518 Young St., Havre De Grace, Md. 21075. C. & M. Automotive, 1800 Worcester St., Baltimore, Md. 21230. Send protests to: W. C. Hersman, District Supervisor, Interstate Commerce Commission, 12th and Constitution Ave., NW., Room 317, Washington, D.C. 20423.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-17156 Filed 6-30-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

JUNE 26, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination* Rules (49 CFR Part 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before July 11, 1975. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will *not* operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

Applicant: WARWOOD TRANSFER CO., 2231-41 Warwood Ave., Wheeling,

W. Va. 26003. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials and supplies*, used in the manufacture of paper and paper products, except bulk commodities, from Buffalo, N.Y., to points in Ohio and Marshall Counties, W. Va., Jefferson, Harrison, Monroe, and Belmont Counties, Ohio, Allegheny, Washington, and Green Counties, Pa., and those points in Ohio, Pennsylvania, and W. Va. within 25 miles of Elm Grove, W. Va. The purpose of this filing is to eliminate the gateway of Wellsburg, W. Va.

No. MC 15558 (Sub E15), filed May 16, 1974. Applicant: WARWOOD TRANSFER CO., 2231-41 Warwood Ave., Wheeling, W. Va. 26003. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, between New York, N.Y., on the one hand, and, on the other, points in Ohio and the lower peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Bridgeport, Ohio.

No. MC 45764 (Sub-No. E10) (Correction), filed May 12, 1974, published in the FEDERAL REGISTER, May 27, 1975. Applicant: ROBBINS MOTOR TRANSPORTATION, INC., P.O. Box 36, Essington, Pa. 19029. Applicant's representative: Alan Kahn, 2 Penn Center Plaza, Suite 1920, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment, between points in the District of Columbia, on the one hand, and, on the other, points in New York on and east of a line beginning at the New York-Pennsylvania State line, and extending north over New York Highway 282 to Nichols, N.Y., thence northeast over unnumbered highway to Owego, N.Y., thence northwest over New York Highway 96 to junction New York Highway 96B, thence northwest over New York Highway 96B to Ithaca, N.Y., thence northwest over New York Highway 96 to junction New York Highway 5, thence west over New York Highway 5 to Geneva, N.Y., thence north over New York Highway 14 to junction New York Highway 31, thence west over New York Highway 31 to Rochester, N.Y., thence northeast over New York Highway 18 to Sea Breeze, N.Y., on Lake Ontario, thence east and north along the south shore of Lake Ontario to the United States-Canadian Border at Cape Vincent, and thence northeast along that border to its junction with the New York-Vermont State line. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. The purpose of this correction is to correct the territorial destination.

No. MC 45764 (Sub-No. E14) (Correction), filed May 12, 1974, published in the FEDERAL REGISTER, May 29, 1975. Applicant: ROBBINGS MOTOR TRANSPORTATION, INC., P.O. Box 36, Essington, Pa. 19029. Applicant's representative: Alan Kahn, 2 Penn Center Plaza, Suite 1920, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size weight require the use of special equipment, between points in New York in and west of Monroe, Livingston, and Steuben Counties, on the one hand, and, on the other, points in Fairfield, New Haven, Middlesex, and New London Counties, Conn. The purpose of this filing is to eliminate the gateway of Paterson, N.J. The purpose of this correction is to complete the territorial destination.

No. MC 45764 (Sub-No. E49) (Correction), filed May 12, 1974, published in the FEDERAL REGISTER, May 29, 1975. Applicant: ROBBINS MOTOR TRANSPORTATION, INC., P.O. Box 36, Essington, Pa. 19029. Applicant's representative: Alan Kahn, 2 Penn Center Plaza, Suite 1920, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight, require the use of special equipment, between points in Pennsylvania on and south of a line beginning at Erie, Pa., and extending southeast over Pennsylvania Highway 8 to junction U.S. Highway 6, thence east over U.S. Highway 6 to junction U.S. Highway 219, thence south over U.S. Highway 219 to junction Pennsylvania Highway 255, thence southeast over Pennsylvania Highway 255 to junction Pennsylvania Highway 555, thence east over Pennsylvania Highway 555 to junction Pennsylvania Highway 120, thence east over Pennsylvania Highway 120 to junction U.S. Highway 220, thence northeast over U.S. Highway 220 to junction Pennsylvania Highway 442, thence southeast over Pennsylvania Highway 442 to junction Pennsylvania Highway 42, thence south over Pennsylvania Highway 42 to junction Interstate Highway 81, thence east over Interstate Highway 81 to junction Pennsylvania Highway 93, thence southeast over Pennsylvania Highway 93 to junction U.S. Highway 209, thence south and east over U.S. Highway 209 to junction Pennsylvania Highway 248, thence east over Pennsylvania Highway 248 to junction Pennsylvania Highway 145, thence southeast over Pennsylvania Highway 145 to Allentown, thence south over Pennsylvania Highway 309 to junction Pennsylvania Highway 663, thence east over Pennsylvania Highway 663 to Quarkertown, Pa., thence southeast over Pennsylvania Highway 313 to junction U.S. Highway 202, and thence northeast over U.S. Highway 202 to the Pennsylvania-New Jersey State line, on the one hand, and, on the other, points in Rhode Island. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. The purpose of this correction is to correct the territorial destination.

No. MC 45764 (Sub-No. E69) (Correction), filed May 12, 1974, published in the FEDERAL REGISTER, May 30, 1975. Applicant: ROBBINS MOTOR TRANSPORTATION, INC., P.O. Box 36, Essington, Pa. 19029. Applicant's representative: Alan Kahn, 2 Penn Center Plaza, Suite 1920, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (3) Baltimore City, on the one hand, and, on the other, points in Delaware and Pennsylvania. The purpose of this filing is to eliminate the gateways of points in Maryland within 10 miles of Baltimore, Md. The purpose of this correction is to correct the gateway.

No. MC 45764 (Sub-No. E75) (Correction), filed May 12, 1974, published in the FEDERAL REGISTER, May 30, 1975. Applicant: ROBBINS MOTOR TRANSPORTATION, INC., P.O. Box 36, Essington, Pa. 19029. Applicant's representative: Alan Kahn, 2 Penn Center Plaza, Suite 1920, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Structural steel and equipment*, used in the erection thereof and moving therewith, the transportation of which because of size or weight require the use of special equipment or special handling, from points in Ohio on and south of a line beginning at the Ohio-West Virginia State line and extending west over U.S. Highway 22 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Ohio-Indiana State line, to points in Vermont and New Hampshire. The purpose of this filing is to eliminate the gateway of the Belmont Iron Works at Eddystone, Pa. The purpose of this correction is to correct the territorial destination.

No. MC 61231 (Sub-No. E30), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Structural steel, steel tanks*, and *steel road building materials*, from Kansas City, Mo., and Kansas City, Kans., to points in Illinois, Iowa, Minnesota, North Dakota, South Dakota, and Wisconsin. The purpose of this filing is to eliminate the gateway of facilities of Armco Steel Corp., at Kansas City, Mo.

No. MC 64808 (Sub-No. E43) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER, April 24, 1975. Applicant: W. S. THOMAS TRANSFER, INC., P.O. Box 507, Fairmont, W. Va. 26554. Applicant's representative: William J. LaVelle, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission; (2) between points in that part of Pennsylvania bounded by a line

beginning at the Pennsylvania-Maryland State line and extending along U.S. Highway 219 to junction Pennsylvania Highway 28, thence along Pennsylvania Highway 28 to junction Pennsylvania Highway 66, thence along Pennsylvania Highway 66 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Pennsylvania-West Virginia State line, thence along the Pennsylvania-West Virginia State line and the Pennsylvania-Maryland State line, to the point of beginning, on the one hand, and, on the other, points in that part of Indiana on and south of Interstate Highway 74, including points on the above-described highways. The purpose of this filing is to eliminate the gateway of Marion County, W. Va. The purpose of this partial correction is to correct the territorial description. The remainder of this letter-notice will remain as previously published.

No. MC 75840 (Sub-No. E20) (Correction), filed May 6, 1974, published in the FEDERAL REGISTER May 15, 1975, republished in the FEDERAL REGISTER June 5, 1975. Applicant: MALONE FREIGHT LINES, INC., P.O. Box 11103, Birmingham, Ala. 35222. Applicant's representative: Guy H. Postell, 3384 Peachtree Road NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Twine, machinery, plumbing supplies, building materials, bags, bagging, steel, seeds, soap, shortening compounds, cotton linters, and steel tanks* (except commodities in bulk) and those requiring special equipment, from Birmingham, Ala., and points within 65 miles thereof, and Montgomery, Ala., to points in that part of Arkansas on, north and west of a line beginning at the Arkansas-Missouri State line extending along U.S. Highway 67 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 270, thence along U.S. Highway 270 to junction U.S. Highway 67, thence along U.S. Highway 67 to the Arkansas-Texas State line. The purpose of this filing is to eliminate the gateway of points in Mississippi north of U.S. Highway 82 which are east of U.S. Highway 51, and Memphis, Tenn. The purpose of this partial correction is to include the above in the original letter-notice as filed. The remainder of the letter-notice remains as previously published. The purpose of this correction is to correct the commodity description.

No. MC 100666 (Sub-No. E232) (Correction), filed May 25, 1974, published in the FEDERAL REGISTER May 21, 1975. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Richard W. May (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition or prepared roofing*, from points in Arkansas (except those points on, north and east of a line beginning at junction U.S. Highway 63 and the Missouri-Arkansas State line, thence along U.S. Highway 63 to junction U.S. Highway 61, thence along U.S. Highway 61 to the Mississippi River), to points in Tennessee on, west and north of a line beginning at junction U.S. Highway 45W and the Kentucky-Tennessee State line, thence along U.S. Highway 45W to junction Kentucky Highway 54, thence along Kentucky Highway 54 to junction with the Hatchie River, thence along the Hatchie River to junction with the Mississippi River. This purpose of this filing is to eliminate the gateway of West Memphis, Ark. The purpose of this correction is to clarify the territorial destination.

No. MC 100666 (Sub-No. E257) (Correction), filed June 3, 1974, published in the FEDERAL REGISTER June 12, 1975. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul L. Caplinger (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (3) (b) from points in Missouri on, south and west of U.S. Highway 63 from Arkansas-Missouri State line to junction Missouri Highway 14, thence along Missouri Highway 14 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction Interstate Highway 44, thence along Interstate Highway 44 to the Missouri-Oklahoma State line, to points in Kentucky on and east of Interstate Highway 65; (c) from points in Missouri on and west of U.S. Highway 63 from Arkansas-Missouri State line to junction U.S. Highway 60, thence along U.S. Highway 60 to junction Missouri Highway 13, thence along Missouri Highway 13 to the Missouri-Iowa State line, to points in Tennessee on and east of U.S. Highway 79; (4) (b) from points in Missouri except Newton and McDonald Counties, to points in Oklahoma over 250 miles from Texarkana, Tex., except points in and west of Beaver County; (5) *composition or prepared roofing*, including composition shingles or asbestos, siding and sheet iron roofing, * * * etc. The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to correct the territorial destination in (3) (b), (3) (c), and (4) (b) above, and to correct the commodity description in (5) above.

No. MC 102567 (Sub-No. E2) (Correction), filed June 3, 1974, published in the FEDERAL REGISTER May 22, 1975. Applicant: MC NAIR TRANSPORT, INC., 2040 North Loopwest, Houston, Tex. 77018. Applicant's representative: Tom Wright (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such petroleum products as are liquid chemicals* (except liquefied petroleum gases, in bulk, in tank vehicles), from those points in Texas which are within 150 miles of Henderson, Tex., including Henderson, Tex., and which are south of a line beginning at Chilton, Tex., and extended along Texas Highway 7 to junction U.S. Highway 287, thence along U.S. Highway 287 to the Texas-Louisiana State line, to points in Alabama. The purpose of this filing is to eliminate the gateway of the plant site of American Cyanamid Company at Avondale, La. The purpose of this correction is to clarify the exception in the commodity description.

No. MC 102567 (Sub-No. E3) (Correction), filed June 3, 1974, published in the FEDERAL REGISTER May 22, 1975. Applicant: MC NAIR TRANSPORT, INC., P.O. Drawer 5357, Bossier City, La. 71010. Applicant's representative: Jo E. Shaw, Houston First Saving Bldg., Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such petroleum products as are liquid chemicals* (except liquefied petroleum products, in bulk, in tank vehicles), from Henderson, Tex., and points in Texas within 150 miles of Henderson, to those points in Alabama south of a line beginning at the Alabama-Mississippi State line and extending along Alabama Highway 56 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction Alabama Highway 10, thence along Alabama Highway 10 to the Alabama-Georgia State line. The purpose of this filing is to eliminate the gateway of the plant site of American Cyanamid Company at Avondale, La. The purpose of this correction is to clarify the exception in the commodity description.

No. MC 102567 (Sub-No. E4) (Correction), filed June 3, 1974, published in the FEDERAL REGISTER May 22, 1975. Applicant: MC NAIR TRANSPORT, INC., P.O. Drawer 5357, Bossier City, La. 71010. Applicant's representative: Jo E. Shaw, Houston First Saving Bldg., Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such petroleum products as are liquid chemicals* (except liquefied petroleum gases, in bulk, in tank vehicles), from Henderson, Tex., and points in Texas within 150 miles of Henderson, to points in Florida. The purpose of this filing is to eliminate the gateway of the plant site of American Cyanamid Company at Avondale, La. The purpose of this correction is to clarify the exception in the commodity description.

No. MC 102567 (Sub-No. E6) (Correction), filed June 3, 1974, published in the FEDERAL REGISTER May 22, 1975. Applicant: MC NAIR TRANSPORT, INC., P.O. Drawer 5357, Bossier City, La. 71010. Applicant's representative: Jo E. Shaw, Houston First Saving Bldg., Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such petroleum products as are liquid chemicals* (except liquefied petroleum gases, in bulk, in tank vehicles), from those points in Texas which are within 150 miles of Henderson, Tex., including Henderson, and which are south of a line beginning at Denton, Tex., and extending along In-

terstate Highway 35E to junction U.S. Highway 179/69, thence along U.S. Highway 175/69 to junction Texas Highway 63, thence along Texas Highway 63 to the Texas-Louisiana State line, to points in Georgia. The purpose of this filing is to eliminate the gateway of the plant site of American Cyanamid Company at Avondale, La. The purpose of this correction is to clarify the exception in the commodity description.

No. MC 106497 (Sub-No. E1), filed May 14, 1974. Applicant: PARKHILL TRUCK COMPANY, P.O. Box 912, Joplin, Mo. 64801. Applicant's representative: T. M. Tallon (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which because of their size or weight requires the use of special equipment or handling; (2) *parts* of commodities described in (1) above which do not require special equipment when moving in the same shipment on the same bill of lading from a single consignor as commodities described in (1) above; and (3) *self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith (restricted to self-propelled articles which are transported on trailers), between points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Louisiana, Oklahoma, those in New Mexico on and east of U.S. Highway 85, and those in Texas west of a line beginning at the Texas-New Mexico State line and extending along U.S. Highway 285 to junction U.S. Highway 90, thence along U.S. Highway 90 to junction U.S. Highway 277, thence along U.S. Highway 277 to the United States-Mexico International Boundary line, on the one hand, and, on the other, points in Oregon and Washington. The purpose of this filing is to eliminate the gateway of Wyoming.

No. MC 106497 (Sub E2), filed May 14, 1974. Applicant: PARKHILL TRUCK COMPANY, P.O. Box 912, Joplin, Missouri 64801. Applicant's representative: T. M. Tallon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment or handling, and *self-propelled articles*, each weighing 15,000 pounds or more, between points in Ohio on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Iowa, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Oregon, Texas, and Washington. The purpose of this filing is to eliminate the gateway of Indiana and Wyoming.

No. MC 106497 (Sub-No. E4), filed May 14, 1974. Applicant: PARKHILL TRUCK COMPANY, P.O. Box 912, Joplin, Mo. 64801. Applicant's representative: T. M. Tallon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require special equipment or handling, and *self-propelled articles*, each weighing 15,000 pounds or more from those points in Kentucky on and east of U.S. Highway 41, to points in Arkansas, Iowa, Kansas, Missouri, Oklahoma, Texas, Louisiana (except Washington and St. Tammany Parishes), and those in Illinois on and south of a line beginning at the Illinois-Indiana State line and extending along Interstate Highway 74 to junction Interstate Highway 72, thence along Interstate Highway 72 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Illinois Highway 125, thence along Illinois Highway 125 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Missouri State line. The purpose of this filing is to eliminate the gateway of Indiana.

No. MC 106497 (Sub-No. E8), filed May 14, 1974. Applicant: PARKHILL TRUCK COMPANY, P.O. Box 912, Joplin, Mo. 64801. Applicant's representative: T. M. Tallon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products, and byproducts, between points in Montana, North Dakota, and South Dakota, on the one hand, and, on the other, points in Arkansas, Louisiana, Texas, those in New Mexico on and south of U.S. Highway 40, and those in Missouri on and south of a line beginning at the Kansas-Missouri State line and extending along Missouri Highway 96 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Missouri-Kentucky State line. The purpose of this filing is to eliminate the gateway of Oklahoma.

No. MC 106497 (Sub-No. E9), filed May 14, 1974. Applicant: PARKHILL TRUCK COMPANY, P.O. Box 912, Joplin, Mo. 64801. Applicant's representative: T. M. Tallon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tubing*, other than oilfield, which by reason of size or weight requires special equipment or handling, from those points in Louisiana on and south of U.S. Highway 84, and those points in Texas on and south of a line beginning at the Louisiana-Texas State line and extending along U.S. Highway 84 to junction U.S. Highway 79, thence along U.S. Highway 79 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction U.S. Highway 87, thence along U.S. Highway 87 to the Gulf of Mexico, to points in Arizona, California, Idaho, Nevada, Montana, and Utah. The purpose of this filing is to eliminate the gateway of the plant site of Gulf States Tube Corporation at Rosenberg, Tex.

No. MC 106497 (Sub-No. E10), filed May 14, 1974. Applicant: PARKHILL TRUCK COMPANY, P.O. Box 912, Joplin, Mo. 64801. Applicant's representative: T. M. Tallon (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tubing*, other than oilfield, the transportation of which because of their size or weight requires the use of special equipment or handling from those points in Texas on and south of a line beginning at the Texas-New Mexico State line and extending along Texas Highway 18 to junction Texas Highway 302, thence along Texas Highway 302 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction Texas Highway 158, thence along Texas Highway 158 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction Texas Highway 71, thence along Texas Highway 71 to junction U.S. Highway 90, thence along U.S. Highway 90 to junction Interstate Highway 45, thence along Interstate Highway 45 to the Gulf of Mexico, to those points in New York on and east of New York Highway 14, those in Pennsylvania on and east of a line beginning at the New York-Pennsylvania State line and extending along Pennsylvania Highway 14 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 220, thence along U.S. Highway 220 to the Pennsylvania-Maryland State line, those in West Virginia on and east of a line beginning at the West Virginia-Pennsylvania State line and extending along Interstate Highway 79 to junction Interstate Highway 77, thence along Interstate Highway 77 to the West Virginia-North Carolina State line, and those in Tennessee on and east of a line beginning at the Tennessee-Virginia State line and extending along Interstate Highway 81 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Tennessee-Georgia State line. The purpose of this filing is to eliminate the gateway of the plant site of Gulf States Tube Corporation at Rosenberg, Tex.

No. MC 106497 (Sub-No. E12), filed May 14, 1974. Applicant: PARKHILL TRUCK COMPANY, P.O. Box 912, Joplin, Mo. 64801. Applicant's representative: T. M. Tallon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Transformers*, the transportation of which because of size or weight require the use of special equipment or handling, from those points in Texas on and south of a line beginning at the United States-Mexico International Boundary line and extending along U.S. Highway 80 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction Texas Highway 218, thence along Texas Highway 218 to junction Texas Highway 22, thence along Texas Highway 22 to junction Texas Highway 31, thence along Texas Highway 31 to junction U.S.

Highway 80, thence along U.S. Highway 80 to junction U.S. Highway 59, thence along U.S. Highway 59 to points in Connecticut, Delaware, Maine, Massachusetts, Michigan, New Hampshire, New York, Notrh Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, those in Alabama on and north of U.S. Highway 80, those in Florida on and west of a line beginning at the Georgia-Florida State line and extending along Interstate Highway 75 to junction Florida Highway 60, thence along Florida Highway 60 to the Gulf of Mexico, those in Georgia on and north of a line beginning at the Georgia-Alabama State line and extending along U.S. Highway 280 to junction Georgia Highway 55, thence along Georgia Highway 55 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Georgia-Florida State line, those in Mississippi on and north of Interstate Highway 20 (except Vicksburg, Miss.), and those in Minnesota on and east of a line beginning at the United States-Canada International Boundary line and extending along U.S. Highway 71 to junction Minnesota Highway 6, thence along Minnesota Highway 6 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Minnesota-Iowa State line. The purpose of this filing is to eliminate the gateway of the plant site of General Electric Co., at Shreveport, La.

No. MC 106497 (Sub E17), filed June 3, 1974. Applicant: PARKHILL TRUCK COMPANY, P.O. Box 912, Joplin, Mo. 64801. Applicant's representative: T. M. Tallon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Self-propelled machinery and self-propelled contractors' equipment, each weighing 15,000 pounds or more, restricted to commodities which are transported on trailers, (1) between those points in Illinois on and south of United States Highway 24, on the one hand, and, on the other, points in Ohio; (2) between those points in Illinois on and south of United States Highway 24 and on and north of a line beginning at the Indiana-Illinois State line and extending along United States Highway 50 to junction United States Highway 45, to junction Illinois Highway 33, to junction Illinois Highway 16, to junction Illinois Highway 16, to junction Illinois Highway 29, to junction Illinois Highway 104, to Illinois-Missouri State line; and (3) between points in Ohio, on the one hand, and, on the other, those points in Kentucky on and west of a line beginning at the Kentucky-Indiana State line and extending along United States Highway 65 to junction Kentucky Highway 90, to junction United States Highway 31E, to the Kentucky-Tennessee State line; and *heavy machinery* between those points in Illinois on and north of a line beginning at the Indiana-Illinois State line and extending along United States Highway 50 to junction United States Highway 45, to junction Illinois Highway 33, to junction Illinois Highway 16, to junction Illinois Highway 29, to junction Illinois Highway 104, to the Missouri-Illinois State line, on the one hand, and, on the other, points in Kentucky and Ohio. The purpose of this filing is to eliminate the gateway of Indiana.

No. MC 106603 (Sub-No. E4) (Correction), filed May 10, 1974, published in the FEDERAL REGISTER, May 28, 1975. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin Leavitt (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building contractors' materials*, restricted to building materials, as described by the Commission, from points in Indiana to those points in the Upper Peninsula of Michigan on and west of U.S. Highway 41. The purpose of this filing is to eliminate the gateway of Wilmington, Del. The purpose of this correction is to correct the carrier's name.

No. MC 106603 (Sub-No. E5) (Correction), filed May 10, 1974, published in the FEDERAL REGISTER, May 28, 1975. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin Leavitt (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building contractors' materials*, restricted to building materials as described by the Commission, from those points in Indiana on and west of Interstate Highway 65 to those points in the Upper Peninsula on and east of U.S. Highway 41. The purpose of this filing is to eliminate the gateway of Wilmington, Ill. The purpose of this correction is to correct the carrier's name.

No. MC 106603 (Sub-No. E6) (Correction), filed May 10, 1974, published in the FEDERAL REGISTER May 28, 1975. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin Leavitt (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building contractors' materials*, restricted to roofing materials, from those points in Illinois south and west of a line beginning at the Illinois-Missouri State line, and extending along Interstate Highway 55/U.S. Highway 66 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Illinois-Missouri State line to those points in the Upper Peninsula of Michigan on and north of U.S. Highway 2. The purpose of this filing is to eliminate the gateway of Whiting, Ind., and Wilmington, Ill. The purpose of this correction is to correct the carrier's name.

No. MC 106603 (Sub-No. E7) (Correction), filed May 10, 1974, published in the FEDERAL REGISTER May 28, 1975. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin Leavitt (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building contractors' materials*, restricted to roofing materials, from those points in Illinois bounded by a line beginning at the Illinois-Missouri State line and extending along U.S. Highway 36 to junction U.S. Highway 66/Interstate Highway 55, thence along Interstate Highway 55 to junction Interstate Highway 74, thence along Interstate Highway 74 to junction U.S. Highway 34, thence along U.S. Highway 34 to the Illinois-Iowa State line, to those points in the Upper Peninsula of Michigan on and east of U.S. Highway 41. The purpose of this filing is to eliminate the gateways of Whiting, Ind., and Wilmington, Ill. The purpose of this correction is to correct the carrier's name.

No. MC 106603 (Sub-No. E8) (Correction), filed May 10, 1974, published in the FEDERAL REGISTER, May 28, 1975. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin Leavitt (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building contractor's materials*, restricted to building and roofing materials, from points in Indiana (except the plant site of the Bethlehem Steel Corporation, located at Burns Harbor, Porter County, Ind.), to points in the St. Louis, Mo., commercial zone. The purpose of this filing is to eliminate the gateway of Vandalia, Ill. The purpose of this correction is to correct the carrier's name.

No. MC 106603 (Sub-No. E9) (Correction), filed May 10, 1974, published in the FEDERAL REGISTER May 28, 1975. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin Leavitt (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building contractors' materials*, restricted to building and roofing materials, in truckloads, from those points in Ohio on and south of a line beginning at the Ohio-Kentucky State line and extending along Ohio Highway 73 to junction Ohio Highway 725, thence along Ohio Highway 725 to the Ohio-Indiana State line to those points in the Lower Peninsula bounded by a line beginning at the Michigan-Indiana State line and extending along Interstate Highway 94 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction U.S. Highway 10, thence along U.S. Highway 27 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction Michigan High-

way 32. The purpose of this filing is to eliminate the gateway of Lockland, Ohio. The purpose of this correction is to correct the carrier's name.

No. MC 107295 (Sub-No. E232) (Correction), filed May 9, 1974, published in the FEDERAL REGISTER, May 6, 1975. Applicant: PRE FAB TRANSIT CO., P.O. Box 148, Farmer City, Ill. Applicant's representative: Richard D. Vollmer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building*, complete, knocked down, or in sections, (1) from points in Texas to points in Connecticut, Delaware, Rhode Island, South Carolina, Vermont, and the District of Columbia, (2) from points in that part of Texas in and west of Wichita, Archer, Young, Stephens, Eastland, Brown, McCulloch, Menard, Kimble, Edwards, Kinney, and Maverick Counties, to points in that part of Alabama in and east of Lauder dale, Lawrence, Cullman, Blount, St. Clair, Talladega, Clay, Tallapoosa, Macon, Bullock, Barbour, Henry, and Houston Counties, and points in that part of Florida in and east of Jackson, Calhoun, and Gulf Counties and points in Georgia. The purpose of this filing is to eliminate the gateway of Pine Bluff, Ark. The purpose of this correction is to clarify the exception in the commodity description.

No. MC 108449 (Sub E219), filed May 16, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Nn. 55113. Applicant's representative: W. A. Myllenbeck, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Lemont and Lockport, Ill., to points in North Dakota. The purpose of this filing is to eliminate the gateway of LaCrosse, Wis., and Ramsey County, Minn.

No. MC 109331 (Sub-No. E20), (Correction), filed May 12, 1974, published in the FEDERAL REGISTER April 22, 1975. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Greenwood, S.C., on the one hand, and, on the other, Boca Raton, Cocoa, Daytona Beach, Ft. Myers, Gainesville, Key West, Miami, Ocala, Okeechobee, Orlando, St. Petersburg, Sarasota, South Bay, Tampa, West Palm Beach, and Winter Haven, Fla. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof. The purpose of this correction is to correct the territorial descriptions.

No. MC 109331 (Sub-No. E21) (Correction), filed May 21, 1974, published in the FEDERAL REGISTER April 22, 1975. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Spartanburg, S.C., on the one hand, and, on the other, Boca Raton, Chiefland, Cocoa, Crestview, Daytona Beach, Ft. Myers, Gainesville, Jacksonville, Key West, Lake City, Miami, Ocala, Okeechobee, Orlando, Panama City, Perry, St. Augustine, St. Petersburg, Sarasota, South Bay, Tallahassee, Tampa, West Palm Beach, and Winter Haven, Fla. The purpose of this filing is to eliminate the gateways of Sumter, S.C., and points within 25 miles thereof. The purpose of this correction is to correct the territorial description.

No. MC 109397 (Sub-No. E83), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Heavy machinery and articles* which require specialized handling or rigging because of their size or weight, and self-propelled articles, each weighing 15,000 pounds or more, restricted to self-propelled articles which are transported on trailers, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in that part of the Lower Peninsula of Michigan on and east of a line beginning at Mackinaw City, Mich., and extending along U.S. Highway to junction U.S. Highway 10, thence along U.S. Highway 10 to junction U.S. Highway 23, and thence along U.S. Highway 23 to the Michigan-Ohio State line, on the one hand, and, on the other, points in Ohio. The purpose of this filing is to eliminate the gateway of points in Lucas County, Ohio.

No. MC 109462 (Sub E1), filed May 15, 1974. Applicant: LUMBER TRANSPORT, INC., P.O. Box 6181 S. Station, Fort Smith, Ark. 72901. Applicant's representative: Ronald E. Butler, 54 W. Lake St., Madisonville, Ky. 42431. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, from points in New Mexico, to points in Wisconsin, Illinois, Indiana, Kentucky, Tennessee, Mississippi, Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, West Virginia, Ohio, Pennsylvania, Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine. The purpose of this filing is to eliminate the gateway of Miami, Okla.

No. MC 109465 (Sub E2), filed May 15, 1974. Applicant: LUMBER TRANSPORT, INC., P.O. Box 6181 S. Station, Fort Smith, Ark. 72901. Applicant's representative: Ronald E. Butler, 54 W. Lake St., Madisonville, Ky. 42431. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, from points in New Mexico on and north of a line beginning at a point on U.S. 56 at the Texas-New Mexico State line, thence in a westerly direction along U.S. 56 to its intersection with U.S. 85, thence along U.S. 85 in a northerly direction to its intersection with N.M. Hwy. 58, thence along N.M. Hwy. 58 in a westerly direction to its intersection with U.S. 64, thence along U.S. 64 in a westerly direction to its intersection with N.M. Hwy. 4, thence along N.M. Hwy. 4 in a westerly direction to its intersection with N.M. Hwy. 44, thence along N.M. Hwy. 44 in a northwesterly direction to its intersection with N.M. Hwy. 509, thence along State Hwy. 509 in a southwesterly direction to its intersection with N.M. Hwy. 53, thence in a southwesterly direction along N.M. Hwy. 53 to U.S. 66, thence along U.S. 66 in a westerly direction to the Arizona-New Mexico State line, to points in *Arkansas*; and to points in *Louisiana* on and north of a line beginning at a point on U.S. Hwy. 190 at the Louisiana-Texas State line, thence along U.S. 190 in an easterly direction to its intersection with State Hwy. 26, thence along State Hwy. 26 in a southeasterly direction to its intersection with I–10, thence along I–10 in an easterly direction to its intersection with State Hwy. 35, thence along State Hwy. 35, ending at Forked Island near the Gulf of Mexico; and to points in *Minnesota* on and east of a line beginning at a point on the Canadian-Minnesota border line on U.S. 71, thence along U.S. 71 in a southerly direction to its intersection with State Hwy. 371 at or near Bemidji, Minnesota, thence in a southerly direction along State Hwy. 371 to its intersection with U.S. 10 at or near Little Falls, Minnesota, thence in a southerly direction along U.S. 10 to its intersection with I–35 at or near Minneapolis, Minnesota, thence in a southerly direction along I–35 to the Minnesota-Iowa State line; and points in *Iowa* on and east of Interstate Highway 35.

No. MC 109462 (Sub E3), filed May 15, 1974. Applicant: LUMBER TRANSPORT, INC., P.O. Box 6181 S. Station, Fort Smith, Ark. 72901. Applicant's representative: Ronald E. Butler, 54 W. Lake St., Madisonville, Ky. 42431. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, from points in that part of New Mexico on and southeast of a line beginning at the New Mexico-Texas State line on U.S. 54 at or near Nara Visa, NM, thence in a southwesterly direction along U.S. 54 to its intersection with U.S. 70 at or near Alamogordo, NM, thence in a southerly direction along U.S. 70 to its intersection with U.S. 80 at or near Las Cruces, NM, thence in a southerly direction along U.S. 80 to the New Mexico-Texas State line; to points in Minnesota; Iowa; and to points in Arkansas on and north of I–40. The purpose of this filing is to eliminate the gateway of Miami, Okla.

No. MC 109462 (Sub E4), filed May 15, 1974. Applicant: LUMBER TRANSPORT, INC., P.O. Box 6181 S. Station, Fort Smith, Ark. 72901. Applicant's representative: Ronald E. Butler, 54 W. Lake St., Madisonville, Ky. 42431. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, from points in New Mexico on and south of a line beginning at the New Mexico-Texas State line at or near Clayton, N.M. on U.S. 56, thence in a westerly direction along U.S. 56 to its intersection with U.S. 85 at or near Springer, N.M., thence along U.S. 85 in a northerly direction to its intersection with State Hwy. 58, thence along State Hwy. 58 in a westerly direction to its intersection with U.S. 64, thence along U.S. 64 in a westerly direction to its intersection with State Hwy. 4, thence along State Hwy. 4, in a westerly direction to its intersection with State Hwy. 44, thence along State Hwy. 44 in a northerly direction to its intersection with State Hwy. 509, thence along State Hwy. 509 in a southerly direction to its intersection with State Hwy. 53, thence along State Hwy. 53 in a westerly direction to the New Mexico-Arizona State line, thence along the New Mexico-Arizona State line in a southerly direction to the New Mexico-Mexico border line, thence along the New Mexico-Mexico border line to a point where the New Mexico-Mexico border line intersects with the Texas-New Mexico State line, thence beginning at the New Mexico-Texas State line on U.S. 80 at or near Anthony, NM, thence in a northerly direction along U.S. 80 to its intersection with U.S. 70 at or near Las Cruces, NM, thence in a northerly direction along U.S. 70 to its intersection with U.S. 54 at or near Alamogordo, NM, thence in a northeasterly direction along U.S. 54 to the New Mexico-Texas State line, thence in a northerly direction along the New Mexico-Texas State line to the intersection of U.S. 56, the beginning point; to points in Iowa and Minnesota, and points in Arkansas on, east and north of a line beginning at the Arkansas-Oklahoma State line on U.S. 62 at or near Summers, Arkansas, thence in an easterly direction along U.S. 62 to its intersection with State Hwy. 16 at or near Fayetteville, Arkansas, thence in a southerly direction along State Hwy. 16 to its intersection with State Hwy. 23 at or near St. Paul, Arkansas, thence in a southerly direction along State Hwy. 23 to its intersection with I-40 at or near Ozark, Arkansas, thence in an easterly direction along I-40 to the Arkansas-Tennessee State line.

No. MC 109462 (Sub E5), filed May 15, 1974. Applicant: LUMBER TRANSPORT, INC., P.O. Box 6181, S. Station, Fort Smith, Ark. 72901. Applicant's representative: Ronald E. Butler, 54 W. Lake St., Madisonville, Ky. 42431. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, from points in New Mexico to points in Kansas on and east of a line beginning at the Kansas-Missouri State line on U.S. 169 at or near Kansas City, thence in a southerly direction along U.S. 169 to its intersection with State Hwy. 39 at or near Chanute, Kansas, thence in a westerly direction along State 39 to its intersection with U.S. 75, thence in a southerly direction along U.S. 75 to the Kansas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of Miami, Okla.

No. MC 109462 (Sub E6), filed May 15, 1974. Applicant: LUMBER TRANSPORT, INC., P.O. Box 6181, S. Station, Fort Smith, Ark. 72901. Applicant's representative: Ronald E. Butler, 54 W. Lake St., Madisonville, Ky. 42431. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, from points in New Mexico on, west and south of a line beginning at the New Mexico-Colorado State line on State Hwy. 3 at or near Costilla, New Mexico, thence in a southerly direction along State Hwy. 3 to its intersection with State Hwy. 104 at or near Las Vegas, New Mexico, thence in an easterly direction on State Hwy. 104 to its intersection with U.S. 66 at or near Tucumcari, New Mexico, thence in an easterly direction along U.S. 66 to the New Mexico-Oklahoma State line; to points in *Kansas* on and east of a line beginning at the Kansas-Nebraska State line on U.S. 75 at or near Sabetha, Kansas, thence in a southerly direction along U.S. 75 to the Kansas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of Miami, Okla.

No. MC 111401 (Sub-No. E23) (Correction), filed May 12, 1974, published in the FEDERAL REGISTER May 28, 1975. Applicant: GROENDYKE TRANSPORT, INC., P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum* and *petroleum products* as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vheicles, from points in Texas on and west of a line beginning at the Oklahoma-Texas State line and extending along U.S. Highway 259 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Texas Highway 288, thence along Texas Highway 288 to the Gulf of Mexico, to points in New Mexico on and south of U.S. Highway 66. The purpose of this filing is to eliminate the gateway of Houston, Tex. The purpose of this correction is to extend the territorial destination.

No. MC 111401 (Sub-No. E73) (Correction), filed May 14, 1974, published in the FEDERAL REGISTER May 28, 1975. Applicant: GROENDYKE TRANSPORT, INC., P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Number 5 and 6 fuel oils*, in bulk, in tank vehicles, from points in Texas on, south and east of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 62 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Mexico International Boundary line, and on and west of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 75 to junction U.S. Highway 77 to the United States-Mexico International Boundary line, to points in Missouri. The purpose of this filing is to eliminate the gateway of Tulsa, Okla. The purpose of this correction is to extend the territorial destination.

No. MC 113855 (Sub-No. E91) (Correction), filed May 30, 1974, published in the FEDERAL REGISTER June 5, 1975. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (2) (b) between points in Colorado (except points located in Logan, Washington, Lincoln, Crowley, Otera, Sedgwick, Phillips, Yuma, Kit Carson, Cheyenne, Kiowa, Bent, Prowers, and Baca Counties, on the one hand, and, on the other, points in Harrison, Shelby, Audubon, Guthrie, Pottawattamie, Cass, Adair, Mills, Montgomery, Adams, Union, Fremont, Page, Taylor, and Ringgold Counties, Iowa. The purpose of this filing is to eliminate the gateway of South Dakota. The purpose of this correction is to correct the destination point in (2) (b) above.

No. MC 114552 (Sub-No. E8) (Correction), filed April 29, 1974, published in the FEDERAL REGISTER May 28, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, 919 Eighteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: * * * The purpose of this partial correction is to reflect the correct applicant's representative. The remainder of this letter-notice remains as previously published.

No. MC 114552 (Sub-No. E9) (Correction), filed April 29, 1974, published in the FEDERAL REGISTER June 3, 1975. Applicant: SENN TRUCKING CO., P.O. Box 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (9) from points in Georgia on and east of a line beginning at the Georgia-South Carolina State line, thence along Georgia Highway 368 to junction Georgia Highway 17, thence along Georgia Highway 17 to junction Georgia Highway 47, thence along Georgia Highway 47 to junction U.S. Highway 278, thence along

U.S. Highway 278 to junction Georgia Highway 80, thence along Georgia Highway 80 to junction U.S. Highway 1/221, thence along U.S. Highway 1/221 to junction U.S. Highway 1, thence along U.S. Highway 1 to junction U.S. Highway 1/23, thence along U.S. Highway 1/23 to the Georgia-Florida State line, to points in Missouri and Arkansas. The purpose of this filing is to eliminate the gateways of: in (1) Tennessee; in (2), (4), (6), (7), and (9) Greenwood County, S.C., in (3) Buncombe, Chatham, Cherokee, Columbus, Cumberland, Franklin, Guilford, Harnett, Henderson, Lee, Macon, Orange, Rockingham, Transylvania, and Union Counties, N.C.; in (5) Camden County, N.J.; and in (8) South Carolina. The purpose of this partial correction is to correct the description in (9) above.

No. MC 115840 (Sub-No. E37), filed August 25, 1974. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe fittings, pipe valves*, and *fire hydrants*, from Coshocton, Ohio, to points in Texas, Arizona, and California. The purpose of this filing is to eliminate the gateway of Anniston, Ala.

No. MC 115840 (Sub-No. E94), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel fittings, components, parts and accessories*, from Anniston, Ala., to points in Alabama, Louisiana, Arkansas, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Oklahoma, and Tennessee. The purpose of this filing is to eliminate the gateway of Anniston, Ala.

No. MC 115840 (Sub-No. E101), filed May 2, 1975. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 Bankhead Highway West, P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Non-ferrous scrap metals* (except in dump vehicles); (1) from points in Oklahoma to points in North Carolina, South Carolina, New Jersey, Delaware, Georgia, Florida, Virginia, West Virginia, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Maryland, Rhode Island, New York on and east of U.S. Highway 14, Pennsylvania on and east of U.S. Highway 11, and Florida on and east of U.S. Highway 231 (including Panama City, Fla.); and (2) from points in Arkansas to points in Georgia, Florida on and east of U.S. Highway 231 (including Panama City, Fla.), Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania on and east of U.S. Highway 11, North Carolina, South Carolina, Virginia, Georgia, Maryland, New Jersey, and Delaware. The purpose of this filing is to eliminate the gateways of Steele and Attalla, Ala.

No. MC 116915 (Sub-No. E13) (Correction), filed February 24, 1975, published in the FEDERAL REGISTER May 6, 1975. Applicant: ECK MILLER TRANSPORTATION CORP., Owensboro, Ky. Applicant's representative: William P. Sullivan, Federal Bar Bldg. West, 1819 H. Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum oil well and mine machinery, aluminum pipe and supplies and equipment, materials and supplies* used in the manufacture and processing of the foregoing commodities, between points in Georgia on and west of U.S. Highway 441, on the one hand, and, on the other, points in Pennsylvania and New York on, north and west of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 6 to junction Pennsylvania Highway 957 at Columbia, Pa., thence along Pennsylvania Highway 957 to Sugargrove, Pa., thence along unnumbered highway to Jamestown, N.Y., thence along New York Highway 17 to junction New York Highway 219, thence along New York Highway 219 to Great Valley, N.Y., thence along New York Highway 98 to Carlton, N.Y., and points in New York on and north of a line beginning at Morristown, N.Y., extending along New York Highway 58 to Gouverneur, N.Y., and thence along U.S. Highway 11 to Rouses Point, N.Y. The purpose of this filing is to eliminate the gateway of Hawesville, Ky. The purpose of this correction is to extend the territorial destination.

No. MC 119774 (Sub-No. E305) (Correction), filed March 4, 1975. Published in the FEDERAL REGISTER June 2, 1975. Applicant: EAGLE TRUCKING COMPANY, P.O. Box 471, 301 E. Main Street, Kilgore, Tex. 75662. Applicant's representative: Nolan F. Killingsworth (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, the transportation of which because of size or weight, require the use of special equipment or handling, from Little Rock, Ark., to points in Florida east of Florida Highway 77. The purpose of this filing is to eliminate the gateway of Shreveport, La. The purpose of this correction is to clarify the commodity description.,

No. MC 119774 (Sub-No. E306) (Correction), filed March 4, 1975. Published in the FEDERAL REGISTER June 2, 1975. Applicant: EAGLE TRUCKING COMPANY, 201 E. Main Street, P.O. Box 471, Kilgore, Tex. 75662. Applicant's representative: Nolan F. Killingsworth (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pipe and fittings*, from the facilities of the United States Pipe and Foundry Company and of the American Cast Iron Pipe Company at Birmingham, Ala., to points in Arizona, Colorado, Iowa on and west of a line from the Missouri-Iowa State line along U.S. Highway 169 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction Iowa Highway 4, thence along Iowa Highway 4 to the Iowa-Minnesota State line, Minnesota on and west of U.S. Highway 71, Missouri on and west of U.S. Highway 71, Montana, Nebraska, North Dakota, South Dakota, Wyoming, and Utah. The purpose of this filing is to eliminate the gateway of Van Buren, Ark. The purpose of this correction is to extend the territorial destination.

No. MC 119864 (Sub-No. E40), filed June 3, 1974. Applicant: CRAIG TRANSPORTATION COMPANY, 26699 Eckel Road, Perrysburg, Ohio 43551. Applicant's representative: Dale K. Craig (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products*, and *meat byproducts*, and *articles distributed by meat packinghouses* (except in bulk, in tank vehicles), as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, which are embraced in *frozen foods*, from the plant site of Armour and Company near Sterling, Ill., to points in Ohio and points in Kentucky on and east of U.S. Highway 431, restricted to traffic originating at the above-named plant site. The purpose of this filing is to eliminate the gateway of La Porte, Ind.

No. MC 120021 (Sub E3), filed June 4, 1974. Applicant: THE COTTER MOVING & STORAGE CO., 265 Bowery Street, Akron, Ohio 44308. Applicant's representative: Thomas R. Kingsley, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Virginia, on the one hand, and on the other, points in Minnesota, Nebraska, Wisconsin, those in Benton, Carroll, Washington, and Madison Counties, Ark., those in Indiana in and north of Sullivan, Green, Daviess, Martin, Lawrence, Jackson, Jennings, Ripley, Dearborn, and Ohio counties, those in Illinois in and north of Monroe, St. Clair, Washington, Jefferson, Marion, Slay, Jasper, and Crawford Counties, those in Missouri in, west, and north of Ozark, Douglas, Wright, Laclede, Pulaski, Maries, Gasconade, Franklin, and Jefferson Counties; and between points in Virginia in and east of Giles, Pulaski, Floyd, and Patrick Counties, on the one hand, and, on the other, Hancock County, Ky. The purpose of this filing is to eliminate the gateway of Dayton, Ohio, and points within miles thereof.

No. MC 120021 (Sub E6), filed June 4, 1974. Applicant: THE COTTER MOVING & STORAGE CO., 265 Bowery Street, Akron, Ohio 44308. Applicant's representative: Thomas R. Kingsley,

1819 H St. NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in South Carolina, on the one hand, and, on the other, points in Nebraska, Minnesota, Wisconsin, those in Missouri in and north of Bates, Henry, Benton, Camden, Pulaski, Phelps, Crawford, Washington, and Jefferson Counties, those in Indiana in and north of Sullivan, Greene, Owen, Morgan, Brown, Bartholomew, Decatur, and Franklin Counties, and those in Illinois, in and north of Monroe, St. Clair, Clinton, Marion, Clay, Jasper, and Crawford Counties; and between points in Anderson, Oconee, Pickens, Greenville, and Spartanburg Counties, S.C., on the one hand, and, on the other, points in Oswego, Lewis, Jefferson, St. Lawrence, Franklin, and Clinton Counties, N.Y. The purpose of this filing is to eliminate the gateway of Dayton, Ohio, and points within 25 miles thereof.

No. MC 120021 (Sub E10), filed June 4, 1974. Applicant: THE COTTER MOVING & STORAGE CO., 265 W. Bowery Street, Akron, Ohio 44308. Applicant's representative: Thomas R. Kingsley, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in New York, on the one hand, and, on the other, points in Arkansas, Illinois, Minnesota, Missouri, Wisconsin, and Nebraska; and, between points in New York in and north of Chautauqua, Cattaraugus, Allegheny, Livingston, Ontario, Yates, Seneca, Cayuga, Onondaga, Madison, Oneida, Herkimer, Hamilton, and Essex Counties on the one hand, and, on the other, points in North Carolina in and west of Mitchell, McDowell, and Rutherford Counties. The purpose of this filing is to eliminate the gateway of Dayton, Ohio, and points within 25 miles thereof.

No. MC 120021 (Sub E13), filed June 4, 1974. Applicant: THE COTTER MOVING & STORAGE CO., 265 Bowery Street, Akron, Ohio 44308. Applicant's representative: Thomas R. Kingsley, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Missouri, on the one hand, and, on the other, points in Maryland, Pennsylvania, New York, Rhode Island, and Washington, D.C.; between points in Missouri, except those east and south of Ripley, Carter, Wayne, Bollinger, and Perry Counties, on the one hand, and, on the other, points in West Virginia; and between points in Missouri in, north and west of Newton, Lawrence, Greene, Dallas, Laclede, Pulaski, Phelps, Gasconade, Franklin, and St. Louis Counties, on the one hand, and, on the other, points in North Carolina (except those in and west of Haywood and Transylvania Counties). The purpose of this filing is to eliminate the gateway of Dayton, Ohio, and points within 25 miles thereof.

No. MC 120021 (Sub E19), filed June 4, 1974. Applicant: THE COTTER MOVING & STORAGE CO., 265 W. Bowery Street, Akron, Ohio 44308. Applicant's representative: Thomas R. Kingsley, 1819 H St. NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, (1) between points in Indiana, on the one hand, and, on the other, points in New York (except points in Chautauqua, Cattaraugus, Erie, and Niagara Counties), Pennsylvania (except points in Lawrence, Butler, Armstrong, Jefferson, Elk, McKean, Warren, Forest, Clarion, Venango, Mercer, Crawford, and Erie Counties), West Virginia (except points in Cabell, Lincoln, Boone, Wyoming, McDowell, Logan, Mingo, and Wayne Counties), Maryland, New Jersey, Rhode Island, and Washington, D.C., and (2) between points in Indiana in and north of Franklin, Decatur, Bartholomew, Brown, Monroe, Owen, Clay, and Vigo Counties, on the one hand, and, on the other, points in North Carolina. The purpose of this filing is to eliminate the gateway of Dayton, Ohio, and points within 25 miles thereof.

No. MC 120021 (Sub E22), filed June 4, 1974. Applicant: THE COTTER MOVING & STORAGE CO., 265 Bowery Street, Akron, Ohio 44308. Applicant's representative: Thomas R. Kingsley, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Delaware, on the one hand, and, on the other, points in Arkansas, Indiana, Illinois, Missouri, Nebraska, Minnesota, Wisconsin and those in Kentucky in and west of McCreary, Pulaski, Rockcastle, Madison, Clark, Bourbon, Nicholas, Robertson, and Mason Counties. The purpose of this filing is to eliminate the gateway of Dayton, Ohio, and points within 25 miles thereof.

No. MC 121338 (Sub-No. E1) (Correction), filed May 16, 1974. published in the FEDERAL REGISTER May 1, 1975. Applicant: PADRE FREIGHT LINES, P.O. Box 6849, Phoenix, Ariz. 85005. Applicant's representative: Robert R. Digby, 2131 West Roosevelt St., Phoenix, Ariz. 85009. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except household goods as defined by the Commission, commodities in bulk, logs, livestock, articles of unusual value, and commodities requiring special equipment between points in the Los Angeles Territory (as described below) on the one hand, and, on the other points on and within 15 miles of U.S. Highway 80 and Interstate Highway 8, extending from the eastern boundary of the San Diego Territory to the California-Arizona State line.* Los Angeles Territory includes that area embraced by the following boundary: beginning at the intersection of Sunset Boulevard and U.S. Highway 101 Alternate; thence northeasterly on Sunset Boulevard to California Highway 118 through and including the City of San Fernando; continuing northeasterly and southeasterly along California Highway 118 to and including the City of Pasadena; easterly along U.S. Highway 66 to California Highway 19, southerly along California Highway 19 to Lower Azusa Road; easterly on Lower Azusa Road to its intersection with the San Gabriel River; southerly along the west bank of the San Gabriel River to Beverly Boulevard; southeasterly on Beverly Boulevard to Painter Avenue to the City of Whittier; southerly on Painter Avenue to California Highway 26 westerly along California Highway 26 to the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River to Imperial Highway; westerly on Imperial Highway to California Highway 19; southerly along California Highway 19 to its intersection with U.S. Highway 101. The purpose of this filing is to eliminate the gateway of San Diego, Calif. The purpose of this correction is to correct the MC number.

No. MC 121420 (Sub-No. E6) (Correction), filed June 4, 1974. Published in the FEDERAL REGISTER May 20, 1975. Applicant: DART TRUCKING CO., INC., 61 Railroad Street, Canfield, Ohio 44406. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are usually transported in dump truck equipment, between points in Ashtabula County, Ohio, on and north of U.S. Highway 20 and east of Ohio Highway 45, on the one hand, and, on the other, points in those parts of Wayne, Holmes, Coshocton, Tuscarawas, Carroll, Harrison, and Jefferson Counties, Ohio, Hancock, Ohio, and Brooke Counties, W. Va., that are within 50 miles of Toronto, Ohio. The purpose of this filing is to eliminate the gateway of Mercer County, Pa. The purpose of this correction is to extend the territorial description.

No. MC 123407 (Sub-No. E213), filed May 25, 1975. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report in *Descriptions of Motor Carrier Certificates*, 61 M.C.C. 209, when used as a building material (except in bulk), from the facilities of Continental Steel Corp., at or near Kokomo, Ind., to points in Nebraska (except Richardson County), and that part of Kansas in and west of Marshall, Washington, Cloud, Lincoln, Russell, Ellis, Rush, Pawnee, Edwards, Pratt, and Bar-

ber Counties, Kans. The purpose of this filing is to eliminate the gateway of those points in Wisconsin that are within the Warren, Ill., commercial zone.

No. MC 123407 (Sub-No. E214), filed May 25, 1975. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, when used as a building material (except in bulk), from East Dubuque, Ill., to points in and south of Wayne, Jones, Covington, Jefferson Davis, Lawrence, Walthall, Pike, and Amite Counties, Miss. The purpose of this filing is to eliminate the gateways of Warren, Ill., and the facilities of Continental Steel Corp., at or near Kokomo, Ind.

No. MC 123407 (Sub-No. E215), filed May 25, 1975. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, when used as a building material (except in bulk), from Clinton, Iowa, to points in Delaware, West Virginia, and points in that part of Kentucky in and east of Boone, Gallatin, Carroll, Trimble, Oldham, Jefferson, Bullitt, Nelson, Larue, Hart, Barren, and Monroe Counties, Ky. The purpose of this filing is to eliminate the gateway of Warren, Ill, and the facilities of Continental Steel Corp., at or near Kokomo, Ind.

No. MC 123407 (Sub-No. E216), filed May 25, 1975. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel article*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, when used as a building material (except in bulk), from International Falls, Minn., to points in Mississippi, Pennsylvania, Delaware, West Virginia, Kentucky, and Louisiana (except Caddo, Bossier, Webster, Claiborne, Union, Lincoln, Jackson, Bienville, De Soto, Red River, Winn, Sabine, and Natchitoches Counties, La.). The purpose of this filing is to eliminate the gateways of Warren, Ill., and the facilities of the Continental Steel Corp., at or near Kokomo, Ind.

No. MC 123407 (Sub-No. E217), filed May 25, 1975. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, when used as a building material (except in bulk), from Stephenson County, Ill., to points in that part of Kentucky in and east of Meade, Hardin, Grayson, Butler, and Logan Counties, Ky. The purpose of this filing is to eliminate the gateway of Warren, Ill., and the facilities of Continental Steel Corp., at or near Kokomo, Ind.

No. MC 123407 (Sub-No. E218), filed May 25, 1975. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel roofing and roofing materials* (except in bulk), from Wilmington, Ill., to points in Texas, West Virginia, Louisiana, Pennsylvania, Delaware, and points in that part of Kentucky in and east of Meade, Harin, Hart, Edmonson, Warren, and Simpson Counties, Ky., and points in that part of Mississippi in and south of Monroe, Clay, Webster, Montgomery, Carroll, LeFlore, Sunflower, and Bolivar Counties, Miss. The purpose of this filing is to eliminate the gateway of the facilities of Continental Steel Corp., at or near Kokomo, Ind.

No. MC 123407 (Sub-No. E219), filed May 25, 1975. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel articles* as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, when used as a building material (except in bulk), points in Carroll County, Ill., to points in Terrebonne County, La. The purpose of this filing is to eliminate the gateway of Warren, Ill., and the facilities of Continental Steel Corp., at or near Kokomo, Ind.

No. MC 123407 (Sub-No. E220), filed May 25, 1975. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel articles*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, when used as a building material (except in bulk), from Dubuque, Iowa, to points in West Virginia, Delaware, Cameron County, Tex., Lauderdale, Jones, Clarke, Wayne, Greene, Perry, Forrest, Lamar, Marion, Pearl River, Stone, George, Jackson, Harrison, Hancock Counties, Miss.; Washington, St. Tammany, St. John, St. James, St. Charles, Terrebonne, Lafourche, Jefferson, St. Bernard, and Plaquemines Counties, La.; and that part of Kentucky in and east of Hancock, Ohio, Butler and Logan Counties, Ky. The purpose of this filing is to eliminate the gateways of Warren, Ill., and the facilities of Continental Steel Corp., at or near Kokomo, Ind.

No. MC 123407 (Sub-No. E221), filed May 25, 1975. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel roofing, building, and paving material* (except commodities in bulk, lumber, chemicals, and commodities the transportation of which because of their size or weight require the use of special equipment) from Brookville, Ind., to points in Wisconsin, Minnesota, Texas, North Dakota, South Dakota, and points in that part of Missouri in and west of Clark, Lewis, Marion, Ralls, Audrain, Callaway, Osage, Maries, Phelps, Dent, Shannon, and Oregon Counties, Mo., and points in Michigan (except points in Sanilac, Lapeer, St. Clair, Macomb, Oakland, Wayne, Monroe, Livingston, Ingham, Jackson, Washtenaw, Lenawee, Hillsdale, Cass, St. Joseph, and Branch Counties, Mich.), North Dakota and South Dakota. The purpose of this filing is to eliminate the gateway of the facilities of Continental Steel Corp., at or near Kokomo, Ind.

No. MC 123407 (Sub-No. E222), filed May 25, 1975. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel roofing and roofing materials* (except in bulk), from the plant and warehouse sites of National Gypsum Company, at Niles, Ohio, to points in and west of Wichita, Archer, Young, Palo Pinto, Erath, Bosque, McLennan, Bell, Williamson, Travis, Bastrop, Fayette, Washington, Walker, Harris, and Galveston Counties, Tex. Restriction: The operations authorized herein are restricted to the transportation of traffic originating at the plant and warehouse sites of National Gypsum Co. The purpose of this filing is to eliminate the gateways of Wilmington, Ill., and the facilities of Continental Steel Corp., at or near Kokomo, Ind.

No. MC 123407 (Sub-No. E223), filed May 25, 1975. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, when used as a building material (except in bulk) from points in Winnebago County, Ill., to points in Bell, Harlan, and Letcher Counties, Ky. The purpose of this filing

is to eliminate the gateway of Warren, Ill., and the facilities of Continental Steel Corp., at or near Kokomo, Ind.

No. MC 123407 (Sub-No. E231), filed May 25, 1975. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, when used as a building material (except in bulk), from Carroll County, Ill., to points in that part of Kentucky in and east of Jefferson, Bullitt, Hardin, Hart, Edmonson, Warren, and Simpson Counties, Ky. The purpose of this filing is to eliminate the gateway of Warren, Ill., and the facilities of Continental Steel Corp., at or near Kokomo, Ind.

No. MC 123407 (Sub-No. E232), filed May 25, 1975. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, when used as a building material (except in bulk), from Joe Davies County, Ill., to points in that part of Kentucky in and east of Daviess, Ohio, Butler, and Logan Counties, Ky. The purpose of this filing is to eliminate the gateway of Warren, Ill., and the facilities of Continental Steel Corp., at or near Kokomo, Ind.

No. MC 127840 (Sub-No. E8), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils*, and *vegetable oils*, and *edible blends and edible products of animal fats*, animal oils, and vegetable oils (except liquid chemicals), in bulk, in tank or hopper type vehicles, from points in Illinois on and north of Interstate Highway 80 and that part of Indiana within the commercial zone of Chicago, Ill., as defined by the Commission, to points in Indiana. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 127840 (Sub-No. E21), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils*, and *vegetable oils*, and *edible blends and edible products of animal fats*, animal oils, and vegetable oils (except liquid chemicals), in bulk, in tank or hopper type vehicles, from that part of Illinois between a line on and south of Interstate Highway 80 and on and north of a line beginning at the Illinois-Iowa State line and U.S. Highway 34, thence along U.S. Highway 34 to junction Illinois Highway 167, thence along Illinois Highway 167 to junction Illinois Highway 78, thence along Illinois Highway 78 to junction Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line, to points in Indiana on and east of a line beginning at Gary, Ind., and Interstate Highway 65, thence along Interstate Highway 65 to junction Indiana Highway 14, thence along Indiana Highway 14 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 35, thence along U.S. Highway 35 to junction Indiana Highway 3, thence along Indiana Highway 3 to the Indiana-Kentucky State line. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 127840 (Sub-No. E31) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER May 21, 1975. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Avenue, Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A)(2) that part of Indiana within the commercial zone of Chicago, Ill., as defined by the Commission, to points in Iowa on and north of U.S. Highway 20; * * * etc. The purpose of this filing is to eliminate the gateways of Bradley and Chicago, Ill. The purpose of this partial correction is to correct the origin territorial.

No. MC 127840 (Sub-No. E45) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER, June 4, 1975. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Avenue, Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (2) from points in Michigan (except the Upper Peninsula of Michigan), and those in the United States (except Virginia) on and east of a line beginning at Michigan City, Ind., thence along U.S. Highway 421 to junction Interstate Highway 65, thence along Interstate Highway 65 to the Gulf of Mexico, to points in Nebraska and Iowa on and north of Interstate Highway 80 and those in Illinois on and north of a line beginning at the Illinois-Iowa State line, thence along Interstate Highway 80 to the Illinois-Indiana State line (except points in Cook and Du Page Counties, Ill.), (3) from points in Michigan, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Massachusetts, Rhode Island, Connecticut, Vermont, New Hampshire, Maine, and that part of Ohio on and north of U.S. Highway 33 to points in Kansas, that part of Colorado on, north and east of a line beginning at the Colorado-Kansas State line, that part of Iowa and Nebraska on and south of Interstate Highway 80, and that part of Illinois on and within an area beginning at the Illinois-Iowa State line, thence along Interstate Highway 80 to the Illinois-Indiana State line, thence along the Illinois-Indiana State line to junction U.S. Highway 36, thence along U.S. Highway 36 to the east bank of the Mississippi River, thence along the east bank of the Mississippi River to the place of beginning; * * * etc. The purpose of this filing is to eliminate the gateway of Chicago, Ill. The purpose of this partial correction is to correct the highway description in (2) above. The remainder of this letter-notice will remain as previously published.

No. MC 136553 (Sub E5), filed June 3, 1974. Applicant: ART PAPE TRANSFER, INC., 1080 East 12th Street, Dubuque, Iowa 52001. Applicant's representative: Arthur Pape (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer* and *dry fertilizer materials*, from Rock Island, Ill., to points in Nebraska (except points south of U.S. Highway 30 and east of U.S. Highway 77). The purpose of this filing is to eliminate the gateway of the warehouse of Etter Bros., Inc., at or near Webster City, Iowa.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-17154 Filed 6-30-75;8:45 am]

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PART II

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

■

END-STAGE RENAL DISEASE

Conditions for Coverage

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

[20 CFR Part 405]

[Reg. No. 5]

FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED

Conditions for Coverage of Suppliers of End-Stage Renal Disease (ESRD) Services

Notice is hereby given, pursuant to the Administrative Procedure Act (5 U.S.C. 553), that the following amendments to the regulations set forth in tentative form below, are proposed by the Commissioner of Social Security with the approval of the Secretary of Health, Education, and Welfare. The proposed amendments are intended to further implement section 299I of the Social Security Amendments of 1972 (Pub. L. 92-603), which amends section 226 of the Social Security Act (42 U.S.C. 426). Section 299I extends Medicare protection to any individual who has end-stage renal disease requiring dialysis or transplantation, provided that such individual: (1) is fully or currently insured, or entitled to monthly benefits, under title II of the Social Security Act; or (2) is the spouse or dependent child of an individual so insured or entitled to such monthly benefits.

Section 299I authorizes the Secretary to limit Medicare reimbursement for kidney transplant and dialysis services to facilities meeting such requirements as he may by regulation prescribe. Section 299I also provides that such regulation must include requirements for a minimal utilization rate for covered procedures and for a medical review board to screen the appropriateness of patients for the proposed treatment procedures.

The following amendments to the regulations specify the health and safety requirements that facilities furnishing end-stage renal disease (ESRD) services must meet to qualify for Medicare reimbursement. In addition, the amendments require that these facilities be organized into coordinating systems ("networks") for the delivery of ESRD care.

The ESRD program became effective on July 1, 1973, and since then has operated under interim regulations published in the FEDERAL REGISTER of June 29, 1973 (38 FR 17210). The interim regulations provide for reimbursement to those facilities which were furnishing ESRD care on or before June 1, 1973, and describe criteria for allowing reimbursement to additional or expanded ESRD facilities during the interim period. (To give the public a formal opportunity to participate in the development of the criteria used in granting requests for exceptions to the limitations on participation during the interim period, the interim regulations were republished in the FEDERAL REGISTER of October 4, 1974 (39 FR 35814), as a notice of proposed rulemaking). The interim regulations, as published and republished, will be superseded on a prospective basis when the "long-term" amendments to the regulations, proposed herein, are adopted in final form. The interim regulations explain that recognition of a facility on an interim basis is no assurance that it will be approved on a continuing basis for reimbursement under the "long-term" program. Facilities not qualifying under the "long-term" regulations will be phased out in a manner that will minimize any disruption of services to ESRD patients.

The policies for the ESRD program which are incorporated in these amendments are based on the operating experience of the program since publication of the interim regulations as well as on extensive communications with professionals and other persons knowledgeable in the area of nephrology and transplant surgery.

The proposed amendments implement the statutory requirements of section 226(g), title II of the Social Security Act (42 U.S.C. 426(g)) and are intended to accomplish the following objectives:

(1) To assist beneficiaries who have been diagnosed as having end-stage renal disease (ESRD) to receive the care they need;

(2) To encourage proper distribution and effective utilization of ESRD treatment resources while maintaining or improving the quality of care; and

(3) To provide the flexibility necessary for the efficient delivery of appropriate care by physicians and facilities.

The broad array of professional skills and facilities involved in the treatment of persons with end-stage renal disease indicated the need for a system to promote effective coordination. Accordingly, the proposed regulations require ESRD treatment facilities to join together into groups called "networks."

During the past decade, programs conducted by agencies of the Public Health Service and the States have demonstrated that integration of hospitals and other health facilities into organized networks is the most effective way to deliver ESRD care. An organized network tends to assure coordinated patient referral as well as access to resources. It also permits the concentration of equipment and specially trained personnel in centers where they can be used efficiently to treat large numbers of patients. This approach has been advocated by committees of national voluntary health organizations.

The population base of each network should be large enough to permit the delivery of a full range of ESRD diagnostic and therapeutic services needed by all patients within the network area. Accordingly, each of the network areas designated in the Appendix to these proposed regulations serves a minimum population base of 3.5 million (except for four network areas where this minimum would not be feasible). In order to accommodate patient choice, and to allow for sufficient peer review within the network, each network will be required to have at least two transplant centers whenever feasible.

Although the designation of network areas is made by the Secretary, the structure and the administration of each network will be the responsibility of component ESRD facilities. The network concept will be found, in many instances, to conform with existing patterns for referral of patients to treatment facilities, these referral patterns in effect constituting informal networks.

The proposed regulations require that, to qualify for reimbursement, an ESRD facility must be a member of a network. The network must organize itself through the establishment of a Net work Coordinating Council, with representation from all ESRD facilities in the net work. The network and its Coordinating Council will perform a unique role as liaison between the Federal government and available community resources, the Council supplying to the Secretary information upon which the Secretary may make determinations. The Council will also make recommendations to member facilities as needed to achieve the objectives of the network. In addition, each network, through its Network Coordinating Council, will establish a Medical Review Board to review the appropriateness of ESRD patient care and service.

An essential element in the ESRD program is a medical information system. All ESRD facilities participating in the program will be required to supply data to this system. When the medical information pertains to individual patients, it will be treated as confidential and will not be disclosed except as authorized by Department regulations on confidentiality and disclosure (see 45 CFR Part 5 and 20 CFR Parts 401 and 422 (Subpart E)).

For participation in the ESRD program, a facility must also meet the minimal utilization rates for covered procedures published in the proposed regulations. These rates will apply initially to transplantation and dialysis, and may be modified by future amendments to the regulations. A facility which is not in compliance with the applicable minimal utilization rates may be conditionally approved for a limited period to allow it time for attaining compliance. The proposed regulations also provide for special consideration to be granted to a facility in unusual situations if it can be shown that non-participation in the ESRD program would be detrimental to the achievement of program objectives.

Through a Memorandum of Understanding reflecting agreement reached between the Department of Health, Education, and Welfare and the Veterans Administration, specified Veterans Administration Hospitals can qualify for participation in the ESRD program. These specified Veterans Administration Hospitals, when found to meet title XVIII requirements, will be part of a network and will be represented on its Council. They will also be required to comply with the ESRD regulations described herein with respect to the care they furnish to Medicare patients. Similarly, other Federal facilities may participate in the ESRD program provided that they meet the requirements of these regulations.

To conform with Subpart U and ESRD program requirements, these proposed

regulations amend Subpart M (Conditions for Coverage of Services of Independent Laboratories (39 FR 33690)) to include requirements for an independent laboratory performing histocompatibility testing; also, these proposed regulations amend Subparts S (Certification Procedure for Providers and Suppliers of Services); and Subpart J (Conditions of Participation; Hospitals). Subpart O (Providers of Services, Emergency Service Hospitals, Independent Laboratories, and Suppliers of Portable X-ray Services, Determinations and Appeals Procedures) will also be appropriately amended at a later date to accommodate the ESRD program.

Prior to the 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 in triplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare, Social Security Administration, P.O. Box 1585, Baltimore, Maryland 21203, on or before September 1, 1975.

Copies of all comments received in response to this notice will be available for public inspection during regular business hours at the Washington Inquiries Section, Office of Public Affairs, Social Security Administration, Department of Health, Education, and Welfare, North Building, Room 4146, 330 Independence Avenue, SW., Washington, D.C. 20201.

The proposed regulations are to be issued under the authority contained in sections 226(g), 1102, 1861, 1862(a), 1871, 1874, 86 Stat. 1464, 49 Stat. 647, as amended, 79 Stat. 325, 331, 332, and 340 (42 U.S.C. 426(g), 1302, 1395x, 1395y(a), 1395hh, 1395kk).

Dated: May 5, 1975.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: June 19, 1975.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

Part 405 of Chapter III of title 20 of the Code of Federal Regulations is amended as set forth below:

1. Section 405.1031 is amended by revising the introductory paragraph to read as follows:

§ 405.1031 Condition of participation—complementary departments.

Participation is not limited to hospitals which have surgery, anesthesiology, dental, or rehabilitation departments or services, but if these departments or services are present, there are effective policies and procedures, relating to the staff and the functions of the service(s) in order to assure the health and safety of the patients. If the hospital provides end-stage renal disease services, reimbursement for such services will not be made unless the hospital also meets the Conditions for Coverage of Suppliers of End-State Renal Disease Services, Subpart U of this Part.

2. In § 405.1317, new paragraphs (b)(2)(iv), (b)(4)(iv), and (b)(4)(v) are added to read as follows:

§ 405.1317 Condition—quality control.

* * * * *

(b) *Standard: Quality control system—methodologies.* * * *

(2) *Serology.* * * *

(iv) A control system and a validation method are employed for the performance of tests required to assure compatibility in organ transplantations:

(A) Controls for all antigen tests are employed to insure reactivity and uniform dosage;

(B) Mixed lymphocyte cultures or other recognized methods to detect cellular defined antigens are performed in accordance with prescribed methods;

(C) HL-A and better defined W antigens are retyped and updated when required; and

(D) Procedures are established regarding the freezing of lymphocytes and to provide for a comprehensive panel of frozen or fresh lymphocytes.

* * * * *

(4) *Immuno-hematology.* * * *

(iv) Serum screening for the identification and characterization of typical or atypical antibodies is performed on sera using test cells licensed under Part 73, Title 42, CFR, or their equivalent, using techniques by which the antibody was initially detected. The reactivity of cell panels used for antibody detection is tested periodically with appropriate known anti-sera.

(v) A control system and validation methods to cover the following are present for tests performed regarding organ transplants:

(A) Recipient sera is screened for preformed antibodies;

(B) Recipient and donor sera is crossmatched for preformed antibodies by at least two sensitive techniques prior to transplantation; and

(C) Recipients and donors are genotyped when necessary.

* * * * *

3. Section 405.1901 is amended by redesignating paragraph (d) as paragraph (e) and adding a new paragraph (d) to read as follows:

§ 405.1901 The certification process.

* * * * *

(d) A hospital which is a provider of services, or a nonhospital-operated renal dialysis facility as defined in § 405.2102(e)(2), or a histocompatibility laboratory, which is found to be in compliance with each of the applicable Conditions for Coverage of Suppliers of End-Stage Renal Disease Services prescribed by the Secretary (see Subpart U), may become a supplier of End-Stage Renal Disease services pursuant to section 226(g) of the Social Security Act upon being approved therefor by the Secretary.

* * * * *

4. A new § 405.1912 is added to read as follows:

§ 405.1912 Special procedures for approving end-stage renal disease facilities and the expansion of services in approved facilities.

In addition to the certification by the State agency referred to in § 405.1902, data furnished by network organizations and recommendations of the Public Health Service, concerning the contribution of a facility to the furnishing of end-stage renal disease services in its network and concerning the facility's compliance with professional norms and standards (see Subpart U of this Part), shall be considered by the Secretary in determining whether to approve a facility for coverage or for any expansion of services under the End-Stage Renal Disease Program. The facility will also be required to submit data pertaining to its qualifications for approval or for any expansion of services, for consideration in the Secretary's determination.

5. Part 405 of Title 20, Code of Federal Regulations, is amended by adding a new Subpart U, and an Appendix, reading as follows:

Subpart U—Conditions for Coverage of Suppliers of End-Stage Renal Disease (ESRD) Services

Secs.

405.2100 Scope of subpart.
405.2101 Objectives of end-stage renal disease (ESRD) Program.
405.2102 Definitions.
405.2110 Composition and functions of an end-stage renal disease (ESRD) network.
405.2111 Designations of network areas; approvals of functioning networks.
405.2120 Minimal utilization rates: general.
405.2121 Basis for determining minimal utilization rates.
405.2122 Compliance with minimal utilization rate(s); types and durations of approvals.
405.2130 Condition: minimal utilization rates.
405.2131 Condition: hospital-operated ESRD facility.
405.2132 Condition: fulfillment of service needs in network.
405.2133 Condition: furnishing data and information for ESRD program administration.
405.2134 Condition: membership in a network.
405.2135 Condition: compliance with federal, State, and local laws and regulations.
405.2136 Condition: governing body and management.
405.2137 Condition: patient care plans.
405.2138 Condition: patients' rights.
405.2139 Condition: medical records.
405.2140 Condition: physical environment.
405.2160 Condition: affiliation agreement or arrangement (ESRD Dialysis facility).
405.2161 Condition: director of an ESRD dialysis facility.
405.2162 Condition: staff of an ESRD dialysis facility.
405.2163 Condition: minimal service requirements for an ESRD dialysis facility.
405.2170 Condition: director of an ESRD Renal Transplantation Center.

Sec.
405.2171 Condition: minimal service requirements for a Renal Transplantation Center.

APPENDIX: End-Stage Renal Disease Network Areas.

Subpart U—Conditions for Coverage of Suppliers of End Stage Renal Disease (ESRD) Services

§ 405.2100 Scope of subpart.

(a) The regulations in this subpart prescribe the role which End-Stage Renal Disease (ESRD) networks will have in the ESRD program, establish the mechanism by which minimal utilization rates pursuant to section 226(g) of the Social Security Act (42 U.S.C. 426(g)) will be promulgated and applied, and describe the health and safety requirements that facilities furnishing ESRD care to beneficiaries must meet. These regulations further prescribe the role of ESRD networks in providing the medical review requirements of section 226(g) prior to and following the establishment of Professional Standards Review Organizations under Part B of Title XI of the Social Security Act (42 U.S.C. 1320c et. seq.).

(b) The general objectives of the ESRD program are contained in § 405.2101, and general definitions are contained in § 405.2102. The provisions of §§ 405.2110–405.2111 discuss the establishment and activities of ESRD Networks, the Network Coordinating Councils, and the Medical Review Boards. Sections 405.2120–405.2122 discuss the establishment of minimal utilization rates and the requirements for approval of facilities with respect to such rates. Sections 405.2130–405.2140 discuss general requirements for, and description of, all facilities furnishing ESRD services. Sections 405.2160–405.2163 discuss specific requirements for facilities which furnish ESRD dialysis services. Sections 405.2170 and 405.2171 discuss specific requirements for facilities which furnish ESRD transplantation services.

(c) The provisions of this subpart are effective (insert date 30 days following date of publication). Notwithstanding such effective date, the provisions of the interim regulations in §§ 405.116(g), 405.231(g) and (h), and the Appendix to Subpart B of this part shall continue in effect for a period not to exceed 12 months following such effective date, for the limited purpose of assuring an orderly transition from such interim regulations to the provisions of this subpart and, in particular, so that facilities approved under the ESRD program pursuant to such interim regulations which do not also qualify for continued approval under the terms of this subpart, may be phased out of the Medicare program in a manner that will minimize disruption of services to ESRD patients. However, beginning 6 months after such effective date: (1) no further exceptions will be granted under §§ 405.116(g), 405.231(g) and (h), and the Appendix to Subpart B of this part; and (2) determinations with respect to a facility's approval or nonapproval for reimbursement under this subpart will supersede determinations made under such interim regulations.

§ 405.2101 Objectives of the end-stage renal disease (ESRD) program.

The objectives of the end-stage renal disease program are:

(a) To assist beneficiaries who have been diagnosed as having end-stage renal disease (ESRD) to receive the care they need;

(b) To encourage proper distribution and effective utilization of ESRD treatment resources while maintaining or improving the quality of care; and

(c) To provide the flexibility necessary for the efficient delivery of appropriate care by physicians and facilities.

§ 405.2102 Definitions.

As used in this subpart, the following definitions apply:

(a) *Agreement.* The ESRD facility has an agreement whereby another facility assumes responsibility for furnishing certain services to patients and for obtaining reimbursement for such services.

(b) *Arrangement.* The ESRD facility arranges for another facility to furnish certain services to patients but assumes responsibility for such services and for obtaining reimbursement therefor.

(c) *Dialysis.* A process by which dissolved substances are removed from a patient's body by diffusion from one fluid compartment to another across a semipermeable membrane. The two types of dialysis which are currently in common clinical practice are hemodialysis and peritoneal dialysis.

(1) *Inpatient Dialysis.* Dialysis which, because of medical necessity, is given to an ESRD patient on a temporary, inpatient basis in a hospital.

(2) *Chronic Maintenance Dialysis.* Dialysis which is regularly given to an ESRD patient who receives treatments on an outpatient basis. This process can take place in an ESRD facility or in the home.

(d) *End-Stage Renal Disease (ESRD).* That stage of renal impairment which is virtually always irreversible and permanent, and requires dialysis or kidney transplantation to ameliorate uremic symptoms and maintain life.

(e) *Facility, ESRD.* A general term which describes any facility that furnishes at least one specific ESRD service (i.e., transplantation, dialysis, self-care dialysis training, organ procurement, or histocompatibility testing). Such facilities are:

(1) *Renal Transplantation Center.* A hospital unit which furnishes directly transplantation, inpatient dialysis, and other medical and surgical specialty services required for the care of the ESRD transplant patients. A Renal Transplantation Center may also be a Renal Dialysis Center.

(2) *Dialysis Facility, ESRD.* A unit which furnishes chronic maintenance dialysis:

(i) *Limited Care Dialysis Facility.* A unit which furnishes chronic maintenance dialysis on an outpatient basis.

(ii) *Self-Care Dialysis Facility.* A unit where chronic maintenance dialysis is performed by a trained patient with appropriate professional supervision and assistance.

(iii) *Self-Care Dialysis Training Facility.* A unit which trains patients or their helpers, or both, to perform self-care dialysis in a self-care dialysis unit or in the home.

(iv) *Renal Dialysis Center.* A facility which directly or through other network facilities furnishes the full spectrum of diagnostic, therapeutic, and rehabilitative services, except renal transplantations, required for the care of ESRD dialysis patients.

(3) *Organ Procurement Facility.* A unit which processes the acquisition of cadaveric donor kidneys.

(4) *Histocompatibility Testing Laboratory.* A laboratory which determines the degree of compatibility between a donor organ and a potential organ transplant recipient.

(f) *Furnishes Directly.* The ESRD facility provides the service through its own staff and employees, or through individuals who are under direct contract to furnish such services personally for the facility (i.e., not through "agreements" or "arrangements").

(g) *Furnishes on the Premises.* The ESRD facility furnishes services on its main premises; or on its other premises that are: (1) contiguous with or in immediate proximity to the main premises; and, (2) under the direction of the same professional staff and governing body as the main premises.

(h) *Medical Care Criteria.* Predetermined elements against which aspects of the quality of a medical service may be compared. They are developed by professionals relying on professional expertise and on the professional literature.

(i) *Medical Care Norms.* Numerical or statistical measures of usual observed performance. Norms are derived from aggregate information related to the health care provided to a large number of patients over a period of time.

(j) *Medical Care Standards.* Professionally developed expressions of the range of acceptable variation from a norm or criterion.

(k) *Network, ESRD.* An organized group of ESRD facilities in a designated geographic area which by their type and location, and because of local referral patterns, collectively furnish the necessary care for ESRD patients in the designated area.

(l) *Network Coordinating Council.* (Also referred to as "Council"). A group of representatives of all the ESRD treatment facilities in a network which acts as an administrative governing body to the network, as a resource to community health planners, and as a liaison to the Federal government.

(m) *Qualified Personnel, ESRD:*—(1) *Dietitian (Qualified).* A person who:

(i) Is eligible for registration by the American Dietetic Association under its requirements in effect on the publication of these regulations; or

(ii) Has a baccalaureate degree with major studies in food and nutrition or dietetics.

(2) *Medical Record Practitioner (Qualified)*. A person who:

(i) Is eligible for certification as a Registered Record Administrator (RRA), or as an Accredited Record Technician (ART), by the American Medical Record Association under its requirements in effect on the publication of these regulations; or

(ii) Is a graduate of a school of medical record science that is accredited jointly by the Council on Medical Education of the American Medical Association and the American Medical Record Association.

(3) *Nurse Responsible for Nursing Service (Qualified)*. A person who:

(i) Is licensed as a registered nurse by the State in which practicing;

(ii) Has at least 12 months of experience in general nursing; and

(iii) Has at least an additional 6 months of experience in an ESRD facility, including training in and experience with, the dialysis process. (In those areas where a nurse with the additional 6 months of experience in an ESRD facility is not available, the nurse may be qualified with only 3 months of such additional experience subject to the approval of the Secretary.)

If the qualified nurse is in charge of self-care dialysis training, at least 3 months of the total required ESRD experience must be in an ESRD self-care dialysis training facility.

(4) *Physician-Director (Qualified)*. A physician (see section 1861(r)(1) of the Act) who:

(i) Is board eligible or board certified in internal medicine or pediatrics by a professional board, and has had at least 12 months of experience or training in the care of patients at ESRD facilities; or

(ii) During the five-year period prior to the effective date of these regulations, served for at least 12 months as director of an ESRD dialysis facility or an ESRD transplantation facility.

In those areas where a qualified physician is not available to direct a participating dialysis facility, another physician (see section 1861(r)(1) of the Act) may direct the unit subject to the approval of the Secretary.

(5) *Social Worker (Qualified)*. A person who:

(i) Is licensed, if applicable, by the State in which practicing; and

(ii) Is a graduate of a school of social work accredited or approved by the Council on Social Work Education.

(6) *Transplantation Surgeon (Qualified)*. A person who:

(i) Is board eligible or board certified in general surgery or urology by a professional board; and

(ii) Has at least 12 months training or experience in the performance of renal transplantation and the care of patients with renal transplants.

(n) *Transplantation*. A process by which a kidney is excised from a live or cadaveric donor, and surgically implanted in an ESRD patient.

§ 405.2110 Composition and functions of an end-stage renal disease (ESRD) network.

An ESRD network contains facilities which together allow an efficient pattern of referral in accordance with the changing ESRD care needs of individual patients. Each network includes the capability for kidney transplantation, inpatient dialysis, chronic maintenance dialysis, and self-dialysis training. In addition, each Renal Transplantation Center has the capacity to furnish, or preferably has arrangements to furnish, those other services integral to kidney transplantation, e.g., organ procurement and histocompatibility testing. The component facilities of each Network establish a Network Coordinating Council (hereinafter referred to as "Council") which develops operational procedures to insure a continuum of diagnosis, treatment, and follow-up services, and maximum quality care at all levels of ESRD therapy so that patients will have access to any type of care needed. The Council establishes a Medical Review Board to screen the appropriateness of patients for the proposed treatment procedures. Each Council establishes goals for the network and has a written plan for attaining those goals.

(a) *Standard: criteria for approval of network*. The facilities of the network together furnish the full spectrum of ESRD services and these are made available to all ESRD patients by agreements and arrangements among the facilities. Networks are approved on the basis of the criteria in paragraphs (a)(1), (2), and (3) of this section, but these criteria do not in any way preclude patient choice of physicians or of facilities, nor do they preclude patient referral by physicians to a facility in another network.

(1) The network, through its component facilities, furnishes:

(i) Kidney transplantation through at least two Renal Transplantation Centers (except that the Secretary may approve a network having a single Renal Transplantation Center when necessary for the achievement of ESRD program objectives (§ 405.2101));

(ii) Inpatient and outpatient dialysis; and

(iii) Self-dialysis training.

(2) The network has the capability for organ (kidney) procurement and histocompatibility testing, or arranges for the provision of such services by facilities outside the network; and

(3) Membership in a network is open to all ESRD facilities (as defined in § 405.2102(e)) in the designated network area (§ 405.2111).

(b) *Standard: Network Coordinating Council*. The Council carries out the duties, and fulfills the purposes, of the network. Each facility in the network furnishes at least one representative to the Council. If not already included among such representatives, the Council selects the following additional members from within the network: transplant surgeon; internist-nephrologist; pediatrician (pediatric nephrologist preferable); urologist; psychiatrist; director of a histocompatibility testing laboratory; chief executive officer of an ESRD facility; psychologist; dietitian; vocational rehabilitation counselor; ESRD nurse; social worker; ESRD dialysis technician; and three informed consumers.

(1) The Council develops a written plan which defines the network's objectives and the manner in which each of the objectives is to be implemented. The Council evaluates the progress toward the objectives on an annual basis, and revises the plan each year to take into account such progress and changing needs. The plan contains the following elements:

(i) A statement of the network objectives;

(ii) Specific plans or methods for carrying out the network objectives;

(iii) A description of the mechanisms to be used for evaluation of progress toward meeting the network objectives;

(iv) Network policies and procedures;

(v) Policies and procedures for governance of the Council including, but not limited to, the frequency and type of meetings, quorum, etc.;

(vi) A list of the network's component facilities; the name(s) of the facility representative(s); the ESRD services each facility provides; a quantitative estimate of each facility's capacity to deliver each service.

(2) The Council submits such reports to the Secretary as he may require for effective administration of the ESRD program.

(3) The Council submits to the Secretary within 2 months after each calendar year an annual report which contains the following information:

(i) The ESRD services each facility in the network provides;

(ii) A quantitative estimate of each facility's capacity to deliver each service;

(iii) The actual utilization rate for each ESRD service in each facility for the preceding year;

(iv) The anticipated utilization rate for each ESRD service in each facility for the subsequent three-year period; and

(v) A statement describing the rationale for the participation of a facility reporting utilization rates which do not satisfy the standard(s) for unconditional approval (see § 405.2130).

(4) The Council confers with component facilities to assist each with the formulation of data for the annual report (paragraph (b)(3) of this section).

(5) The Council provides information to the Secretary and, upon request, to health planning agencies, concerning current and projected utilization of network member facilities, thereby assisting the orderly development and utilization of ESRD equipment and personnel to meet present and future needs of patients.

(6) The Council establishes mechanisms to manage the administrative and

financial aspects of the Council's activities.

(7) When the Health Systems Agencies (HSAs) required under P.L. 93-641 have demonstrated to the Secretary their capacity to assume responsibility for the functions described in this section, the Secretary may assign such responsibility to the HSA's. The Network Coordinating Council that had performed these ESRD functions may continue to perform such functions on behalf of the HSAs if they so request.

(c) *Standard: Medical Review Board.* Each network has a Medical Review Board to screen the appropriateness of ESRD care, treatment procedures, and services delivered to ESRD patients.

(1) The Medical Review Board consists of five members; the members (with designated alternates) are appointed by the Council as follows: (i) a transplant surgeon; (ii) an internist actively engaged in ESRD care; (iii) an additional physician actively engaged in other aspects of ESRD patient care (e.g., a urologist; a psychiatrist; or a specialist (physician or nonphysician) in histocompatibility testing); (iv) a registered nurse experienced in ESRD patient care; and (v) a social worker experience in working with ESRD patients. In pediatric cases, one of the physician members of the Board shall be a pediatrician.

(2) The Medical Review Board performs the following functions:

(i) Reviews the adequacy of patient selection of ESRD care, screens the appropriateness of patients for the proposed treatment procedures and reviews the appropriateness of the treatment plans for ESRD patients based on information available from the national ESRD medical information system (§ 405.2133) and the patients' charts as needed;

(ii) Reviews the appropriateness of services provided to patients under the ESRP program, including but not limited to: (1) reviews of aggregate patient outcome data and patterns of care furnished by physicians and facilities, and (2) indepth reviews of individual cases on the basis of samples or selections;

(iii) Reviews the appropriateness of ancillary medical services;

(iv) Reviews issues referred to it by carriers and intermediaries concerning the appropriateness of unusual services; and

(v) Performs studies on the organization and delivery of health care services to ESRD patients, or with respect to other Medical Review Board functions enumerated in this paragraph (c)(2).

(3) In performing the functions enumerated in paragraph (c)(2) of this section, the Board utilizes norms, criteria, and standards (§ 405.2102(h), (i), and (j)) adopted by the Board to select from a large number of cases those requiring indepth review.

(4) On the basis of its reviews under paragraph (c)(2) of this section, the Medical Review Board provides, to facilities in the network and to physicians, written recommendations for improvements in the ESRD care of individual patients or groups of patients (or both). If there are facilities in the network, or physicians, that continue to deliver care which the Medical Review Board considers inappropriate or of substandard quality, the Medical Review Board provides all facts concerning this care to the Council and to the Secretary.

(5) No person serving on the Medical Review Board has review responsibility for a case in which he has, or had, any professional involvement.

(6) No person serving on the Medical Review Board with a financial interest, direct or indirect, in a facility furnishing ESRD services may review the ESRD services of that facility.

(7) The Medical Review Board coordinates its activities with the Professional Standards Review Organizations (PSRO) in its designated area.

(8) When a PSRO has demonstrated to the Secretary its capacity to assume responsibility for the reviews described in paragraph (c)(2) of this section, the Secretary may assign such responsibility to the PSRO. The Medical Review Board that had performed ESRD care review may continue to perform such review on behalf of the PSRO if the PSRO so requests.

§ 405.2111 Designations of network areas; approvals of functioning networks.

The Secretary will designate ESRD network areas each serving a minimum population base of 3.5 million and preferably a larger population, and will publish notice thereof in the FEDERAL REGISTER, as an Appendix to this subpart. The Secretary may designate network areas of less than 3.5 million population when necessary for the achievement of the ESRD program objectives (§ 405.2101). A network area may cross State and HEW Regional boundaries, but will not divide PSRO areas or Health Service Areas (HSAs) except under unusual circumstances indicating that program objectives would be better served by such divisions.

With respect to each designated ESRD network area, the Secretary will determine whether the requirements for a functioning network (§ 405.2110) have been met. An advance determination may be made, in the case of a network which has not yet become fully established, on the basis of substantial progress toward establishment as evidenced by:

(a) A functioning Network Coordinating Council (e.g., has begun holding meetings pertinent to the discharge of its responsibilities);

(b) A Medical Review Board which is meeting to plan to perform the functions stated in § 405.2110(c)(2);

(c) A written plan (see § 405.2110(b)(1)); and

(d) An agreement executed by each facility desiring to participate in the network (see § 405.2134).

An advance determination thus made will be subject to verification of compliance with § 405.2110 within a reasonable time thereafter, on the basis of requirements for fully established networks.

§ 405.2120 Minimal utilization rates: general.

Section 226(g) of the Social Security Act (42 U.S.C. 426(g)) authorizes the Secretary to limit reimbursement for ESRD care to those facilities which meet such requirements as the Secretary may prescribe, including minimal utilization rates for covered procedures. The minimal utilization rates, which are explained and specified in §§ 405.2121-405.2130, pertain to dialyses and transplantations. These utilization rates may be changed from time to time in accordance with program experience, and such changes will be published as amendments to these regulations.

A facility which is not granted an approval as to its utilization rate(s) for dialyses or transplantations in one of the categories described in § 405.2122(a)(1)-(3), or which has had such approval discontinued, is not eligible for reimbursement under title XVIII for the ESRD services lacking such approval.

§ 405.2121 Basis for determining minimal utilization rates.

In developing minimal utilization rates, the Secretary takes into account the performance of ESRD facilities, the availability of care, the quality of care, and the efficient utilization of equipment and personnel, based on the following evidence:

(a) Information obtained from the Network Coordinating Council (see § 405.2110(b)(3)) and other sources covering current rates of utilization in ESRD facilities;

(b) Information on the geographic distribution of ESRD patients and facilities;

(c) Information on quality of care; and

(d) Information on operational and management efficiency.

§ 405.2122 Compliance with minimal utilization rate(s); types and durations of approvals.

(a) *Based upon the minimal utilization rates specified in § 405.2130, ESRD facilities may be approved for the following periods*—(1) *Unconditional approval.* If the facility meets the minimal utilization rate(s) for unconditional approval, this status continues until subsequently reported statistics or amended minimal utilization rates require the facility's reclassification;

(2) *Conditional approval.* If the facility meets the minimal utilization rate(s) for conditional approval, this status continues until subsequently reported statistics or amended minimal utilization rates require the facility's reclassification; however, a facility will not be granted conditional approval for more than 2 consecutive years;

(3) *Exception status.* Under unusual circumstances the Secretary may grant a time-limited exception, not exceeding one year, to a facility which is not in compliance with the minimal utilization rate(s) for either unconditional approval or conditional approval. This exception status may be granted where rigid application of minimal utilization rate re-

quirements would adversely affect the achievement of ESRD program objectives. Exception status may be granted for reasons that include, but are not limited to the following:

(i) The facility is helping to overcome inadequate access to ESRD patient care in a large geographic area where there are too few patients to allow the facility to satisfy the minimal utilization rate(s);

(ii) The facility furnishes a necessary specialized ESRD service, e.g., as a major pediatric referral center for Renal Dialysis and Renal Transplantation Centers in a large geographic area;

(iii) The facility is a principal referral ESRD research center, i.e., conducts a substantial proportion of all patient-related ESRD research in a large geographical area; or

(iv) The facility has recently initiated a dialysis or transplantation program, or both, and is proceeding towards meeting minimal utilization rates on the basis of a plan and supporting information submitted to the Secretary.

The determination whether to grant an exception will be based, in part, on the documentation furnished by a facility and its Council in the reports submitted to the Secretary (see paragraphs (b) and (c) of this section).

(b) *Initial classification.* Six months after the effective date of this subpart (see § 405.2100(c)), each Renal Transplantation Center and each dialysis facility will submit to the Secretary through its Network Coordinating Council a report on the number of transplants and dialyses performed, and the number of dialysis stations operated, at the facility during the period from January 1, 1972, through December 31, 1974. Any facility reporting data not satisfying the standards for unconditional approval (§ 405.2130) may also submit with the report a statement which offers rationale for the granting of conditional approval (paragraph (a)(2) of this section) or an exception (paragraph (a)(3) of this section). The statement should be accompanied by comments from the Network Coordinating Council. The Secretary will notify each facility as well as the Network Coordinating Council of the facility's initial classification.

(c) *Subsequent classification.* Each Network Coordinating Council is required to submit an annual report to the Secretary, by the last day of February, showing the utilization rates for the preceding calendar year for each facility in the network (§ 405.2110(b)(3)). The Secretary reviews the approval status of each facility on the basis of a comparison of its utilization rates with the published minimal utilization rates for that year. Each facility as well as the Network Coordinating Council is notified by the Secretary of its subsequent classification.

(d) *For purposes of reporting utilization rates:*

(1) The number of transplants is the number performed at a Renal Transplantation Center (defined in § 405.2102(e)(7));

(2) The number of dialysis stations is (a) the number used for either inpatient or outpatient ESRD care by a Renal Dialysis Center (defined in § 405.2102(e)(6)), and (b) the number of chronic maintenance dialysis stations in other than Renal Dialysis Centers;

(3) The number of dialyses performed per dialysis station per week in Renal Dialysis Centers includes both outpatient and inpatient dialyses performed on ESRD patients, whereas all other dialysis facilities will report only outpatient dialyses performed on ESRD patients, including self-care patients.

§ 405.2130 Condition: Minimal utilization rates.

The ESRD facility meets the applicable minimal utilization rate(s) indicated below for unconditional or conditional approval, unless granted exception status in accordance with § 405.2122(a)(3):

(a) *Standard: Renal Transplantation Center.*

(1) Unconditional approval: 25 or more transplants performed per year.

(2) Conditional approval: 15 to 24 transplants performed per year.

(b) *Standard: Dialysis facility.*

(1) For any facility located within a standard metropolitan statistical area of 500,000 population or greater:

(i) Unconditional Approval—6 or more dialysis stations with performance of an average of 4.5 or more dialyses per station per week;

(ii) Conditional Approval—6 or more dialysis stations with performance of an average of between 4.0 and 4.5 dialyses per station per week; or 4 or 5 dialysis stations with performance of an average of 4.5 or more dialyses per station per week.

(2) For any facility located in a standard metropolitan statistical area of less than 500,000 population, or in an area not included in a standard metropolitan statistical area:

(i) Unconditional Approval—3 or more dialysis stations with performance of an average of 4.0 or more dialyses per station per week;

(ii) Conditional Approval—2 dialysis stations with performance of an average of 4.0 or more dialyses per station per week.

§ 405.2131 Condition: hospital-operated ESRD facility.

An ESRD facility (§ 405.2102(e)) operated by a hospital may qualify for approval and be reimbursed under the ESRD program only if the hospital is otherwise an approved provider in the Medicare program.

§ 405.2132 Condition: fulfillment of service needs in network.

The facility, or an expansion of the facility's capacity, is needed to increase the available ESRD services which would otherwise be inadequate for the network area. The facility furnishes evidence in support of its request for approval showing that:

(a) There are ESRD patients in the network area for whom the proposed services of the facility are needed;

(b) These patients cannot be expected to receive appropriate therapy from another ESRD treatment facility in the network area; and

(c) The facility is qualified to furnish the proposed services.

§ 405.2133 Condition: furnishing data and information for ESRD program administration.

The ESRD facility furnishes data and information in the manner and at the intervals specified by the Secretary, pertaining to its ESRD patient care activities and costs, for inclusion in a national ESRD medical information system and in compilations relevant to program administration. Such information is treated as confidential when it pertains to individual patients and is not disclosed except as authorized by Department regulations on confidentiality and disclosure (see 45 CFR Part 5 and 20 CFR Parts 401 and 422 (Subpart E)).

§ 405.2134 Condition: Membership in a network.

Six months after the effective date of this subpart, the ESRD facility must have executed a membership agreement with an approved network and must be providing representation to the Network Council.

(a) *Standard: membership agreement.* The membership agreement is signed by an authorized individual on behalf of the facility, providing for the facility's participation in Council activites.

(b) *Standard: representation.* The facility appoints at least one representative to the Council and more than one representative, when necessary, (§ 405.2110(b)), for proper administration of the Network's general program functions.

§ 405.2135 Condition: compliance with Federal, State and local laws and regulations.

The ESRD facility is in compliance with applicable Federal, State and local laws, and regulations.

(a) *Standard: licensure.* Where State or applicable local law provides for the licensing of ESRD facilities, the facility is:

(1) Licensed pursuant to such law; or

(2) Approved by the agency of such State or locality responsible for such licensing as meeting the standards established for such licensing.

(b) *Standard: licensure or registration of personnel.* Each staff member is currently licensed or registered in accordance with applicable law.

(c) *Standard: conformity with other laws.* The facility is in conformity with applicable laws and regulations pertaining to fire safety, equipment, and other relevant health and safety requirements.

§ 405.2136 Condition: governing body and management.

The ESRD facility is under the control of an identifiable governing body, or designated person(s) so functioning, with full legal authority and responsibility for the governance and operation of the facility. The governing body adopts and enforces rules and regulations relative to its own governance and to the health care and safety of patients, to the

protection of the patients' personal and property rights, and to the general operation of the facility. The governing body receives and acts upon recommendations and communications from the Medical Review Board and the Network Coordinating Council. The governing body appoints a chief executive officer who is responsible for the overall management of the facility.

(a) *Standard: disclosure of ownership.* The ESRD dialysis and/or transplant facility supplies full and complete information to the State survey agency (§ 405.1902(a)) as to the identity of: (1) each person who has any direct or indirect ownership interest of 10 per centum or more in the facility, or who is the owner (in whole or in part) of any mortgage, deed of trust, note, or other obligation secured (in whole or in part) by the facility or any of the property or assets of the facility; (2) each officer and director of the corporation, if the facility is organized as a corporation; and (3) each partner, if the facility is organized as a partnership; and promptly reports to the State survey agency any changes which would affect the current accuracy of the information so required to be supplied.

(b) *Standard: operational objectives.* The operational objectives of the ESRD dialysis and/or transplant facility, including the services that it provides, are established by the governing body and delineated in writing.

The governing body adopts effective administrative rules and regulations that are designed to safeguard the health and safety of patients and to govern the general operations of the facility, in accordance with legal requirements. Such rules and regulations are in writing and dated. The governing body ensures that they are operational, and that they are reviewed at least annually and revised as necessary.

(1) The objectives of the facility are formulated in writing and clearly stated in documents appropriate for distribution to patients, facility personnel, and the public.

(2) A description of the services provided by the facility, together with a categorical listing of the types of diagnostic and therapeutic procedures that may be performed, is readily available upon request to all concerned.

(3) Criteria defining patient eligibility for services are developed by the facility and are readily available to all concerned to ensure equitable access to such service.

(4) The operational objectives and administrative rules and regulations of the facility are reviewed at least annually and revised as necessary by the administrative staff, medical director, and other appropriate personnel of the facility, and are adopted when approved by the governing body.

(5) There is a written requirement that the governing body receive all recommendations and communications from the Medical Review Board and the Network Coordinating Council and appropriately act on such recommendations and communications.

(c) *Standard: chief executive officer.* The governing body appoints a qualified chief executive officer who, as the ESRD dialysis and/or transplant facility's administrator: is responsible for the overall management of the facility; enforces the rules and regulations relative to the level of health care and safety of patients, and to the protection of their personal and property rights; and plans, organizes, and directs those responsibilities delegated to him by the governing body. Through meetings and periodic reports, the chief executive officer maintains ongoing liaison among the governing body, medical and nursing personnel, and other professional and supervisory staff of the facility, and acts upon medical recommendations made by the medical staff, the governing body, and the Medical Review Board. In the absence of the chief executive officer, a qualified person is authorized in writing to act on the officer's behalf.

(1) The governing body delineates in writing the responsibilities of the chief executive officer, and ensures that he/she is sufficiently free from other duties to provide effective direction and management of the operations and fiscal affairs of the facility.

(2) The chief executive officer serves on a full-time or part-time basis, in accordance with the scope of the facility's operations and administrative needs, and devotes sufficient time to the conduct of such responsibilities.

(3) The responsibilities of the chief executive officer include but are not limited to:

(i) Implementing the policies of the facility and coordinating the provision of services, in accordance with delegations by the governing body.

(ii) Organizing and coordinating the administrative functions of the facility, redelegating duties as authorized, and establishing formal means of accountability for those involved in patient care.

(iii) Authorizing expenditures in accordance with established policies and procedures.

(iv) Familiarizing the staff with the facility's policies, rules, and regulations, and with applicable Federal, State, and local laws and regulations.

(v) Maintaining and submitting such records and reports, including a chronological record of services provided to patients, as may be required by the facility's internal committees and governing body, the Medical Review Board (§ 405.2110), and governmental agencies.

(vi) Participating in the development, negotiation, and implementation of agreements or contracts into which the facility may enter, including network agreements, (§ 405.2134), subject to approval by the governing body of such agreements or contracts.

(vii) Participating in the development of the organizational plan and ensuring the development and implementation of an accounting and reporting system, including annual development of a detailed budgetary program, maintenance of fiscal records, and quarterly submission to the governing body of reports of expenses and revenues generated through the facility's operation.

(viii) Ensuring that the facility employs the number of qualified personnel needed; that all employees have appropriate orientation to the facility and their work responsibilities upon employment; and that they have an opportunity for continuing education and related development activities.

(d) *Standard: institutional planning.* The ESRD dialysis and/or transplant facility has an institutional plan that:

(1) Is prepared under the direction of the governing body by a committee consisting of representatives of the governing body, the administrative staff, and the professional staff;

(2) Provides for an annual operating budget which includes all anticipated income and expenses related to items which, under generally accepted accounting principles, would be considered income and expense items (except that nothing in this paragraph shall require that there be prepared, in connection with any budget, an item-by-item identification of the components of each type of anticipated expenditure of income);

(3) Provides for a capital expenditures plan for at least a 3-year period (including the year to which the operating budget described in paragraph (d)(2) of this section is applicable) which includes and identifies in detail the anticipated sources of financing for, and the objectives of, each anticipated expenditure in excess of $100,000 related to the acquisition of land, the improvement of land, buildings, and equipment, and the replacement, modernization, and expansion of the buildings and equipment which under generally accepted accounting principles, would be considered capital items; and

(4) Provides for review and updating of the institutional plan at least annually.

(e) *Standard: personnel policies and procedures.* The governing body, through the chief executive officer of the ESRD dialysis and/or transplant facility, is responsible for maintaining and implementing written personnel policies and procedures that support sound patient care and promote good personnel practices. These policies and procedures ensure that:

(1) All members of the facility's staff are qualified to perform the duties and responsibilities assigned to them and meet such Federal, State, and local professional requirements as may apply.

(2) A safe and sanitary environment for patients and personnel exists, and that incidents and accidents to patients and personnel are reviewed to identify health and safety hazards. Health supervision of personnel is provided, and they are referred for periodic health examinations and treatments as necessary or as required by Federal, State, and local laws.

(3) If the services of trainees are utilized in providing ESRD services, such trainees are under the direct supervision of qualified professional personnel.

(4) Complete personnel records are maintained on all personnel. These include health status reports, resumes of training and experience, and current job descriptions that reflect the employees' responsibilities and work assignments.

(5) Personnel policies are written and made available to all personnel in the facility. The policies provide for an effective mechanism to handle personnel grievances.

(6) All personnel of the facility participate in educational programs on a regular basis. These programs cover initial orientation, and continuing inservice training, including procedures for infection control. Records are maintained showing the content of training sessions and the attendance at such sessions.

(7) Procedures manuals are maintained, periodically updated, and made available to all personnel involved in patient care.

(f) *Standard: use of outside resources.* If the ESRD dialysis and/or transplant facility makes arrangements for the provision of a specific service as authorized in these regulations, the responsibilities, functions, objectives, and the terms of each arrangement, including financial provisions and charges, are delineated in a document signed by an authorized representative of the facility and the person or agency providing the service. Documents pertaining to arrangements for services specify that the facility assumes professional and administrative responsibility for the services rendered. The outside resource, when acting as a consultant, apprises the chief executive officer and attending physician of recommendations, plans for implementation, and continuing assessment through dated, signed reports, which are retained by the chief executive officer for follow-up action and evaluation of performance.

(g) *Standard: patient care policies.* The ESRD dialysis and/or transplant facility has written policies, approved by the governing body, concerning the provision of dialysis and other ESRD services to patients. These policies are developed by the physician responsible for supervising and directing the provision of ESRD services, or the facility's organized medical staff (if there is one), with the advice of (and with provision for review of such policies from time to time, but at least annually, by) a group of professional personnel associated with the facility, including one or more physicians and one or more registered nurses experienced in rendering ESRD care.

(1) The patient care policies cover the following:

(i) Scope of services provided by the facility (either directly or under arrangement).

(ii) Admission and discharge policies (in relation to both in-facility care and self-care or home care).

(iii) Medical supervision and physician services.

(iv) Patient care plans and methods of implementation.

(v) Care of patients in medical and other emergencies.

(vi) Pharmaceutical services.

(vii) Medical records (including those maintained in the ESRD facility and in the patients' homes, to ensure continuity of care).

(viii) Administrative records.

(ix) Use and maintenance of the physical plant and equipment.

(x) Consultant qualifications, functions, and responsibilities.

(xi) Surveillance of home adaptation if the facility has responsibility for home dialysis patients.

(2) The physician-director of the facility is designated in writing to be responsible for the execution of patient care policies. If the responsibility for day-to-day execution of patient care policies has been delegated by a physician director to a registered nurse, the physician-director provides medical guidance to the nurse in such matters.

(3) The facility policy provides that hours for dialysis are scheduled for patient convenience and that, whenever feasible, arrangements are made to accommodate employed patients who wish to be dialyzed during their nonworking hours.

(4) The governing body adopts policies to ensure there is evaluation of the progress each patient is making toward the goals stated in the patient's care plan (§ 405.2137). Such evaluations are carried out through regularly scheduled conferences, with participation by the staff involved in the patient's care.

(h) *Standard: medical supervision and emergency coverage.* The governing body of the ESRD dialysis and/or transplant facility ensures that the health care of every patient is under the continuing supervision of a physician and that a physician is available in emergency situations.

(1) The physician responsible for the patient's medical supervision evaluates the patient's immediate and long-term needs and on this basis prescribes a planned regimen of care which covers indicated dialysis and other ESRD treatments, services, medications, diet, special procedures recommended for the health and safety of the patient, and plans for continuing care and discharge.

(2) The governing body ensures that there is 24-hour, 7-day a week medical coverage so that there is always available medical care for emergencies. There is posted at the nursing/monitoring station a roster with the names of the physicians to be called, when they are available for emergencies, and how they can be reached.

(i) *Standard: medical staff.* The governing body of the ESRD dialysis and/or transplant facility designates a qualified physician (see § 405.2102(m)(4)) as director of the ESRD services; the appointment is made upon the recommendation of the facility's organized medical staff, if there is one. The governing body establishes written policies regarding the development, negotiation, consummation, evaluation, and termination of appointments to the medical staff.

§ 405.2137 Condition: patient care plans.

There is a written patient care plan for every patient of the ESRD dialysis and/or transplant facility, based on the nature of the illness, treatment prescribed, long-term and short-term goals and other pertinent information.

(a) *Standard: personalized plans.* The patient care plan is personalized for the individual patient. It indicates what ESRD and other care is needed, how it can best be accomplished, and what modifications are necessary to achieve the best results. The patient is involved in the development of the plan, and due consideration is given to the patient's preferences.

(b) *Standard: physician involvement.* The patient care plan is developed on the basis of the physician's prescribed regimen of treatment, with the involvement of other professional personnel who participate in the patient's care. The patient care plan is reviewed and revised, as necessary, in order to ensure that it provides for the ongoing needs of the patient.

§ 405.2138 Condition: patients' rights.

The governing body of the ESRD dialysis and/or transplant facility adopts written policies regarding the rights and responsibilities of patients and, through the chief executive officer, is responsible for development of, and adherence to, procedures implementing such policies. These policies and procedures are made available to patients and any guardians, next of kin, sponsoring agency(ies), representative payees selected pursuant to section 205(j) of the Social Security Act and Subpart Q of Part 404 of this Chapter, and to the public. The staff of the facility is trained and involved in the execution of such policies and procedures. The patients' rights policies and procedures ensure that all patients treated in the facility:

(1) Are fully informed of these rights and responsibilties, and of all rules and regulations governing patient conduct and responsibilities;

(2) Are fully informed of services available in the facility and of related charges including any charges for services not covered under titles XVIII or XIX of the Social Security Act;

(3) Are fully informed by a physician of their medical condition unless medically contraindicated (as documented in their medical records) and are afforded the opportunity to participate in the planning of their medical treatment and to refuse to participate in experimental research;

(4) Are encouraged and assisted to understand and exercise their rights. Grievances and recommended changes in policies and services may be addressed to facility staff, the Council, or any other representatives, free from restraint, interference, coercion, discrimination or reprisal;

(5) Are assured confidential treatment of their personal and medical records, and may approve or refuse release of such

records to any individual outside the facility, except in case of their transfer to another health care institution or as required by law or third-party contract;

(6) Are treated with consideration, respect, and full recognition of their individuality and personal needs, including the need for privacy in treatment. Provision is made for translators where a significant number of patients exhibit language barriers; and

(7) Except in a medical emergency, are not transferred or discharged, nor is treatment altered radically, without consultation with the patient or, if incompetent, without prior notification of next of kin or sponsor.

§ 405.2139 Condition: medical records.

The ESRD dialysis and/or transplant facility maintains complete medical records on all patients (i.e., those receiving care within the facility and those self-care or home dialysis patients for whom the facility has assumed responsibility) in accordance with accepted professional standards and practices. A qualified member of the facility's staff is designated to serve as supervisor of medical records services, and ensures that all records are properly documented, completed, and preserved. The medical records are completely and accurately documented, readily available, and systematically organized to facilitate the compilation and retrieval of information.

(a) *Standard: medical record.* Each patient's medical record contains sufficient information to identify the patient clearly, to justify the diagnosis and treatment, and to document the results accurately. All medical records contain the following general categories of information: Documented evidence of assessment of the needs of the patient, of establishment of an appropriate plan of treatment, and of the care and services provided; identification and social data; signed consent forms; referral information with authentication of diagnosis; medical and nursing history of patient; report(s) of physician examination(s); diagnostic and therapeutic orders, observations, and progress notes; reports of treatments and clinical findings; reports of laboratory and other diagnostic tests and procedures; and discharge summary including final diagnosis and prognosis.

(b) *Standard: protection of medical record information.* The facility safeguards medical record information agains loss, destruction, or unauthorized use. The facility has written policies and procedures which govern the use and release of information contained in medical records. Written consent of the patient, or of an authorized person acting in behalf of the patient, is required for release of information not provided by law. Medical records are made available under stipulation of confidentiality for inspection by authorized agents of the Secretary, as required for administration of the ESRD program under Medicare.

(c) *Standard: medical records supervisor.* A qualified member of the facility's staff is designated to serve as supervisor of the facility's medical records service. The functions of the medical records supervisor include, but are not limited to, the following: Ensuring that the records are documented, completed, and maintained in accordance with accepted professional standards and practices; safeguarding the confidentiality of the records in accordance with established policy and legal requirements; ensuring that the records contain pertinent medical information and are filed for easy retrieval. When necessary, consultation is secured from a qualified medical record practitioner.

(d) *Standard: Completion of medical records and centralization of clinical information.* Current medical records and those of discharged patients are completed promptly. All clinical information pertaining to a patient is centralized in the patient's medical record.

(e) *Standard: retention and preservation of records.* Medical records are retained for a period of time not less than that determined by the State statute governing records retention or statute of limitations, or five years from the date of discharge in the absence of a State statute, or, in the case of a minor, three years after the patient becomes of age under State law, whichever is longest.

(f) *Standard: location and facilities.* The facility maintains adequate facilities, equipment, and space conveniently located, to provide efficient processing of medical records (e.g., reviewing, filing, and prompt retrieval) and statistical medical information (e.g., required abstracts, reports, etc.).

(g) *Standard: transfer of medical information.* The facility provides for the interchange of medical and other information necessary or useful in the care and treatment of patients transferred between treating facilities, or in determining whether such patients can be adequately cared for otherwise than in either of such facilities.

§ 405.2140 Condition: physical environment.

The physical environment in which ESRD services are furnished affords a functional, sanitary, safe, and comfortable setting for patients, staff, and the public.

(a) *Standard: building and equipment.* The physical structure in which ESRD services are furnished is constructed, equipped, and maintained to insure the safety of patients, staff, and the public.

(1) Fire extinguishers are conveniently located on each floor of the facility and in areas of special hazard. Fire regulations and fire management procedures are prominently posted and properly followed.

(2) All electrical and other equipment used in the facility is maintained free of defects which could be a potential hazard to patients or personnel. There is established a planned program of preventive maintenance of equipment used in hemodialysis and related procedures in the facility.

(3) The areas used by patients are maintained in good repair and kept free of hazards such as those created by damaged or defective parts of the building.

(4) An emergency electrical service covers the fire alarm system and the lights at exits and corridors used by patients.

(b) *Standard: favorable environment for patients.* The facility is maintained and equipped to provide a functional, sanitary, and comfortable environment with an adequate amount of well-lighted space for the services provided.

(1) There are written policies and procedures in effect for preventing and controlling hepatitis and other infections. As a minimum, these policies and procedures cover the provisions of appropriate sterile techniques.

(2) Treatment areas are designed and equipped to provide adequate and safe dialysis therapy, as well as privacy and comfort for patients.

(3) There is provided a nursing/monitoring station from which adequate surveillance of patients receiving hemodialysis services can be made.

(4) Heating and ventilation systems are capable of maintaining adequate and comfortable temperatures.

(c) *Standard: emergency preparedness.* Policies and procedures for handling emergencies are in writing and readily available. The emergency preparedness plan is tested periodically and reviewed and revised as necessary, but at least annually. Staff are knowledgeable of their respective roles in emergencies and are trained in emergency life-saving procedures and techniques.

(1) There is an established written plan for dealing with fire and other emergencies which, when necessary, is developed in cooperation with fire and other expert personnel.

(2) All personnel are trained, as part of their employment orientation, in all aspects of preparedness for any emergency or disaster. The emergency preparedness plan provides for orientation and regular training and periodic drills for all personnel in all procedures so that each person promptly and correctly carries out a specified role in case of an emergency.

(3) There is available at all times on the premises a fully equipped emergency tray, including emergency drugs, medical supplies, and equipment, and staff are trained in its use.

(4) The staff is familiar with the use of all dialysis equipment and procedures to handle medical emergencies.

§ 405.2160 Condition: affiliation agreement or arrangement (ESRD facility).

An ESRD dialysis facility has in effect an affiliation agreement or arrangement, in writing, for the provision of inpatient care and other hospital services with: (a) a Medicare approved Renal Dialysis Center (see § 405.2102(e)(6)), and (b) a nearby hospital that can furnish care to the dialysis facility's patients in medical emergencies. (The requirement in (a) of this paragraph does not apply to a facility which is itself a Renal Dialysis Center, nor does the requirement in (b) of this paragraph apply to a facility

which is located in and operated by a Medicare approved hospital.)

The affiliation agreement or arrangement provides the basis for effective working relationships under which inpatient hospital care or other hospital services are available promptly to the dialysis facility's patients when needed. The dialysis facility has in its files documentation from the hospital(s) to the effect that patients from the dialysis facility will be accepted and treated in acute medical emergencies. There are reasonable assurances that:

(a) Transfer or referral of patients will be effected between the hospital and the dialysis facility whenever such transfer or referral is determined as medically appropriate by the attending physician, with timely acceptance and admission;

(b) There will be interchange of medical and other information necessary or useful in the care and treatment of individuals transferred or referred between the facilities, or in determining whether such individual can be adequately cared for otherwise than in either of such facilities; and

(c) Security and accountability for patients' personal effects are provided when the patient is transferred to the hospital.

§ 405.2161 Condition—Director of an ESRD dialysis facility.

Treatment is under the general supervision of a Director who is a physician. The physician-director need not devote full time as Director but is responsible for planning, organizing, conducting, and directing the professional ESRD services and must devote sufficient time to carrying out these responsibilities. The director may also serve as the Chief Executive Officer of the facility.

(a) *Standard: qualifications.* The director of a dialysis facility is a qualified physician-director. (See § 405.2102(m)(4))

(b) *Standard: responsibilities.* The responsibilities of the physician-director include but are not limited to the following:

(1) Participating in the selection of a suitable treatment modality, i.e., transplantation or dialysis, and dialysis setting, for all patients;

(2) Training, or assuring adequate training, of nurses and technicians in dialysis techniques;

(3) Assuring adequate monitoring of the patient and the dialysis process;

(4) Assuring the development and availability of a policy and procedures manual and its implementation. As a minimum, the manual describes the types of dialysis used in the facility and the procedures followed in performance of such dialysis; hepatitis prevention and procedures for handling an individual with hepatitis; and a disaster preparedness plan (e.g., patient emergency, fire, flood); and

(5) When self-dialysis training is offered, assuring that patient teaching materials are available for patient use during training and at times other than during the dialysis procedure.

§ 405.2162 Condition: staff of an ESRD dialysis facility.

Properly trained personnel are present in adequate numbers to meet the needs of the patients, including those arising from medical and nonmedical emergencies.

(a) *Standard: registered nurse.* The dialysis facility employs at least one full time qualified nurse responsible for nursing service. (See § 405.2102(m)(3))

(b) *Standard: on-duty personnel.* Whenever patients are undergoing dialysis, other than self-care dialysis, one currently licensed health professional (e.g., M.D., R.N., or LPN) experienced in rendering ESRD care is on duty to monitor patient vital signs, and an adequate number of personnel are present or readily available to meet medical and nonmedical emergencies.

(c) *Standard: self-dialysis training personnel.* If the facility offers self-care dialysis training, a qualified nurse is in charge of such training (see § 405.2102(m)(3)).

§ 405.2163 Condition: Minimal service requirements for an ESRD dialysis facility.

In addition to chronic maintenance dialysis, the facility provides adequate laboratory, social, and dietetic services as needed to meet the needs of the ESRD patient.

(a) *Standard: laboratory services.* The dialysis facility makes available, directly or by arrangements, laboratory services, (other than the specialty of tissue pathology), which are available to meet the needs of the ESRD patient. Laboratory services are performed either by a Medicare-approved hospital or by a qualified Medicare-approved independent laboratory which, notwithstanding approval pursuant to Subparts J, M, and S, as appropriate, also meets § 405.1314(b)(3) and (5) and § 405.1317.

(b) *Standard: social services.* Social services are furnished by a qualified social worker (§ 405.2102(m)(5)) who has an employment or contractual relationship with the facility. The qualified social worker is responsible for social evaluations, financial advice and counseling, ongoing social services and, when indicated, referrals for vocational rehabilitation.

(c) *Standard: dietetic services.* Each patient is evaluated as to his nutritional needs by the attending physician in consultation with a qualified dietitian (§ 405.2120(m)(1)). Therapeutic diets are prescribed and monitored by the attending physician in consultation with the dietitian. When the need is indicated, the dietitian provides ongoing dietary counseling.

(d) *Standard: self-care dialysis support services.* The self-care dialysis training facility furnishes or arranges for the furnishing of the following upon completion of the training:

(1) Routine medical surveillance of the patient's medical condition and home adaptation, including provisions for visits to the home or the facility when necessary;

(2) Installation and maintenance of equipment;

(3) Testing and appropriate treatment of the water;

(4) Ordering of supplies on an ongoing basis;

(5) Routine consultation for the patient with a qualified social worker and a qualified dietitian; and

(6) A record-keeping system which assures continuity of care.

(e) *Standard: participation in recipient registry.* The dialysis facility participates in a patient registry program for patients who are awaiting cadaveric donor transplantation.

§ 405.2170 Condition: Director of a renal transplantation center.

The renal transplantation center is under the general supervision of a qualified transplantation surgeon (§ 405.2102(m)(6)) or a qualified physician-director (§ 405.2102(m)(4)), who need not serve full time. This physician is responsible for planning, organizing, conducting, and directing the Renal Transplantation Center and devotes sufficient time to carry out these responsibilities, which include but are not limited to the following:

(a) Participating in the selection of a suitable treatment modality for each patient.

(b) Training, or assuring adequate training, of nurses in the care of transplant patients.

(c) Assuring that tissue typing and organ procurement services are available either directly, by arrangements, or by agreements.

(d) Assuring that transplantation surgery is performed under the direct supervision of a qualified transplantation surgeon.

§ 405.2171 Condition: minimal service requirements for a renal transplantation center.

Kidney transplantation is furnished directly by a hospital which is participating as a provider of services in the Medicare program and is approved by the Secretary as a Renal Transplantation Center. The Renal Transplantation Center is under the overall direction of a hospital administrator and medical staff; if operated by an organizational subsidiary, it is under the direction of an administrator and medical staff member (or committee) who are directly responsible to the hospital administrator and medical staff, respectively. Patients are accepted for transplantation only on the order of a physician and their care continues under the supervision of a physician.

(a) *Standard: participation in recipient registry.* The Renal Transplantation Center participates in a patient registry program for patients who are awaiting cadaveric donor transplantation.

(b) *Standard: social services.* Social services are furnished to transplant recipients and donors by a qualified social

worker who has an employment or contractual relationship with the facility. The qualified social worker is responsible for social evaluations, financial advice and counseling, ongoing social services and, when indicated, referral for vocational rehabilitation.

(c) *Standard: laboratory services.* The hospital makes available, directly or by arrangements, laboratory services to meet the needs of ESRD patients. Laboratory services, including histocompatibility testing, are performed either by a Medicare-approved independent laboratory or by a Medicare-approved hospital which, notwithstanding approval pursuant to Subparts J, M, and S, as appropriate, also meets § 405.1314(b)(3) and (5), § 405.1317, and (when services are furnished in the specialty of tissue pathology) § 405.1314(b)(8)(i).

(1) The following laboratory services are available on a 24-hour emergency basis:

(i) ABO blood grouping;

(ii) HL–A and better-defined W antigens with adequately maintained typing reagents and with retyping and updating as needed;

(iii) Recipient sera screening for preformed antibodies with a suitable lymphocyte panel; and

(iv) Cross-matching of recipient and donor sera for preformed antibodies by at least two sensitive techniques.

(2) Available laboratory services also include:

(i) Suitable maintenance of recipient sera and typing reagents; and

(ii) Genotyping for honors and recipients.

APPENDIX

The designation of network areas has been preceded by extensive consultation with representatives of governmental agencies at all levels and with local ESRD patient care providers who are knowledgeable about existing patient referral patterns. The network areas proposed have been designed to enable network organizations to carry out their required functions and to provide for ESRD patient care referrals, with minimal need for reliance on resources located outside the designated network area. Each network area includes a minimum population of 3.5 million, except for 4 network areas where this minimum would not be feasible. Network areas frequently cross State and HEW regional boundaries, but do not divide proposed Health Service Areas mandated by the new National Health Planning and Resources Development Act of 1974.

The designation of network areas does not imply that the boundaries will remain static. These network areas may be changed based on public comment and the final designation of the Health Service Areas, and from time to time by publication of amendments to these regulations so that the regulations are in accordance with program experience and changing ESRD needs.

Pursuant to § 405.2111 of this Subpart, the following are designated as End-Stage Renal Disease Network Areas:

ESRD NETWORK NO. 1

American Samoa
Guam
Hawaii
The Trust Territory of the Pacific Islands

ESRD NETWORK NO. 2

The State of Montana
The State of Oregon
The State of Washington
The State of Idaho
The State of Alaska

ESRD NETWORK NO. 3

The following counties in Northern California:

Alameda
Alpine
Amador
Butte
Calaveras
Colusa
Contra Costa
Del Norte
El Dorado
Fresno
Glenn
Humboldt
Lake
Lassen
Madera
Marin
Mariposa
Mendocino
Merced
Modoc
Mono
Monterey
Napa
Nevada
Placer
Plumas
Sacramento
San Benito
San Francisco
San Joaquin
San Mateo
Santa Clara
Santa Cruz
Shasta
Sierra
Siskiyou
Solano
Sonoma
Stanislaus
Sutter
Tehama
Trinity
Tuolumne
Yolo
Yuba

The State of Nevada excluding Clark county which is included in Network area 4.

ESRD NETWORK NO. 4

The following counties in Southern California:

Imperial
Inyo
Kern
Kings
Los Angeles
Orange
Riverside
San Bernardino
San Diego
San Luis Obispo
Santa Barbara
Tulare
Ventura

The following county in Southern Nevada:
Clark

ESRD NETWORK NO. 5

Composed of:
The State of Colorado
The State of Utah
The State of Wyoming

ESRD NETWORK NO. 6

The State of Arizona
The State of New Mexico

ESRD NETWORK NO. 7

Composed of:
The State of Minnesota
The State of North Dakota
The State of South Dakota

The following county in the State of Wisconsin:

Douglas

The following counties in the State of Michigan:

Alger
Baraga
Chippewa
Delta
Dickinson
Gogebic
Houghton
Iron
Keweenaw
Luce
Mackinac
Marquette
Menominee
Ontonagon
Schoolcraft

ESRD NETWORK NO. 8

Composed of:
The State of Iowa
The State of Nebraska

The following counties in the State of Illinois:

Henry
Mercer
Rock Island

ESRD NETWORK NO. 9

The State of Kansas

The State of Illinois excluding the following counties which are included in network area number 15 except the 3 which are shown as being in number 8.

Boone
Bureau
Carroll
Cook
De Kalb
Du Page
Fulton
Grundy
Henderson
*Henry
Jo Daviess
Kane
Kankakee
Kendall
Knox
Lake
La Salle
Lee
Marshall
McDonough
McHenry
*Mercer
Ogle
Peoria
Putnam
*Rock Island
Stark
Stephenson
Tazewell
Warren
Whiteside
Will
Winnebago
Woodford

The State of Missouri

ESRD NETWORK NO. 10

The State of Arkansas
The State of Oklahoma

ESRD NETWORK NO. 11

The State of Texas

ESRD NETWORK NO. 12

The State of Louisiana

ESRD NETWORK NO. 13

The State of Wisconsin excluding the following county which is included in network area number seven.

Douglas

ESRD NETWORK NO. 14

The State of Michigan excluding the following counties which are included in network area number 7.

Alger
Baraga
Chippewa
Delta
Dickinson
Gogebic
Houghton
Iron
Keweenaw
Luce
Mackinac
Marquette
Menominee
Ontonagon
Schoolcraft

ESRD NETWORK NO. 15

Northern Illinois including the following counties:

Boone
Bureau
Carroll
Cook
Dekalb
DuPage
Fulton
Grundy
Henderson
Jo Daviess
Kane
Kankakee
Kendall
Knox
Lake
LaSalle
Lee
Marshall
McDonough
McHenry
Ogle
Peoria
Putnam
Stark
Stephenson
Tazewell
Warren
Whiteside
Will
Winnebago
Woodford

*Included in network area number 8.

ESRD NETWORK NO. 16

The State of Indiana excluding the following county which is included in network area number 17.

Dearborn

ESRD NETWORK NO. 17

The State of Kentucky

The following counties in the State of Ohio:

Adams	Greene
Brown	Hamilton
Butler	Highland
Champaign	Miami
Clark	Montgomery
Clermont	Preble
Clinton	Shelby
Darke	Warren

The following county in the State of Indiana:

Dearborn

ESRD NETWORK NO. 18

The State of Alabama excluding the following county which is included in network area number 20.

Russell

The State of Mississippi

The State of Tennessee

The following counties in the State of Georgia:

Catoosa	Walker
Dade	

The following counties in the State of Virginia:

Scott	Washington

ESRD NETWORK NO. 19

The State of Florida

ESRD NETWORK NO. 20

The State of Georgia excluding the following counties which are included in network area number 18.

Catossa	Walker
Dade	

The State of South Carolina

The following county in the State of Alabama:

Russell

ESRD NETWORK NO. 21

The State of North Carolina

ESRD NETWORK NO. 22

Composed of the State of Ohio excluding the following counties which are included in network area number 17.

Adams	Greene
Brown	Hamilton
Butler	Highland
Champaign	Miami
Clark	Montgomery
Clermont	Preble
Clinton	Shelby
Darke	Warren

The following counties of Western Pennsylvania:

Allegheny	Forest
Armstrong	Greene
Beaver	Huntington
Bedford	Indiana
Blair	Jefferson
Butler	Lawrence
Cambria	McKean
Cameron	Mercer
Clarion	Potter
Clearfield	Somerset
Crawford	Venango
Elk	Warren
Erie	Washington
Fayette	Westmoreland

ESRD NETWORK NO. 23

The District of Columbia.

The State of Maryland

The State of Virginia excluding the following counties which are included in network area number 18.

Scott

Washington

The State of West Virginia

ESRD NETWORK NO. 24

The State of Delaware

The State of New Jersey excluding Bergen County which is included in network area number 25.

The following counties of Eastern Pennsylvania:

Adams	Dauphin
Berks	Delaware
Bucks	Franklin
Carbon	Fulton
Centre	Juniata
Chester	Lackawanna
Clinton	Lancaster
Columbia	Lebanon
Cumberland	Lehigh
Luzerne	Pike
Lycoming	Philadelphia
Mifflin	Schuylkill
Monroe	Snyder
Montgomery	Union
Montour	Wayne
Northampton	Wyoming
Northumberland	York
Perry	

ESRD NETWORK NO. 25

The following counties of Metropolitan New York:

Bronx	Queens
Dutchess	Richmond
Kings	Rockland
Nassau	Suffolk
New York	Sullivan
Orange	Ulster
Putnam	Westchester

The following county in the State of New Jersey:

Bergen

ESRD NETWORK NO. 26

The State of New York excluding the following counties which are included in network area number 25:

Bronx	Queens
Dutchess	Richmond
Kings	Rockland
Nassau	Suffolk
New York	Sullivan
Orange	Ulster
Putnam	Westchester

The following counties in the State of Pennsylvania:

Bradford	Sullivan
Susquehanna	Tioga

ESRD NETWORK NO. 27

The State of Connecticut

ESRD NETWORK NO. 28

The State of Maine	The State of Rhode Island
The State of Massachusetts	The State of Vermont
The State of New Hampshire	

ESRD NETWORK NO. 29

Puerto Rico	Virgin Islands

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PART III

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

■

INTRAUTERINE CONTRACEPTIVE DEVICES

Professional and Patient Labeling

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 310]

[Docket No. 75N-0122]

INTRAUTERINE CONTRACEPTIVE DEVICES (IUD'S)

Professional and Patient Labeling for Intrauterine Contraceptive Devices

The Commissioner of Food and Drugs is proposing an amendment to the new drug regulations (21 CFR Part 310) to establish uniform professional and patient labeling for intrauterine devices; comments by September 2, 1975.

The intrauterine contraceptive device (IUD) is a popular method of contraception used by several million women in the United States. Although this method is generally safe and effective, certain complications and side effects may result from its use. A Food and Drug Administration (FDA) review of the labeling of IUD's currently marketed in the United States has disclosed that such information is not uniformly available to either the practitioner or the patient. The Commissioner has concluded that many of these problems can be ameliorated or avoided by dissemination of accurate information concerning the IUD's indications, effectiveness, contraindications, warnings, precautions, and adverse reactions to both the physician and the patient and that this can be accomplished best by the use of special physician and patient labeling for both drug and device IUD's. Therefore, the Commissioner is proposing to amend the new drug regulations to provide for that labeling.

The FDA has been working on IUD-related problems for several years. In 1967, the FDA commissioned the Obstetrics and Gynecology Advisory Committee to analyze the problem and to prepare a report. The report, issued January 1, 1968, noted that complications resulting from the use of IUD's are different from those associated with hormonal contraceptives, but are approximately as common, and that the rates of discontinuance appear to be about equal in the two forms of contraception. It concluded that IUD's are highly effective in preventing pregnancy, but that physicians should be aware of all possible contraindications and complications. The committee noted that the existing legal authority is limited to regulation of marketed devices which demonstrate excessive danger or hazard to health. It further recommended that more research must be done on the IUD's since its findings were not conclusive.

During the early part of 1973, the FDA Office of Medical Devices undertook a survey of IUD manufacturers to gather additional information about the labeling and the safety and effectiveness of IUD's. After reviewing information gathered in the survey and information contained in the scientific literature, an IUD called the "Majzlin Spring" was seized May 29, 1973 on the basis that its continued use in patients constituted a danger to health.

In May and June 1973, a subcommittee of the Committee on Government Operations, House of Representatives, held hearings on the regulation of medical devices. For the most part the purpose of the oversight hearings was to determine whether the FDA was doing a satisfactory job of enforcing the laws which it administers and whether IUD's were under adequate regulation to assure their safe and effective use. The Acting Commissioner, in testifying at those hearings, stated that IUD's and other contraceptive products, particularly drugs, were a serious concern to the FDA, the medical profession, and the public. He added that while many experts believe intrauterine devices are safer than oral contraceptives and equally effective, the FDA is sensitive to injury and complaint data pertaining to IUD's. The Acting Commissioner assured the subcommittee members that the existing resources and legislative authority of the FDA were being applied to problems associated with the use of IUD's as well as the hundreds of other medical devices in use.

During the remainder of 1973, FDA continued to monitor reports relating to the safety and effectiveness of IUD's. In addition, the Family Planning Evaluation Division of the Center for Disease Control (CDC) in conjunction with the Committee on Maternal and Child Health Care of the American Medical Association (AMA) and the American Osteopathic Association (AOA) undertook a survey of practitioners to determine their experiences with the use of IUD's during the first 6 months of 1973. The survey indicated that deaths and hospitalizations associated with the use of IUD's were being reported.

In December 1973, the A. H. Robins Co., 1407 Cummings Drive, Richmond, VA 23220, manufacturer of the Dalkon Shield IUD, notified FDA that it had received reports about complications of pregnancy associated with the use of this IUD. In February 1974, the firm sponsored an internal conference, and in April 1974, the firm met with representatives of FDA to discuss its intention to issue a letter advising physicians about procedures for the management of pregnancy occurring with the IUD in situ. On May 8, 1974, the firm issued the letter to more than 120,000 physicians.

On June 10–11, 1974 and June 13–14, 1974, two FDA advisory committees (the Panel on Review of Obstetrical and Gynecology Devices, established for the purpose of reviewing and evaluating all available data concerning the safety, effectiveness, and reliability of obstetrical and gynecology devices currently in use, and the Obstetrics and Gynecology Advisory Committee, established for the purpose of advising the Commissioner regarding the safety and effectiveness of drugs employed in obstetrics and gynecology) held meetings at which they concluded that the Dalkon Shield raised sufficient questions of safety to recommend that the device be withdrawn from the market. The conclusion reached by these two committees was made on the basis of information furnished by A. H. Robins Co., additional material developed by FDA and the report by CDC on the survey undertaken in cooperation with the AMA and the AOA.

On July 5, 1974, the results of the CDC survey were published in Morbidity and Mortality, Vol. 23, No. 26. That survey indicated that while the small number of IUD-related deaths demonstrates an increased mortality rate, the overall rate of IUD-related mortality appears to be low compared with the mortality rates associated with pregnancy and with other forms of contraception.

To provide an opportunity for all interested persons to present data, comments, or suggestions relative to the safety issues related to the Dalkon Shield and other IUD's, the Commissioner held a public hearing on August 21, 1974. The hearing particularly considered whether there are any differences in safety between the Dalkon Shield and other IUD's.

At this public hearing, members of both the Panel on Review of Obstetrical and Gynecology Devices and the Obstetrics and Gynecology Advisory Committee, meeting as an Ad Hoc Obstetrics and Gynecology Advisory Committee with John Jennings, M.D., Associate Commissioner for Medical Affairs, serving as Chairman, received and reviewed all of the information presented.

Following the public hearing and after considering all information presented, the Ad Hoc Advisory Committee outlined the issues and appointed a subcommittee charged with the responsibility of reviewing the possible advantages and disadvantages of using the Dalkon Shield. The committee noted that "IUD's have been shown by extensive use and studies to be a safe and reliable means of contraception and they compare favorably with the standard in this field—namely, oral contraceptives."

On October 29–30, 1974, the committee met to prepare a final report on the safety and effectiveness of IUD's in general and the Dalkon Shield in particular. Based on the open hearing, all information presented and available at that time, and the recommendations of the subcommittee, the committee concluded:

> Physician and patient product labeling should provide adequate information concerning the potential dangers of sepsis occurring during pregnancy with an IUD in place. Any patient with an IUD in place who suspects pregnancy or misses her normal menstrual period should seek medical advice at the earliest possible time. Because of the increased risk in pregnancy, the IUD should be removed if the string is visible and the IUD can be easily removed. If the IUD cannot be removed, interruption of pregnancy should be considered and offered as an option. If the patient elects to maintain the pregnancy, she should be warned of the increased risk of sepsis and be followed with close vigilance.

FDA advisory committees, like the Ad Hoc Obstetrics and Gynecology Advisory Committee, are created to advise the Commissioner on pending regulatory matters. Recommendations made by the

committees on these matters are intended to result in action consistent with the authority of FDA under the Federal Food, Drug, and Cosmetic Act, and these committees through their advice to the Commissioner greatly assist him in exercising his responsibilities under the act.

Following the recommendations of the advisory committee, the FDA published an FDA Drug Bulletin in December 1974 explaining the current status of the IUD investigation. This bulletin was distributed widely to physicians and other health professionals in the United States. It included language for a patient leaflet which was developed by FDA in cooperation with the American College of Obstetricians and Gynecologists and was to be made available for distribution on a voluntary basis, warning women who wear IUD's of the dangers of pregnancy. Based on the recommendations of the Ad Hoc Obstetrics and Gynecology Advisory Committee with regard to IUD labeling and further evaluation of these recommendations by FDA, the Commissioner concludes that there is a need to establish and require uniform physician and patient labeling for intrauterine contraceptive devices. Thus the patient labeling set forth in the FDA Drug Bulletin has been expanded.

So that interested parties are aware of the data and information including the Obstetrical-Gynecology Committee Reports, on which the Commissioner has based his decision to propose this uniform labeling regulation for IUD's, the following documents have been placed on file for public review in the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852:

1. Clark, Frederick A., Jr., "Statement on Septic Spontaneous Abortion and the Dalkon Shield," (with attachments 1 through 7 and Appendix A) June 11, 1974. (Presented to the Food and Drug Administration, Bureau of Medical Devices and Diagnostic Agents and its OB-GYN Device Panel.)

2. Ostergard, Donald R., M.D., "Intrauterine Contraception in Nulliparas with the Dalkon Shield," American Journal of Obstetrics and Gynecology, 116(8): 1088-1091, Aug. 15, 1973.

3. "Report on Intrauterine Contraceptive Devices," Obstetrics and Gynecology Advisory Committee, Food and Drug Administration, January 1968.

4. "Regulation of Medical Devices (Intrauterine Contraceptive Devices)," hearings before a Subcommittee of the Committee on Government Operations, House of Representatives, 93d Congress, First Session, May 30-31, June 1, 12-13, 1973.

5. Summary Minutes, meeting of the Food and Drug Administration Panel on Review of Obstetrical-Gynecological Devices, June 10-11, 1974.

6. Summary Minutes, meeting of the Food and Drug Administration Obstetrics and Gynecology Advisory Committee, June 13-14, 1974.

7. Ostergard, Donald R., M.D., "Statement on the Dalkon Shield Intrauterine Device and Spontaneous Septic Abortion," prepared for the Food and Drug Administration advisory committees on obstetrics and gynecology, June 13-14, 1974.

8. "Current Trends, IUD Safety: Report of a Nationwide Physician Survey," Center for Disease Control, Morbidity and Mortality, Weekly Report, Vol. 23, No. 26, July 5, 1974.

9. Press Release (74-37) regarding the use of the Dalkon Shield and other IUD products, June 27, 1974.

10. Conference Speaker's Schedule, Open Hearing Regarding Dalkon Shield and Other Intrauterine Devices, Food and Drug Administration, Rockville, MD, August 21, 1974.

11. "Summary Review of IUD Activities in FDA" presented at the Open Hearing Regarding Dalkon Shield and Other Intrauterine Devices, Food and Drug Administration, Rockville, MD, August 21, 1974.

12. FDA Talk Paper (74-39) regarding the preliminary report of Ad Hoc Committee on Dalkon Shield and Other IUD's, August 23, 1974.

13. "The Intrauterine Device," technical bulletin prepared by the American College of Obstetricians and Gynecologists.

14. "Testimony on Intrauterine Devices Before the Intergovernmental Relations Subcommittee of the Committee on Government Operations Hearings on Regulation of Medical Devices by FDA and FTC" presented by the American College of Obstetricians and Gynecologists, June 12, 1973.

15. Transcript of Open Hearing Regarding Dalkon Shield and other Intrauterine Devices, Food and Drug Administration, Rockville, MD, August 21, 1974.

16. Report to the FDA Obstetrics-Gynecology Advisory Panel and Committee Concerning the Safety and Efficacy of the Dalkon Shield and Other IUD's, prepared August 29, 1974, by A. H. Robins Co., Richmond, VA.

17. Report to the FDA Obstetrics-Gynecology Advisory Panel and Committee Concerning the Safety and Efficacy of the Dalkon Shield and Other IUD's, prepared October 22, 1974, by the A. H. Robins Company, Richmond, VA.

18. Minutes of closed session of Ad Hoc OB-GYN Advisory Committee, August 22, 1974.

19. Report of Safety and Efficacy of the Dalkon Shield and Other IUD's, prepared by the Subcommittee of the Ad Hoc OB-GYN Advisory Committee, August 31-September 1, 1974.

20. Transcript of proceedings, FDA, Bureau of Drugs and Bureau of Medical Devices and Diagnostic Products meeting of the Ad Hoc OB-GYN Advisory Committee, Open Session, October 29, 1974, Washington, D.C.

21. Physician Information and Guidelines for the Use of the IUD (Draft), October 10, 1974.

22. Proposed IUD Research Program, Food and Drug Administration and National Institute for Child Health Development.

23. Forty-six letters representing opinions on intrauterine devices received from organizations, doctors, and consumers.

24. Documents prepared for the Open Hearing Regarding the Dalkon Shield and Other Intrauterine Devices, Food and Drug Administration, Rockville, MD, August 21, 1974:

a. Jain, Anrudh, K., "Safety and Effectiveness of Intrauterine Devices."

b. Abstract of the above.

c. Seigel, D., Center for Disease Control IUD Survey; Preston, Lester W., "Statement on the Center for Disease Control's IUD Safety Survey."

d. Cooper, Donna L., Robert Israel, Daniel R. Mishell, "A Randomized Comparative Study of the Copper T 300, Dalkon Shield and Shell Loop in Parous Women," and abstract.

e. Clark, Frederick, A., statement on the "Benefits and Risks of the Dalkon Shield."

f. Snowden, R., "Pelvis Inflammation, Perforation, and Pregnancy Outcome Associated with the Use of IUD's," and abstract.

g. Tatum, H. J., F. H. Schmidt, D. Phillips, and M. McCarty, "Intrauterine Infection and the I.U.D."

h. Abstract of the above.

i. McCarty, M., "Study on Dalkon Shield."

j. Kahn, Henry, abstract of testimony and analysis of CDC study.

k. Grody, Marvin, abstract of testimony.

l. Thomsen, Russel, "IUD's in Perspective: 1974," and abstract.

m. Gordon, Harry W., abstract of testimony.

n. Engel, Randy, "The IUD—A Replay of the Pill?" and abstract.

o. Buckley, Daniel, abstract of testimony.

p. Sanhueza, Hernan, and Irving Sivin, "Preliminary Results on the Use—Effectiveness of the Dalkon Shield Intrauterine Device in Three Latin American Countries: A Twelve-Month Follow-Up."

q. Moreland, Jean E., abstract of testimony.

r. Eisinger, Steven H., "Second Trimester Spontaneous Abortion, The IUD and Infection."

s. Ostergard, Donald R., "Outcome of Pregnancies with Dalkon Shield In Situ."

t. Tyson, J., "Clinical Efficacy of the Dalkon Shield in Private and Clinical Practice."

u. Kesaler, I. I., abstract of testimony.

v. Davis, Hugh J., "Analysis of IUD-associated Mortality Surveys by Scott (1966) and Kahn (1973)—A Perspective on Contemporary Controversies."

w. Review of draft manuscript by Kahn and Tyler on "An Association between Dalkon Shield and Complicated Pregnancies," May 30, 1974.

x. Keith, Louis, Testimony.

y. Soichet, Samuel, "Report on the Use of a Single Small 'Ypsilon' Uterine Contraceptive in 6,000 Women."

z. Speidel, J. Joseph, Statement to the Food and Drug Administration concerning the role of IUD's in programs supported by the Agency for International Development.

aa. Hilgers, Thomas W., "The Intrauterine Device: Contraceptive or Abortifacient?"

bb. Lippes, Jack, abstract of testimony.

cc. Whitson, Leland, Robert Israel, and Gerald S. Bernstein, "The Extrauterine Dalkon Shield," paper from the American College of Obstetrics and Gynecology, November 9, 1973 (to be published).

dd. Dalkon Shield Survey, Planned Parenthood—World Population.

25. Copies of the following articles:

a. Burnhill, Michael S., "Syndrome of Progressive Endometritis Associated with Intrauterine Contraceptive Devices," reprinted from Excerpta Medica International Congress Series No. 271, Advances in Planned Parenthood, VIII, proceedings, tenth annual meeting of the AAPP, Detroit, April 1972.

b. Varga, L., W. Obolensky, and S. Scheidegger, "Ovarian Pregnancy and the Intrauterine Device (IUD)," International Journal of Fertility, 17:142-144, 1972.

c. Sobrero, and J. Aquiles, "Intrauterine Devices in Clinical Practices," Family Planning Perspectives, Vol. 3, No. 1, January 1971.

d. Baker, J. W., "Serious Complications of Intrauterine Contraceptive Devices," Medical Journal of Australia, May 31, 1969, p. 1126.

e. Manisoff, Miriam T., "Intrauterine Devices," American Journal of Nursing, July 1973, p. 1188.

f. Malony, W. R., and Joseph P. Miranti, "Ectopic Pregnancy and the Intrauterine Device," College Health, 21:167, December 1972.

26. Copies of the following abstracts:

a. Chang, C. C., and Howard J. Tatum, "A Study of the Antifertility Effect of Intrauterine Copper," Contraception, 1(4): 265-269, April 1970.

b. "Outcome of Unplanned Pregnancies in Women Using IUD's," Research and Reproduction, Vol. 6, No. 3, May 1974.

c. Fuentealba, Blanca, and Horacio B. Croxatto, "Role of Intrauterine Environment in the Disappearance of Eggs in Rats Bearing IUD," Contraception, 2(3): 179-185, September 1970.

d. Joshi, Sharad G., Duane C. Kraemer, C. Brandon Chenault, "Effect of an Intrauterine Foreign Body on Lysosomal Enzyme Activity and White Blood Cell Numbers in Uterine Washings of Rats, Baboons, and Human," Contraception, 2(5): 339–350, November, 1970.

e. Gupta, P. K., Parvati K. Malkani, and Kamal Bhasin, "Cellular Response in the Uterine Cavity after IUD Insertion and Structural Changes of the IUD," Contraception, 4(6): 375–384, December 1971.

f. Castro-Vazquez, Alfredo, Juan C. Macome, Domingo N. Decarli, and Jorgi M. Bosner, "On the Mechanism of Action of Oral Contraceptives. I. Effect of the Lynestrenol on Ovum Implantation and Oviductal Morphology in the Rat," Fertility and Sterility, 22(11): 741–744, November 1971.

g. Povey, W. G., "Intrauterine Contraception, an Overview," Obstetrics and Gynecology, January 1972, pp. 221–225.

27. Talk paper (74–50) regarding the Dalkon Shield, October 10, 1974.

28. Food and Drug Administration press conference on IUD's and supporting documents, December 20, 1974.

29. FDA Drug Bulletin, December 1974.

30. Statement by Alexander M. Schmidt, M.D., Commissioner, Food and Drug Administration, Public Health Service, Department of Health, Education, and Welfare, before the Subcommittee on Health, Committee on Labor and Public Welfare, and Subcommittee on Administrative Practice and Procedure, Committee on the Judiciary, United States Senate, January 28, 1975.

31. A. H. Robins Co., letter directed to physicians, dated May 8, 1974.

The Food and Drug Administration is charged with assuring both physicians and patients that IUD's are safe and effective for their intended uses. The full disclosure of information to physicians concerning such things as the effectiveness, indications, contraindications, warnings, precautions, and adverse reactions is an important element in the discharge of this responsibility. The Commissioner concludes that the physician is the proper person for providing use information for his patients, and the proposed regulation will provide physicians with an objective discussion of the effectiveness and risks attendant upon the use of the IUD to enable them to discuss the IUD with their patients.

Moreover, the patient as well as the physician needs adequate information to use the IUD in a safe and effective manner. A review of IUD's by FDA indicates that the products are used for long periods of time by large numbers of women who, for the most part, are healthy and use them for prevention of pregnancy or for family planning. Nevertheless, there is no present assurance that women who use the IUD are being uniformly provided the necessary information for its safe and effective use or information pertaining to other means of contraception so as to enable them to select the IUD as a matter of choice.

In view of the foregoing, it is necessary for the safe and effective use of the IUD, and to prevent misleading labeling, that there be patient labeling containing information on the nature of the IUD, its side effects, contraindications, and potential hazards, and to point out the need for continued medical supervision. The proposed regulation provides for such informative patient labeling.

Because of difficult benefit-risk considerations related to the use of IUD's and the fact that they are intended to be used for long periods of time by women who are healthy, and because of the availability of other methods of contraception, it is necessary that the attendant physician, prior to inserting the IUD, inform the patient of the risks and advantages associated with the use of the IUD as well as those associated with other methods of contraception. The proposed regulation provides that prior to the date scheduled for insertion of the IUD the physician must supply the patient with the patient brochure so that she has adequate time to read the labeling. Also, the physician should discuss fully the labeling with her, including an explanation of other methods of contraception, and obtain her consent. If the patient is incompetent to grant an informed consent, the same procedures shall be used to inform her parent or guardian for the purpose of obtaining consent.

Specialized labeling informing the patient about the risks associated with other forms of contraception already may be found in several regulations in Title 21: Oral contraceptives in § 310.501(a); oral postcoital contraceptives in § 310.501(b), published in the FEDERAL REGISTER of February 5, 1975 (40 FR 5351); and injectable contraceptives in § 310.501a, published in the FEDERAL REGISTER of September 12, 1974 (39 FR 32907).

In accordance with § 310.502(a) and (b) (21 CFR 310.502(a) and (b)), IUD's used for the purpose of contraception and incorporating heavy metals, drugs, or other active substances to increase the contraceptive effect, to decrease adverse reactions, or to provide increased medical acceptability are new drugs and may be marketed only on the basis of an approved new drug application. These IUD's are referred to in the proposed labeling as drug IUD's. The labeling proposed in § 310.502 applies to drug IUD's as well as to those that are not considered drugs. The labeling for the drug IUD's requires modification to fit the specific requirements of the active substance. These requirements are included in the proposed labeling. The applicant of an approved new drug application for a drug IUD is required to supplement the approved new drug application, under § 314.8(d) (21 CFR 314.8(d)), to provide for this labeling. Such labeling may be put into use without advance approval of the Food and Drug Administration.

It is proposed that existing IUD's may be shipped in interstate commerce without the physician and patient package labeling for 90 days after the effective date of the final regulation.

The Commissioner does not anticipate that this action will significantly affect the environment; therefore, an environmental impact statement, pursuant to section 102(c)(2) of the National Environmental Policy Act, will not be required.

Accordingly, to assure the safe and effective use of IUD's, to prevent misleading labeling and to provide both the physician and the patient with information on drug and device IUD's, the Commissioner concludes that § 310.502 should be amended by revising the section heading; by adding a new italicized heading to paragraph (a) and redesignating the text of paragraph (a) as (a)(1); redesignating paragraph (b) as (a)(2); redesignating paragraph (c) as (a)(3); redesignating paragraph (c)(1)(2) and (3) as paragraph (a)(3)(i)(ii) and (iii); and by adding a new paragraph (b).

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 201(g), (h), 502, 505, 701(a), 52 Stat. 1040–1042, 1050–1053 as amended, 1055 (21 U.S.C. 321(g), (h), 352, 355, 371(a))) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that Part 310 be amended by revising § 310.502 to read as follows:

§ 310.502 Intrauterine devices for human use for the purpose of contraception.

(a) *New drug status of certain intrauterine devices for human use for the purpose of contraception.* (1) The Food and Drug Administration has become aware of the increased clinical use for the purpose of contraception of intrauterine devices that incorporate heavy metals, drugs, or other active substances. The amount of local irritation caused by such active materials has been reported as being correlated, in animal studies, to the efficacy of such devices in achieving their contraceptive effect. Several investigators have reported different pregnancy rates which appear to be dependent on the type of metal used and/or the amount of exposed surface of the metal. Drugs have been incorporated with otherwise inert intrauterine devices to increase the contraceptive effect, decrease adverse reactions, or provide increased medical acceptability.

(2) Intrauterine devices used for the purpose of contraception and incorporating heavy metals, drugs, or other active substances to increase the contraceptive effect, to decrease adverse reactions, or to provide increased medical acceptability (drug intrauterine devices) are not generally recognized as safe and effective for contraception and are new drugs within the meaning of section 201(p) of the Federal Food, Drug, and Cosmetic Act. A completed and signed "Notice of Claimed Investigational Exemption for a New Drug" (Form FD–1571 set forth in § 312.1(a)(2) of this chapter) must therefore be submitted to cover clinical investigations to obtain evidence that such preparations are safe and effective for this use. An approved new drug application is required for the marketing of such articles.

(3) Paragraph (a)(1) and (2) of this section does not apply to the following:

(i) Intrauterine devices fabricated solely from inactive materials, e.g., inactive plastics or metals.

(ii) Intrauterine devices with substances added to improve the physical characteristics if such substances do not contribute to contraception through chemical action on or within the body and are not dependent upon being metabolized for the achievement of the contraceptive purpose.

(iii) Intrauterine devices that contain a component, such as barium, added exclusively for the purpose of visualization by x ray.

(b) *Labeling of intrauterine contraceptive devices considered either new drugs (drug IUD's) or devices.* The intrauterine contraceptive device is a popular method of contraception used by several million women in the United States. Although this method of contraception is generally safe and effective, certain complications and side effects may result from its use. A Food and Drug Administration review of the labeling of intrauterine contraceptive devices currently marketed in the United States reveals that information necessary for the safe and effective use of these devices is not uniformly available to either the practitioner or the patient. Based on the review of the labeling and on the recommendations of the Ad Hoc Obstetric-Gynecology Advisory Committee, the Commissioner has concluded that in the interest of safe and effective use, and prevention of misleading labeling, there is a need to establish uniform physician and patient labeling for such devices. Marketing of the devices may be continued only if the devices bear physician and patient labeling substantially as follows:

(1) Labeling accompanying each intrauterine contraceptive device and directed to the physician shall contain the following information, adjusted, where necessary, to the particular requirements for the drug IUD's:

(i) *Description.* Under this section heading the labeling shall contain:

(*a*) Major ingredients.

(*b*) Model and physical dimensions.

(*c*) Description of components in the package.

(*d*) Statement of sterility. If nonsterile, appropriate instructions for sterilization.

(*e*) Description as to whether the product incorporates heavy metals, drugs or other active substances.

(ii) *Indications and usage.* Prevention of pregnancy. The IUD is one of several safe and effective methods of contraception which may be considered for a particular patient.

(*a*) *Drug IUD's.* Different event rates have been recorded with the use of different intrauterine contraceptive devices. Inasmuch as these rates are usually derived from separate studies conducted by different investigators in several population groups, they cannot be compared with precision. Furthermore, event rates tend to be lower as clinical experience is expanded, possibly due to retention in the clinical study of those patients who accept the treatment regimen and do not discontinue due to adverse reactions or pregnancy. In clinical trials conducted by (*name of sponsor*) with the (*name of device*), use effectiveness was determined as follows for parous and nulliparous women, as tabulated by the life table method. (Rates are expressed as events per 100 women through 12 and 24 months of use.) This experience is based on (*number*) women/months of use including (*number*) women who completed 12 months of use, and (*number*) women who completed 24 months of use:

	12 Months		24 Months	
	Parous	Nulli-parous	Parous	Nulli-parous
Pregnancy.....				
Expulsion.....				
Medical removal.				
Continuation...				

(*b*) *Device IUD's.* Clinical data should include a range of event rates for pregnancy, expulsion, medical removal and continuation, based on controlled scientific studies. Follow clinical studies format of drug IUD's set forth in paragraph (b) (1) (ii) (*a*) of this section.

(iii) *Contraindications.* Pregnancy or suspicion of pregnancy; anemia; distortion of the uterine cavity; acute pelvic inflammatory disease or a history of repeated pelvic inflammatory disease; postpartum endometritis or infected abortion in the past 3 months; uterine or cervical malignancy; unexplained genital bleeding until suspicion of cancer is ruled out; acute cervicitis; and, known or suspected allergy to copper (for copper-containing IUD's).

(iv) *Warnings—(a) Pregnancy—(1) Septic abortion.* Recent reports have indicated an increased incidence of septic abortion associated in some instances with septicemia, septic shock and death in patients becoming pregnant with the IUD in place. In some cases, the initial symptoms have been insidious and not easily recognized. If pregnancy should occur with an IUD in situ, the IUD should be removed if the string is visible or, if removal proves to be or would be difficult, interruption of the pregnancy should be considered and offered as an option. If the patient elects to maintain the pregnancy and the IUD remains in situ, she shall be warned of the increased risk of sepsis and be followed with close vigilance.

(2) *Ectopic pregnancy.* A pregnancy which occurs while a patient is wearing an IUD is much more likely to be ectopic in nature. Therefore, such patients in whom pregnancy occurs should be carefully evaluated.

(*b*) *Severe pelvic infection.* Occasionally serious pelvic infection may occur with an IUD in situ. Under such circumstances the IUD should be removed, appropriate bacteriological studies done, and appropriate antibiotic treatment instituted.

(*c*) *Perforation.* Perforation of the uterus may occur. If this occurs the device should be removed. Copper-containing IUD's should be removed as soon as perforation is diagnosed. Local inflammatory reaction with abscess formation is a possibility if an IUD is left in the abdomen.

(*d*) *Microwave therapy (copper or other metal-containing IUD's).* The use of microwave therapy in patients with metal-containing prostheses may cause heat injury to the surrounding tissue. Therefore, microwave therapy to the abdominal and sacral areas should not be used on patients wearing a metal-containing IUD.

(*e*) *Copper-containing IUD's.* Additional amounts of copper available to the body from copper IUD's may precipitate symptoms in women with undiagnosed Wilson's disease. The long term effects of copper in the uterus on the offspring are unknown. Minute amounts of copper may cause hemolysis in patients with a deficiency of glucose 6-phosphate dehydrogenase.

(v) *Precautions and routine examinations—(a) Informed consent.* Prior to insertion, the physician must provide the patient with the patient brochure. The patient must be given adequate time to read the labeling in advance of the time scheduled for insertion of the IUD. The physician should discuss fully the information in the patient labeling with the patient, as well as other means of contraception and obtain the patient's consent. If a patient is not competent to give an informed consent, her parent or guardian must be provided with the printed information necessary to decide on behalf of the patient. The consent may be oral or in writing; if oral, a notation to this effect should be made in the patient's record.

(*b*) *Patient examination.* The physician should make a determination that the patient is not pregnant. The possibility of insertion in the presence of an existing undetermined pregnancy is reduced if insertion is performed during or shortly following a menstrual period. The IUD should not be inserted postpartum or postabortion until involution of the uterus has been completed. Prior to insertion, a pelvic examination, pap smear, and gonorrhea culture should be done. Sound the uterus prior to insertion and exercise care to avoid perforation. Do not use excessive force.

(*c*) *Requirements for continuation and removal.* (*1*) The device IUD does not require removal and replacement at any specific interval of time if it is in a satisfactory position, not producing untoward side effects, and the patient wishes to continue the IUD as her method of contraception. On the other hand, copper or other drug IUD's, need to be replaced at (*interval approved for the labeling of the drug pursuant to data submitted in a new drug application under § 314.1 of this chapter*) intervals to maintain their effectiveness.

(2) An IUD should be removed for the following medical reasons: Menorrhagia and/or metrorraghia producing anemia; uncontrolled pelvic infection; intractable pain, often aggravated by intercourse;

pregnancy, if the string is visible; or uterine or cervical malignancy.

(d) *Continuing care of patients using IUD's.* (1) Patients should be reexamined and evaluated within 3 months after IUD insertion.

(2) Routine annual examination with appropriate medical and laboratory evaluation should be carried out.

(vi) *Adverse reactions.* Reported adverse reactions include: Endometritis, spontaneous abortion, septic abortion, septicemia, perforation of uterus and cervix, pelvic infection, cystic masses in pelvis, abdominal adhesions, intestinal obstruction, cervical erosion, vaginitis, leukorrhea, cystitis, pregnancy, ectopic pregnancy, embedment, difficult removal, complete or partial expulsion of the IUD, intermenstrual spotting, prolongation of menstrual flow, anemia, amenorrhea or delayed menses, pain and cramping, backaches, dyspareunia, leg pain or soreness, weight loss or gain, nervousness.

(vii) *Insertion technique.* Although the technique for insertion varies with the IUD, the following rules are generally applicable.

(*a*) Bimanual examination should be done to ascertain the size, shape, and position of the uterus.

(*b*) Pap smear and gonorrhea culture should be taken.

(*c*) The endocervix should be cleansed with an antiseptic solution.

(*d*) Paracervical block may be utilized to attempt to reduce insertional pain.

(*e*) A tenaculum should be applied to the cervix with downward traction for correction of the angulation of the cervix and stabilization of the cervix.

(*f*) The cervical-uterine canal should be sounded prior to the insertion for depth and direction of the uterine canal. A multipurpose disposable sound which indicates the depth of the cervical canal and the endometrial cavity is useful.

(*g*) Instruments entering the cervical canal must be sterile.

(*h*) The IUD must be sterile.

(*i*) IUD's should preferably be inserted during or shortly after menstruation to insure a nonpregnant state. (This approach may not be practical in certain clinical situations.)

(2) Labeling accompanying each intrauterine contraceptive device and to be made available to the patient shall contain the following information:

PATIENT INFORMATION

INTRAUTERINE DEVICE (IUD)

I. *General Information.* (a) The (*name of device*) intrauterine device (IUD) is a small device which is put inside your uterus (womb). The purpose of the IUD is to prevent you from becoming pregnant. There are other forms of contraception which may be suitable. These should be discussed with your doctor before deciding which is best for you. Your doctor can explain how the IUD and other forms of contraception prevent you from becoming pregnant and can tell you about any risks you take in using them.

(b) The (*name of device*) IUD prevents pregnancy in (*range of effectiveness percent*) of women.

(c) While you have the IUD in, you may use tampons and take douches, if this is your usual practice. Normally, you may wear the IUD until you wish to become pregnant. However, certain types of IUD's must be replaced periodically. Check with your doctor concerning this. You should return to your doctor if you wish to have the IUD removed.

II. *Checking your IUD.* A tail or thread is attached to the IUD so that you can check to see if it is still in place since the IUD can come out of the uterus without your knowing it. Follow these steps to make sure your IUD is in place:

(a) Wash your hands.

(b) Assume the squatting position or seat yourself on the toilet.

(c) Insert the index or middle finger high in your vagina and locate the cervix (the mouth of the womb). The cervix feels firm like the tip of your nose.

(d) Feel for the thread of the IUD, which should be in the cervix high in your vagina.

(e) If you can feel the thread, you know the IUD is in place and working. You should not pull on the thread. This may displace the IUD.

(f) After each menstrual period, you should check to make sure the thread is in place in the cervix. You may check for the thread more often if you wish.

(g) Within 3 months after your IUD is inserted, you should be checked by your doctor to make sure that the IUD is in the correct position. If you develop any problems that concern you, or think that the IUD has come out, call your doctor right away for an examination. If you think the IUD has come out, use another birth control method, such as vaginal foam and condom (rubber), until you can be checked. Follow the instructions of your doctor for your next check-up.

(h) After the 3 months' examination, you should be checked at least once a year by your doctor.

III. *Important warnings.* If you miss your menstrual period, or if you have a scanty flow during your period, or if you suspect you might be pregnant, call your doctor right away. Some women do become pregnant with the IUD in place, and serious complications can occur when a pregnancy continues with the IUD in place. If you become pregnant, the IUD should be removed by your doctor. If removal proves to be difficult, you should discuss with your doctor the question of continuing the pregnancy.

IV. *What you should tell your doctor.* Before you have an IUD inserted, you should tell your doctor or nurse if you have ever had any of the following:

(a) Pelvic infection (pus tubes).

(b) Heavy menstrual flow.

(c) Bleeding between periods.

(d) Heavy vaginal discharge or infection.

(e) Recent pregnancy, including abortion.

(f) Severe menstrual cramps.

(g) Venereal disease.

(h) Fainting attacks.

V. *Side Effects of the IUD.* The following side effects may occur after the IUD is inserted:

(a) Some bleeding occurs following insertion in most women. Because of this, your doctor may choose to insert your IUD during or at the end of your menstrual period. This also ensures that you are not pregnant at the time the IUD is inserted.

(b) Bleeding between the menstrual periods, usually in the form of spotting, may occur during the first few weeks after insertion. The first few menstrual periods after the insertion may be heavier and longer. If this is extensive, consult your doctor.

(c) Pain, usually in the form of uterine cramps or low backache, may occur at the time of insertion of the IUD and last for a few days. Simple pain medication usually controls the cramping associated with the IUD.

(d) Fainting may occur at the time of insertion of the IUD. This passes quickly and is not usually serious.

VI. *Complications.* Complications are known to occur with the IUD. If any of the following occur, report to your doctor promptly:

(a) Severe or prolonged bleeding. If the flow is heavier and lasts much longer than your usual menstrual flow, you may need to have the IUD removed to prevent the development of anemia.

(b) Severe cramps and pelvic pain. Consult your doctor. This could mean an infection has developed requiring treatment.

(c) Exposure to venereal disease (VD). If exposure to venereal disease is suspected, report for examination and treatment promptly. Failure to do so could result in serious pelvic infection.

(d) Thread disappearance. If the thread coming through the cervix cannot be felt in the vagina, it is possible that the IUD has been expelled or displaced. If expelled, you are no longer protected from becoming pregnant. If displaced, the IUD will have to be removed.

(3) All intrauterine contraceptive devices, whether drugs or devices, which are shipped in interstate commerce for the first time after (insert date 90 days after date of publication of final order in FEDERAL REGISTER) shall be in compliance with paragraph (b)(1) and (2) of this section.

(4) The holder of an approved new drug application for such device, as described in paragraph (a)(2), shall submit a supplement to his application to provide for the labeling described in paragraph (b)(1) and (2). The supplement shall be submitted prior to (insert date 90 days after date of publication of final order in FEDERAL REGISTER) under the provisions of § 314.8 of this chapter which permit it to be put into effect in advance of approval by the Food and Drug Administration.

Interested persons are invited to submit their comments regarding this proposal in writing (in quintuplicate, except that single copies of comments may be submitted by individuals) on or before September 2, 1975. Comments should be addressed to the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852. Comments may be seen in the above office during working hours, Monday through Friday.

Dated: June 20, 1975.

A. M. SCHMIDT,
Commissioner of Food and Drugs.

[FR Doc.75–16858 Filed 6–30–75;8:45 am]

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PART IV

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

■

CONFIDENTIALITY OF ALCOHOL AND DRUG ABUSE PATIENT RECORDS

General Provisions

Title 42—Public Health

CHAPTER I—PUBLIC HEALTH SERVICE, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER A—GENERAL PROVISIONS

PART 2—CONFIDENTIALITY OF ALCOHOL AND DRUG ABUSE PATIENT RECORDS

On May 9, 1975, the Department of Health, Education, and Welfare and the Special Action Office for Drug Abuse Prevention published in the FEDERAL REGISTER (40 FR 20522) a notice of proposed joint rulemaking setting forth a proposed new Part 2 of Title 42 of the Code of Federal Regulations governing the confidentiality of alcohol and drug abuse patient records.

Interested persons were invited to submit written comments, views, or arguments with respect to the proposed regulations within 30 days of the date of publication of that notice. All comments so submitted were carefully considered, and at various stages in the rulemaking process, the Administrator of Veterans' Affairs and the heads of other Federal departments and agencies substantially affected by the proposed regulations were consulted.

As finally adopted and set forth hereinafter, the regulations contain two major substantive changes from the May 9 proposal. The separate treatment of funding sources and third-party payers (§§ 2.21 and 2.37 of the proposed regulations) was abandoned as unworkable, primarily because the prohibitions which the proposed regulations would have placed on funding sources would have directly conflicted with requirements which have been proposed in implementation of Title XX of the Social Security Act (see proposed 45 CFR 228.63, 40 FR 16802, 16809, April 14, 1975). In lieu of this approach, § 2.37 has been revised to provide that funding sources and third-party payers maintaining drug or alcohol abuse patient records are subject to restrictions upon disclosure to the same extent and in the same manner as any other entity maintaining records which are within the scope of the authorizing legislation and this Part.

The other major change is in the area of criminal justice system referrals, and the grounds for the rules finally adopted are set forth in the basis and purpose section (§ 2.39–1) pertaining thereto. In connection with that change, it must be frankly acknowledged that the arguments set forth in the corresponding basis and purpose section (§ 2.40–1) of the May 9 proposal have merit. The final rule may in certain instances result in a compromise of the treatment process, if judges or other authorities in the criminal justice system overreact to information whose communication is allowed under the final rules but would have been prohibited under the proposed rules.

Against such an adverse effect, however, there must be weighed the very real advantage which genuine cooperation between community social service systems and the criminal justice system can yield for those whose lives are crippled and scarred by the consequences of their own criminal conduct. Governmental responses based on a pure medical model have not met with noticeably greater success than those based on a purely punitive approach, and it would be tragic if these rules were so constructed as to become a barrier to the development of better ways to deal with those who are caught up in a pattern of seriously antisocial behavior.

In addition to the foregoing major changes, the following minor policy changes were made.

Provisions relating to destruction or other disposition of records were dropped from § 2.21 (§ 2.22 in the May 9 proposal) as unnecessary except in the case of programs discontinuing operations.

The fixed limitation on the permissible duration of written consent for disclosure was dropped from § 2.31 in favor of a limitation to such duration as may be reasonably necessary to effectuate the purpose for which the consent is given.

The specification of crimes in § 2.65 for which a court order may be granted authorizing use of program records in the investigation or prosecution of a patient was broadened to cover any "extremely serious" crime, with those listed in the May 9 notice being retained as examples.

Finally, a number of clarifying, technical, and conforming changes were made in the May 9 proposal, but these are without significant substantive effect.

Accordingly, pursuant to the authority of section 408 of the Drug Abuse Office and Treatment Act of 1972, as amended by Pub. L. 92–282 (21 U.S.C. 1175), and section 333 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970, as amended by Pub. L. 93–282 (42 U.S.C. 4582), and under the authority delegated to the General Counsel of the Special Action Office for Drug Abuse Prevention (39 FR 17901, May 21, 1974), Subchapter A of Chapter I, Title 42, Code of Federal Regulations, is amended by inserting immediately after Part 1 thereof a new Part 2 to read as set forth below.

Effective date. These regulations shall be effective on August 1, 1975.

Dated: June 25, 1975.

R. MOURE,
Acting Assistant Secretary for Health, Department of Health, Education, and Welfare.

Approved: June 26, 1975.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

Dated: June 27, 1975.

GRASTY CREWS II,
General Counsel, Special Action Office for Drug Abuse Prevention.

Dated: June 27, 1975.

ROBERT L. DUPONT,
Director, Special Action Office for Drug Abuse Prevention.

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Subpart A—Introductory Statement

§ 2.1 Statutory authority—drug abuse.

(a) *Statutory provisions effective May 14, 1974.* Insofar as the provisions of this part pertain to any program or activity relating to drug abuse education, training, treatment, rehabilitation, or research, such provisions are authorized under section 408 of Pub. L. 92–255, the Drug Abuse Office and Treatment Act of 1972 (21 U.S.C. 1175) as amended by section 303 of Pub. L. 93–282 (88 Stat. 137). That section reads as follows:

§ 408. Confidentiality of patient records.

(a) Records of the identity, diagnosis, prognosis, or treatment of any patient which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly assisted by any department or agency of the United States shall, except as provided in subsection (c), be confidential and be disclosed only for the purposes and under the circumstances expressly authorized under subsection (b) of this section.

(b)(1) The content of any record referred to in subsection (a) may be disclosed in accordance with the prior written consent of the patient with respect to whom such record is maintained, but only to such extent, under such circumstances, and for such purposes as may be allowed under regulations prescribed pursuant to subsection (g).

(2) Whether or not the patient, with respect to whom any given record referred to in subsection (a) of this section is maintained, gives his written consent, the content of such record may be disclosed as follows:

(A) To medical personnel to the extent necessary to meet a bona fide medical emergency.

(B) To qualified personnel for the purpose of conducting scientific research, management audits, financial audits, or program evaluation, but such personnel may not identify, directly or indirectly, any individual patient in any report of such research, audit, or evaluation, or otherwise disclose patient identities in any manner.

(C) If authorized by an appropriate order of a court of competent jurisdiction granted after application showing good cause therefor. In assessing good cause the court shall weigh the public interest and the need for disclosure against the injury to the patient, to the physician-patient relationship, and to the treatment services. Upon the granting of such order, the court, in determining the extent to which any disclosure of all or any part of any record is necessary, shall impose appropriate safeguards against unauthorized disclosure.

(c) Except as authorized by a court order granted under subsection (b)(2)(C) of this section, no record referred to in subsection (a) may be used to initiate or substantiate any criminal charges against a patient or to conduct any investigation of a patient.

(d) The prohibitions of this section continue to apply to records concerning any individual who has been a patient, irrespective of whether or when he ceases to be a patient.

(e) The prohibitions of this section do not apply to any interchange of records—

(1) within the Armed Forces or within those components of the Veterans' Administration furnishing health care to veterans, or

(2) between such components and the Armed Forces.

(f) Any person who violates any provision of this section or any regulation issued pursuant to this section shall be fined not more than $500 in the case of a first offense, and not more than $5,000 in the case of each subsequent offense.

(g) The Director of the Special Action Office for Drug Abuse Prevention, after consultation with the Administrator of Veterans' Affairs and the heads of other Federal departments and agencies substantially affected thereby, shall prescribe regulations to carry out the purposes of this section. These regulations may contain such definitions, and may provide for such safeguards and procedures, including procedures and criteria for the issuance and scope of orders under subsection (b)(2)(C), as in the judgment of the Director are necessary or proper to effectuate the purposes of this section, to prevent circumvention or evasion thereof, or to facilitate compliance therewith.

(b) *Amendments effective June 30, 1975.* Effective on the date specified in section 104 of the Drug Abuse Office and Treatment Act of 1972 (June 30, 1975), the first sentence of section 408(g) above, will be amended by striking "Director of the Special Action Office for Drug Abuse Prevention" and inserting in lieu thereof "Secretary of Health, Education, and Welfare", and the second sentence of such section will be amended by striking "Director" and inserting "Secretary" in lieu thereof. Also effective on that date, section 408, above, will be further amended by (1) striking out "The" and inserting in lieu thereof "Except as provided in subsection (h) of this section, the" in the first sentence of subsection (g) of such section; and (2) adding at the end of such section the following new subsection:

(h) The Administrator of Veterans' Affairs, through the Chief Medical Director, shall, to the maximum feasible extent consistent with their responsibilities under title 38, United States Code, prescribe regulations making applicable the regulations established by the Secretary under subsection (g) of this section to records maintained in connection with the provision of hospital care, nursing home care, domiciliary care, and medical services under such title 38 to veterans suffering from drug abuse. In prescribing and implementing regulations pursuant to this subsection, the Administrator shall, from time to time, consult with the Secretary in order to achieve the maximum possible coordination of the regulations, and the implementation thereof, which they each prescribe.

§ 2.2 Statutory authority—alcohol abuse.

Insofar as the provisions of this part pertain to any program or activity relating to alcoholism or alcohol abuse education, training, treatment, rehabilitation, or research, such provisions are authorized under section 333 of Pub. L. 91–616, the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (42 U.S.C. 4582), as amended by section 122(a) of Pub. L. 93–282, the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act Amendments of 1974 (88 Stat. 131). As so amended, that section reads as follows:

CONFIDENTIALITY OF RECORDS

SEC. 333. (a) Records of the identity, diagnosis, prognosis, or treatment of any patient which are maintained in connection with the performance of any program or activity relating to alcoholism or alcohol abuse education, training, treatment, rehabilitation, or research, which is conducted, regulated, or directly or indirectly assisted by any department or agency of the United States shall, except as provided in subsection (e), be confidential and be disclosed only for the purposes and under the circumstances expressly authorized under subsection (b) of this section.

(b)(1) The content of any record referred to in subsection (a) may be disclosed in accordance with the prior written consent of the patient with respect to whom such record is maintained, but only to such extent, under such circumstances, and for such purposes as may be allowed under regulations prescribed pursuant to subsection (g).

(2) Whether or not the patient, with respect to whom any given record referred to in subsection (a) of this section is maintained, gives his written consent, the content of such record may be disclosed as follows:

(A) To medical personnel to the extent necessary to meet a bona fide medical emergency.

(B) To qualified personnel for the purpose of conducting scientific research, management audits, financial audits, or program evaluation, but such personnel may not identify, directly or indirectly, any individual patient in any report of such research, audit, or evaluation, or otherwise disclose patient identities in any manner.

(C) If authorized by an appropriate order of a court of competent jurisdiction granted after application showing good cause therefor. In assessing good cause the court shall weigh the public interest and the need for disclosure against the injury to the patient, to the physician-patient relationship, and to the treatment services. Upon the granting of such order, the court, in determining the extent to which any disclosure of all or any part of any record is necessary, shall impose appropriate safeguards against unauthorized disclosure.

(c) Except as authorized by a court order granted under subsection (b)(2)(C) of this section, no record referred to in subsection (a) may be used to initiate or substantiate any criminal charges against a patient or to conduct any investigation of a patient.

(d) The prohibitions of this section continue to apply to records concerning any individual who has been a patient, irrespective of whether or when he ceases to be a patient.

(e) The prohibitions of this section do not apply to any interchange of records—

(1) within the Armed Forces or within those components of the Veterans' Administration furnishing health care to veterans, or

(2) between such components and the Armed Forces.

(f) Any person who violates any provision of this section or any regulation issued pursuant to this section shall be fined not more than $500 in the case of a first offense, and not more than $5,000 in the case of each subsequent offense.

(g) Except as provided in subsection (h) of this section, the Secretary shall prescribe regulations to carry out the purposes of this section. These regulations may contain such definitions, and may provide for such safeguards and procedures, including procedures and criteria for the issuance and scope of orders under subsection (b)(2)(C), as in the judgment of the Secretary are necessary or proper to effectuate the purposes of this section, to prevent circumvention or evasion thereof, or to facilitate compliance therewith.

(h) The Administrator of Veterans' Affairs, through the Chief Medical Director, shall, to the maximum feasible extent consistent with their responsibilities under title 38, United States Code, prescribe regulations making applicable the regulations prescribed by the Secretary under subsection (g) of this section to records maintained in connection with the provision of hospital care, nursing home care, domiciliary care, and medical services under such title 38 to veterans suffering from alcohol abuse or alcoholism. In prescribing and implementing regulations pursuant to this subsection, the Administrator shall, from time to time, consult with the Secretary in order to achieve the maximum possible coordination of the regulations, and the implementation thereof, which they each prescribe.

§ 2.3 Previous regulations as controlling authority.

Attention is called to the interpretative regulations, issued by the Special Action Office for Drug Abuse Prevention (37 FR 24636, November 17, 1972, as revised 38 FR 33744, December 6, 1973, referred to hereinafter in this part as the "previous regulations"). Those regulations have been given a special status as controlling authority by the provisions of section 303(d) of Pub. L. 93-282, as well as the references in the legislative history of that act to the precedents established under section 408 of Pub. L. 92-255. Such references appear at page 11 of House Committee Report No. 93-759 and at page H3563 of the Congressional Record for May 6, 1974. The latter citation is to a detailed analysis of the bill in its final form which was submitted for the Record by its floor manager, Chairman Staggers of the Interstate and Foreign Commerce Committee, when the bill was up for final action by the House of Representatives.

§ 2.4 General purposes.

(a) *Policy objectives.* The purpose of the regulations set forth in this part is to implement the authorizing legislation in a manner that, to the extent practicable, takes into account two streams of legal thought and social policy. One has to do with enhancing the quality and attractiveness of treatment systems. The other is concerned with the interests of patients as citizens, most particularly in regard to protecting their rights of privacy. Within each stream there are cross-currents, and it should come as no surprise that areas of turbulence are to be found at their confluence.

(b) *Limited purpose.* The regulations contained in this part are not intended to direct the manner in which substantive functions, such as research, treatment, and evaluation, should be carried out, but rather to define the minimum requirements for the protection of confidentiality of patient records which must be satisfied in connection with the conduct of those functions in order to carry out the purposes of the authorizing legislation. This does not mean that observance of only the minimum legal requirements is always the wisest course, but in framing these regulations, allowance has necessarily been made for a diversity of emphasis and approach in the many different jurisdictions and by the great variety of public and private agencies which must find a way to function within the limits here prescribed.

§ 2.5 Format.

(a) *Basis and purpose sections.* Each section setting forth rules on any given topic in Subparts B through E of this part is followed by a section setting forth their basis and purpose. In many cases, the basis and purpose section is itself an interpretative rule regarding the legal authority of the rulemakers. In other instances, it summarizes historical or evidentiary material relevant to the validity and interpretation of the section which precedes it.

(b) *Statutory rules fully incorporated.* Although, for convenience of reference, the statutory basis for this part is set out in full in §§ 2.1 and 2.2, the regulations in Subparts B through E of this part are intended to include all of the operative statutory provisions.

§ 2.6 Administration and enforcement in general.

It is not contemplated that any particular agency will be set up specifically to enforce compliance with this part. Programs which receive Federal grants may be monitored for compliance with this and other applicable Federal law as an incident to the grant administration process. Similarly, FDA inspections of methadone programs will include inspection for compliance with this part, which is incorporated by reference in the methadone regulation (21 CFR 310.505).

§ 2.7 Reports of violations.

Any violation may be reported to the United States Attorney for the judicial district in which the violation occurs. Violations on the part of methadone programs may be reported to the regional offices of the Food and Drug Administration. Violations on the part of a Federal grantee or contractor may be reported to the Federal agency monitoring the grant or contract.

Subpart B—General Provisions

§ 2.11 Definitions and usages.—Rules.

(a) *Authorizing legislation.* The term "authorizing legislation" means section 408 of the Drug Abuse Office and Treatment Act of 1972 (21 U.S.C. 1175) and section 333 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (42 U.S.C. 4582), as such sections may be amended and in effect from time to time.

(b) *Construction of terms.* The definitions and rules of construction set forth in this section are applicable for the purposes of this part. To the extent that they refer to terms used in the authorizing legislation, they are also applicable for the purposes of such legislation.

(c) *Alcohol abuse.* The term "alcohol abuse" includes alcoholism.

(d) *Drug abuse.* The term "drug abuse" includes drug addiction.

(e) *Diagnosis and treatment.* The terms "diagnosis" and "treatment" include interviewing, counselling, and any other services or activities carried on for the purpose of or as an incident to diagnosis, treatment, or rehabilitation with respect to drug abuse or alcohol abuse, whether or not conducted by a member of the medical profession.

(f) *Program.*

(1) The term "program", when referring to an individual or organization, means either an individual or an organization furnishing diagnosis, treatment, or referral for alcohol abuse or drug abuse.

(2) The term "program", when not used in the sense defined in paragraph (f)(1), means a plan or procedure, whether functional or organizational, and whether or not governmental, for dealing with alcohol abuse or drug abuse problems from either an individual or a social standpoint.

(g) *Program evaluation.*

The term "program evaluation" means an evaluation of—

(1) The effectiveness, efficiency, compliance with applicable therapeutic, legal, or other standards, or other aspects of the performance, of a program as defined in paragraph (f)(1) of this section, or

(2) The validity, effectiveness, efficiency, practicability, or other aspects of the utility or success of a program in the sense defined in paragraph (f)(2) of this section.

(h) *Program director.* The term "program director" in the case of a program which is an individual means that individual, and in the case of a program which is an organization, the individual, if any, who is the principal, or, in the case of organizations consisting of partners or under the control of a board of directors, board of trustees or other governing body, the individual designated as program director, managing director, or otherwise vested with executive authority with respect to the organization.

(i) *Patient.* The term "patient" means any individual (whether referred to as a patient, client, or otherwise) who has applied for or been given diagnosis or treatment for drug abuse or alcohol abuse and includes any individual who, after arrest on a criminal charge, is interviewed and/or tested in connection with drug or alcohol abuse preliminary to a determination as to eligibility to participate in a treatment or rehabilitation program.

(j) *Patient identifying information.* The term "patient identifying information" means the name, address, social security number, or similar information by which the identity of a patient can be determined with reasonable accuracy and speed either directly or by reference to other publicly available information. The term does not include a patient identifying number assigned by a program.

(k) *Alcohol abuse or drug abuse prevention function.* The term "alcohol abuse or drug abuse prevention function" means any program or activity relating to alcohol abuse or drug abuse education, training, treatment, rehabilitation, or research, and includes any such function even when performed by an organization whose primary mission is in the field of law enforcement or is unrelated to alcohol or drugs.

(l) The term "person" means an individual, a partnership, a corporation, a trust, a Federal or State governmental agency, or any other legally cognizable entity.

(m) *Service organization.* The term "service organization" means a person which provides services to a program such as data processing, dosage preparation, laboratory analyses, or legal, medical, accounting, or other professional services.

(n) *Qualified service organization.* The term "qualified service organization" means a service organization which has entered into a written agreement with a program pursuant to which the service organization—

(1) acknowledges that in receiving, storing, processing, or otherwise dealing with any information from the program about patients in the program, it is fully bound by the provisions of this part;

(2) undertakes to institute appropriate procedures for safeguarding such information, with particular reference to patient identifying information; and

(3) undertakes to resist in judicial proceedings any efforts to obtain access to information pertaining to patients otherwise than as expressly provided for in this part.

(o) *Records.* The term "records" includes any information, whether recorded or not, relating to a patient, received or acquired in connection with the performance of any alcohol abuse or drug abuse prevention function, whether such receipt or acquisition is by a program, a qualified service organization, or any other person.

(p) *Communications not constituting disclosure.* The following types of communications do not constitute disclosures of records:

(1) Communications of information within a program between or among personnel having a need for such information in connection with their duties.

(2) Communications between a program and a qualified service organization of information needed by the organization to perform its services to the program.

(3) Communications of information which includes neither patient identifying information nor identifying numbers assigned by the program to patients.

(q) *Previous regulations.* The term "previous regulations" refers to the interpretative regulations issued by the Special Action Office for Drug Abuse Prevention, originally published November 17, 1972, 37 FR 24636, as revised December 6, 1973, 38 FR 33744.

(r) *State law.* The term "State law" refers to the law of a State or other jurisdiction, such as the District of Columbia, as distinguished from Federal law in general. As applied to transactions which do not take place in any State or other similar jurisdiction, the term refers to Federal common law as modified by any applicable Federal statutes and regulations.

(s) *Third party payer.* The term "third party payer" means any organization (or person acting as agent or trustee for an organization or fund) which pays or agrees to pay for diagnosis or treatment furnished or to be furnished to a particular individual, where such payment or agreement to pay is on the basis of an individual relationship between the payer and the patient (or a member of the patient's family in the case of self-and-family insurance coverage or similar arrangements) evidenced by a contract, an insurance policy, a certificate of membership or participation, or similar documentation.

(t) *Funding source.* The term "funding source" means any individual or any public or private organization, including any Federal, State, or local governmental agency, which makes payments in support of a program. A funding source is not, as such, a third party payer, even where its payment sare based directly or indirectly on the program's patient load with or without respect to specified categories of eligible persons.

(u) *August 22, 1974 draft.* References to the "August 22, 1974 draft" are to the draft regulations set out in the Advance Notice of Proposed Joint Rulemaking published in the FEDERAL REGISTER on August 22, 1974, 39 FR 30426, by the Department of Health, Education, and Welfare and the Special Action Office for Drug Abuse Prevention.

§ 2.11–1 Definitions and usages.—Basis and purpose.

(a) *In general.* The definitions are based upon the legislative history of and experience with the authorizing legislation, and are intended as aids to construing the provisions of this part to carry out the purposes of those statutes.

(b) *Coverage of applicants for treatment.* Section 2.11(i) is intended to make it clear that records of the identity and other information about a person whose application is rejected or withdrawn are fully as much covered by this part as records pertaining to a patient actually accepted for treatment.

(c) *Program terminology for patients not controlling.* While many programs prefer to use "client" or some other term instead of "patient" to describe the recipients of their services, it is believed preferable to use terminology in this part which is consistent with that used in the authorizing legislation. It should be clearly understood, however, that the records of any individual who fits the definition set forth in § 2.11(i) are covered, no matter what terminology the program may use to designate his status.

(d) *Origin of "prevention function" terminology.* The definition of alcohol abuse or drug abuse prevention function in § 2.11(k) is adapted from the definition of drug abuse prevention function in section 103(b) of the Drug Abuse Office and Treatment Act of 1972 (21 U.S.C. 1103(b)). Although there was no corresponding defined term available to the draftsman of the 1974 amendment to section 333 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (42 U.S.C. 4582), it is clear from the legislative history that the coverage of alcohol abuse patient records was intended to be fully as wide as the coverage of drug abuse patient records, and the definition in § 2.11(k) reflects that intention.

(e) *Ambiguity of the term "program".* It is recognized that it is ordinarily poor drafting technique to use the same term

in senses which are as different, yet related, as those in §§ 2.11(f)(1) and 2.11(f)(2). This part, however, has to be read both in conjunction with the Food and Drug Administration's Methadone Regulation and the Drug Abuse Office and Treatment Act of 1972. The Methadone Regulation (21 CFR 310.505) clearly uses the term "program" in the § 2.11(f)(1) sense. In section 103(b) of the Act (21 U.S.C. 1103(b)), it is clearly used in the § 2.11(f)(2) sense, and the usage in section 408(b)(2)(B) of the Act has from its original enactment been administratively interpreted to include both senses. As used in this part, the context should indicate the intended meanings with sufficient clarity to make this preferable to creating and defining new terminology which would be different from that used in related regulations and the authorizing legislation.

(f) *Construction of disclosures.* Section 2.11(p) is intended to clarify the status of communications which are carried on within a program or between a program and persons or organizations which are assisting it in providing patient care. The authorizing legislation was not intended to prohibit programs from carrying on accepted practices in terms of obtaining specialized services from outside organizations. In conjunction with the definition of qualified service organizations, set forth in § 2.11(n), the provisions of § 2.11(p) should prevent the development of abuses in this area.

§ 2.12 Applicability.—Rules.

(a) *In general.* Except as provided in paragraph (b) of this section, this part applies to records of the identity, diagnosis, prognosis, or treatment of any patient which are maintained in connection with the performance of any alcohol abuse or drug abuse prevention function—

(1) Which is conducted in whole or in part, whether directly or by grant, contract, or otherwise, by any department or agency of the United States,

(2) For the lawful conduct of which in whole or part any license, registration, application, or other authorization is required to be granted or approved by any department or agency of the United States,

(3) Which is assisted by funds supplied by any department or agency of the United States, whether directly through a grant, contract, or otherwise, or indirectly by funds supplied to a State or local government unit through the medium of contracts, grants of any description, general or special revenue sharing, or otherwise, or

(4) Which is assisted by the Internal Revenue Service of the Department of the Treasury through the allowance of income tax deductions for contributions to the program conducting such function, or by a way of a tax-exempt status for such program.

(b) *Armed Forces and Veterans' Administration.*

(1) The provisions of this part do not apply to any interchange, entirely within the Armed Forces, within those components of the Veterans' Administration furnishing health care to veterans, or between such components and the Armed Forces, of records pertaining to a person relating to a period when such person is or was subject to the Uniform Code of Military Justice.

(2) Except as provided in paragraph (b)(1) of this section, this part applies to any communication between any person outside the Armed Forces and any person within the Armed Forces.

(3) Except as provided in paragraph (b)(1) of this section, this part applies, insofar as it pertains to any drug abuse prevention function, to any communication between any person outside those components of the Veterans' Administration furnishing health care to veterans and any person within such components, until such date as the Secretary of Health, Education and Welfare exercises his authority (conferred by an amendment effective June 30, 1975) to prescribe regulations under section 408 of Pub. L. 92-255 (21 U.S.C. 1175). After such date, this part applies thereto to such extent as the Administrator of Veterans' Affairs, through the Chief Medical Director, by regulation makes the provisions of this part applicable thereto.

(4) Except as provided in paragraph (b)(1) of this section, this part applies, insofar as it pertains to any alcohol abuse prevention function, to any communication between any person outside those components of the Veterans' Administration furnishing health care to veterans and any person within such components, to such extent as the Administrator of Veterans' Affairs, through the Chief Medical Director, by regulation makes the provisions of this part applicable thereto.

(c) *Period covered as affecting applicability.* The provisions of this part apply to records of identity, diagnosis, prognosis, or treatment pertaining to any given individual maintained over any period of time which, irrespective of when it begins, does not end before March 21, 1972, in the case of diagnosis or treatment for drug abuse or before May 14, 1974, in the case of diagnosis or treatment for alcohol abuse.

(d) *Applicability determined by nature and purpose of records.* The applicability of the provisions of this part is determined by the nature and purpose of the records in question, and not by the status or primary functional capacity of the recordkeeper.

§ 2.12-1 Applicability.—Basis and purpose.

(a) The broad coverage provided by § 2.12(a) is appropriate in the light of the remedial purposes of the statutes as well as the practical desirability of certainty and uniformity. Sections 2.12(a)(1) and 2.12(a)(2) simply follow the terms of subsection (a) of the statutes, with some explanatory material for the sake of clarity and explicitness.

(b) Sections 2.12(a)(3) and 2.12(a)(4) are based upon the use by Congress of the phrase "directly or indirectly assisted by any department or agency of the United States". In the light of the multiplicity and extent of Federal programs and policies which can be of assistance to drug and alcoholism programs, this wording strongly suggests an intention to provide the broadest coverage consistent with the literal terms of the statutes. Many programs commence with direct Federal assistance, financial, technical, or both, and later continue with State aid and private, tax-deductible contributions. It would be manifestly contrary to the general policy sought to be effectuated by the legislation if the confidential status of a program's records were to terminate, or even be called into question, by the cessation of direct Federal assistance.

(c) With regard to § 212(a)(3), it seems clear that whenever a State or local government is assisted by the Federal government by way of revenue sharing or other unrestricted grants, all of the programs and activities of the State or local government are thereby indirectly assisted, and thus meet that aspect of the statutory criteria for coverage.

(d) Section 2.12(a)(4) follows the doctrine established in *McGlotten v. Connally*, 338 F. Supp. 448 (D.C. D.C., 1972), in which it was held that the deductible status of contributions to an organization constitutes "Federal financial assistance" within the meaning of section 601 of the 1964 Civil Rights Act (42 U.S.C. 2000d). The inclusion of the adjective "indirect" as a modifier of the term "assistance" as used in the provisions of law authorizing this part suggests an intention to provide coverage at least as broad, if not broader than, section 601 of the Civil Rights Act in respect of financial assistance. See, also, *Green v. Connally*, 330 F. Supp. 1150 (D.C. D.C., 1971) aff'd sub. nom. *Coit v Green*, 404 U.S. 997, 92 S. Ct. 564, 30 L. Ed. 2d 550 (1971).

(e) Section 2.12(b) essentially repeats the interpretation given in § 1401.02(b) of the previous regulation except that it takes account of the special provisions inserted in the new law with reference to the Veterans Administration, and makes clear that the exemption for communications within the military-VA system does not generally apply to records pertaining to civilians.

(f) Section 2.12(c), which deals with the question of how the period covered by any given set of records affects the applicability of these regulations to them, restates the principle set forth in § 1401.-02(a) of the previous regulations, and applies it to records in the field of alcohol abuse as well as drug abuse. The authorizing legislation contains no effective date provisions. A construction which would apply the statutes to records of completely closed treatment episodes, records necessarily made and maintained prior to the enactment of the legislation, would create serious administrative problems. It seems doubtful, in any case, whether such records have been "maintained," within the meaning of the statutes, during any period of time after their enactment. On the other hand, if

treatment is actually carried on after the enactment of the applicable statute, then all the records should be covered irrespective of when treatment was begun, because such records clearly are being "maintained" after the enactment of the legislation.

(g) Section 2.12(d) has been included to make explicit one of the legal implications of the authorizing legislation, which is cast in terms descriptive of the records which are to be confidential rather than of the recordkeepers on whom a duty is thus imposed. The result is that, for example, where a State agency maintains an individual client record which contains identifying information about a client (i.e., patient) receiving treatment or rehabilitation services for drug abuse, such a record is clearly a record maintained in connection with a drug abuse prevention function, and is subject to the provisions of this part. The fact that the record may also be required by statute or regulations pertaining to eligibility for Federal Financial Participation would in no way exempt the record from the prohibitions and requirements of this part. Thus, it would be unlawful and a violation of these regulations for such a record to be made available to a law enforcement agency, or to determine (without the prior written consent of the client) eligibility for other welfare benefits, or for any other administrative or investigative uses or purposes which would involve or result in an identification of the client to a third party.

§ 2.13 General rules regarding confidentiality.—Rules.

(a) *In general.* Records to which this part applies shall be confidential and may be disclosed only as authorized by this part, and may not otherwise be divulged in any civil, criminal, administrative, or legislative proceeding conducted by any Federal, State, or local authority, whether such proceeding is commenced before or after the effective date of this part.

(b) *Unconditional compliance required.* The prohibition upon unauthorized disclosure applies irrespective of whether the person seeking disclosure already has the information sought, has other means of obtaining it, enjoys official status, has obtained a subpoena, or asserts any other justification or basis for disclosure not expressly authorized under this part.

(c) *Information covered by prohibition.* The prohibition on unauthorized disclosure covers all information about patients, including their attendance or absence, physical whereabouts, or status as patients, whether or not recorded, in the possession of program personnel, except as provided in paragraph (d) of this section.

(d) *Crimes on program premises or against program personnel.* Where a patient commits or threatens to commit a crime on the premises of the program or against personnel of the program, nothing in this part shall be construed as prohibiting personnel of the program from seeking the assistance of, or reporting such crime to, a law enforcement agency, but such report shall not identify the suspect as a patient. In any such situation, immediate consideration should be given to seeking an order under Subpart E of this part to permit the disclosure of such limited information about the patient as may be necessary under the circumstances.

(e) *Implicit and negative disclosures prohibited.* The disclosure that a person (whether actual or fictitious) answering to a particular description, name, or other identification is not or has not been attending a program, whether over a period of time or on a particular occasion, is fully as much subject to the prohibitions and conditions of this part as a disclosure that such a person is or has been attending such a program. Any improper or unauthorized request for any disclosure of records or information subject to this part must be met by a non-committal response.

(f) *In-patients and residents.* The presence of any in-patient in a medical facility or resident in a residential facility for the treatment of drug or alcohol abuse may be acknowledged to callers and visitors with his written consent. Without such consent, the presence of any in-patient or resident in a facility for the treatment of a variety of conditions may be acknowledged if done in such a way as not to indicate that the patient is being treated for drug or alcohol abuse.

§ 2.13–1 General rules regarding confidentiality.—Basis and purpose.

(a) Section 2.13(a) enunciates the general principle of the statutory provisions, and is unchanged from § 1401.03 of the previous regulations.

(b) Sections 2.13(b) and 2.13(c) have been added on the basis of written comments on the draft regulations published August 22, 1974, in which there was a documented report that counsel for a program had advised the program that it could furnish information to the FBI about patients without their written consent and without completing a full judicial proceeding in accordance with Subpart E of this part. Sections 2.13(b) and 2.13(c) should clarify the original intent of the statutes and regulations to the extent of precluding such errors in the future.

(c) In the situation described in § 2.13(d), the desirability of the general prophylactic rule prohibiting disclosures by program personnel about patients regardless of whether such disclosures are from a written record must yield to the practical necessity to permit protection from, and prompt reporting of, criminal acts. In the preface to the first set of regulations issued under 21 U.S.C. 1175, it was emphasized that the operation of that section "in no way creates a sanctuary for criminals." (37 FR 24636, November 17, 1972). Section 2.13(d) is consistent with that contemporaneous administrative construction.

(d) Section 2.13(e) is adapted from § 1401.11 of the August 22, 1974 draft. The suggestion that this part be cited when declining to give information has been deleted on the basis of comments that correctly pointed out that such a citation, if given by an institution or program maintaining some records covered by this part and some not, would serve to identify the records inquired about as pertaining to treatment covered by this part.

Section 2.13(f) merely clarifies the effect of the preceding paragraphs in the special situations to which paragraph (f) relates.

§ 2.14 Penalty for violations.—Rules.

(a) *Penalty provided by law.* Any person who violates any provision of the authorizing legislation or any provision of this part shall be fined not more than $500 in the case of a first offense, and not more than $5,000 in the case of each subsequent offense.

(b) *Application to subsequent offenses.* Where a defendant has committed one offense under either section authorizing this part or any provision of this part authorized by that section, any offense thereafter committed under the same section or any provision of this part authorized under that section shall be treated as a subsequent offense.

§ 2.14–1 Penalty for violations.—Basis and purpose.

(a) Section 2.14 states the criminal penalty provided for in subsection (f) of the sections authorizing this part. It is included in this part for convenience and completeness. Some of the comments received on this section when originally proposed suggested that criminal penalties for violation should include imprisonment, but such a change would have to be made by legislation rather than rulemaking.

(b) Section 2.14(b) clarifies the intention that the "subsequent offense" need not be identical to the first offense, as long as it is committed with respect to the same statutory section. For example, a person whose first offense had consisted of improperly releasing the name of a patient in an alcoholism treatment program would be punishable for a "subsequent offense" if he later gives out information from the diagnostic work-up of an alcoholism patient.

§ 2.15 Minor patients.—Rules.

(a) *Definition of minor.* The term "minor" means a person who has not attained the age of 18 years or, in a State where a different age is expressly provided by State law as the age at which a person ceases to be a minor, the age prescribed by the law of such State.

(b) *Consent to disclosure in general.* Except as provided in paragraph (c), where consent is required for any disclosure under this part, such consent in the case of a minor must be given by both the minor and his parent, guardian, or other person authorized under State law to act in his behalf, but any disclosure made after the patient has ceased to be a minor may be consented to only by the patient.

(c) *Rule when State law authorizes treatment without parental consent.* Whenever a patient, acting alone, has the

legal capacity under the applicable State law to apply for and obtain such diagnosis, counselling, administration of medication, or other services as actually are or were provided to him by the program with respect to which he is or was a patient, any consent required for disclosure under this part may be given only by the patient, notwithstanding the fact that the patient may be a minor.

(d) *Initial contacts.* When a minor applies for services under circumstances other than those described in paragraph (c) of this section, the fact of such application may not be disclosed, except as an incident to a communication authorized under paragraph (f) of this section, without consent of the applicant, to the applicant's parent, guardian, or other person authorized under State law to act on behalf of the applicant. When such an applicant refuses consent, it must be explained to the applicant that while he or she has the right (subject to the provisions of paragraph (f) of this section) to withhold such consent, the services applied for cannot be provided without it.

(e) *Collection or attempted collection of payment for services.* Where State law authorizes the furnishing of services to a minor without the consent of the minor's parent or guardian, no inquiry may be made of the parent's or guardian's financial responsibility, and no bill, statement, request for payment, or any other communication in respect of such services may be transmitted directly or indirectly to such parent or guardian, without the express written consent of the patient. Such consent may not be made a condition of the furnishing of services except in the case of a program which is not required by law, and does not in fact hold itself out as willing, to furnish services irrespective of ability to pay.

(f) *Applicant lacking capacity for rational choice.* When, in the judgment of a program director a minor applicant for services, because of extreme youth or mental or physical condition, lacks the capacity to make a rational decision on whether to consent to the notification of a parent or guardian, and the situation of the applicant poses a substantial threat to the life or physical well being of the applicant or any other individual, and such threat might be reduced by communicating the relevant facts to a parent or guardian of the applicant, such facts may be so communicated by the program director or by program personnel authorized by the director to do so.

§ 2.15–1 Minor patients.—Basis and purpose.

(a) The statutes authorizing this part are totally silent on the issue of the capacity of a minor to give consent for disclosures, and there is nothing in the legislative history to suggest that the question was ever considered by Congress. The question is, however, one which arises repeatedly, and it is therefore appropriately addressed under the general rulemaking authority conferred by subsection (g) of the authorizing legislation.

(b) Perhaps no legal issues are more highly charged than those affecting the relationship of parent and child. Since Congress has not evidenced an intention to affect this relationship, it is clear that local law should govern, and the task of rulemaking is limited to that of insuring, as far as possible, that the results under Federal law are consistent with local policy.

(c) Where a State has authorized the furnishing of treatment or other services of a given type to a minor without notice to or consent by the parent or guardian, it seems clear that a consistent Federal policy with respect to disclosure requires that consent for any disclosure of the treatment record be given by the minor. This policy, moreover, should not be frustrated by attempts to enforce parental financial responsibility in a situation where the State itself has determined that the minor should have a right to obtain services without involving the parent.

(d) A much more difficult problem is presented in the case of a minor who applies for services in a jurisdiction which has not determined that a minor should have the right to obtain them without parental knowledge or consent. The question may arise as to whether the clinician has an ethical or legal duty to notify the parent which conflicts with a duty of nondisclosure. The rules in § 2.15 are based upon the theory that Federal law should not invalidate a State policy which prohibits treatment without parental consent, but that keeping confidential a mere application for treatment is not ordinarily a sufficient transgression of such a State policy as to require an exception to the general Federal policy prohibiting disclosure of an application for services without the consent of the applicant.

(e) Section 2.15(f) deals with the case of the minor applicant who lacks the capacity to make a rational choice about consenting to disclosure. It is based upon the theory that where a person is actually as well as legally incapable of acting in his own interest, disclosures to a person who is legally responsible for him may be made to the extent that the best interests of the patient clearly so require. Any other rule could subject clinicians to an intolerable choice between violating the provisions of this part on the one hand, or failing to take action to avoid a preventable tragedy involving a minor, on the other. The statutes authorizing this part should not be read as requiring such a choice.

§ 2.16 Incompetent and deceased patients.—Rules.

(a) *Incompetent patients other than minors.* Where consent is required for any disclosure under this part, such consent in the case of a patient who has been adjudicated as lacking the capacity, for any reason other than insufficient age, to manage his or her own affairs may be given by the guardian or other person authorized under State law to act in the patient's behalf.

(b) *Deceased patients.*

(1) *In general.* Except as provided in paragraph (b)(2) of this section, where consent is required for any disclosure of this part, such consent in the case of records of a deceased patient may be given by an executor, administrator, or other personal representative. If there is no appointment of a personal representative, such consent may be given by the patient's spouse, or if none, by any responsible member of the patient's family.

(2) *Vital statistics.* In the case of a deceased patient, disclosures required under Federal or State laws involving the collection of death and other vital statistics may be made without consent.

§ 2.16–1 Incompetent and deceased patients.—Basis and purpose.

Section 2.16 essentially repeats the substance of § 1401.04 of the previous regulations, broadened to reflect the fact that the statutes now allow any consensual disclosures permitted by the regulations, and to cover the situation of deceased patients for whom no formal appointment of an executor, administrator, or other personal representative has been made. Written comments were received to the effect that the power to consent to disclosure in the case of a deceased patient should be limited to a personal representative. The expense of probate or administration in some jurisdictions could cause financial hardship to survivors, and on balance it is believed that where the assets of an estate are insufficient to justify the appointment of a personal representative, the public interest is served by permitting others to consent to disclosure.

§ 2.17 Security precautions.—Rules.

(a) *Precautions required.* Appropriate precautions must be taken for the security of records to which this part applies. Records containing any information pertaining to patients shall be kept in a secure room, or in a locked file cabinet, safe, or other similar container, when not in use.

(b) *Policies and procedures.* Depending upon the type and size of the program, appropriate policies and procedures should be instituted for the further security of records. For example, except where this function is personally performed by the program director, a single member of the program staff should be designated to process inquiries and requests for patient information, and a written procedure should be in effect regulating and controlling access by those members of the staff whose responsibilities require such access, and providing for accountability.

§ 2.17–1 Security precautions.—Basis and purpose.

The enormous variations in both the size and the type of programs to which this part is applicable preclude the formulation of specific requirements with respect to the physical security of records. Almost any requirement which could be laid down would, under some circumstances, either be impracticable or

perverse in its effects. For example, in a facility handling a variety of medical records, all of which are confidential and so marked, a requirement that those pertaining to drug or alcohol treatment be marked in any distinctive way would merely serve to identify such records as pertaining to drug or alcohol treatment—precisely the opposite of the intended result. The purpose of § 2.17, which is based upon § 1401.25 of the previous regulations, is to alert programs to the necessity of exercising due care with respect to the security of patient records.

§ 2.18 Extent of disclosure.—Rule.

Any disclosure made under this part, whether with or without the patient's consent, shall be limited to information necessary in the light of the need or purpose for the disclosure.

§ 2.18–1 Extent of disclosure.—Basis and purpose.

(a) Section 2.18 expresses the general principle, which has application in many different contexts, that any disclosure from records covered by this part should be limited to information necessary in the light of the need or purpose for the disclosure. It is identical to § 1401.06 of the previous regulations.

(b) This section should not be misunderstood as imposing a limitation on the scope of records which may or should be made available to health agencies conducting inspections as described in § 2.55. All of the records maintained by a program may be relevant to such inspection. The Congress has determined that disclosure under such circumstances is not a violation of the statutes authorizing this part; where such disclosure is required by Federal or State law, and the inspecting agency is a qualified State health agency as defined in § 2.55(e)(1), it becomes the responsibility of that agency to protect the confidentiality of information it acquires in the course of its lawful activities.

§ 2.19 Undercover agents and informants.—Rules.

(a) *Definitions.* As used in this section, § 2.19–1, and §§ 2.67 and 2.67–1,—

(1) The term "undercover agent" means a member of any Federal, State, or local law enforcement or investigative agency whose identity as such is concealed from either the patients or personnel of a program in which he enrolls or attempts to enroll.

(2) The term "informant" means a person who, at the request of a Federal, State, or local law enforcement or investigative agency or officer, carries on observation of one or more persons enrolled in or employed by a program in which he is enrolled or employed, for the purpose of reporting to such agency or officer information concerning such persons which he obtains as a result of such observation subsequent to such request.

(b) *General prohibition.* Except as otherwise provided in paragraph (c) of this section, or as specifically authorized by a court order granted under § 2.67,—

(1) No undercover agent or informant may be employed by or enrolled in any alcohol or drug abuse treatment program;

(2) No supervisor or other person having authority over an undercover agent may knowingly permit such agent to be or remain employed by or enrolled in any such program; and

(3) No law enforcement or investigative officer may recruit or retain an informant with respect to such a program.

(c) *Exceptions.* The enrollment of a law enforcement officer in a treatment program shall not be deemed a violation of this section if (1) such enrollment is solely for the purpose of enabling the officer to obtain treatment for his own abuse of alcohol or drugs, and (2) his status as a law enforcement officer is known to the program director.

§ 2.19–1 Undercover agents and informants.—Basis and purpose.

(a) In many instances, persons who are patients in treatment programs are making their first tentative efforts toward re-integration into productive society. They may be both vulnerable and suspicious, and the presence in a treatment program of undercover law enforcement agents or informants can have a devastating effect on the program's morale and therapeutic effectiveness. Moreover, it would appear that the purpose of such agents or informants may be to obtain precisely the type of personal information which might be revealed by inspection of counselor notes and other patient records maintained by the program. Thus, the placing of an undercover agent or informant in a program, either as a patient or as an employee, would appear to be contrary to the purposes for which the provisions of law authorizing this part were enacted, and properly subject to prohibition under regulations expressly authorized to carry out those purposes.

(b) From a policy standpoint, § 2.19 is based on the reasoning that while the use of undercover agents and informants in treatment programs is ordinarily to be avoided, there may occasionally arise circumstances where their use may be justified. Accordingly, where a showing is made in an application for an order under § 2.67 that the criteria set forth in that section are satisfied, the court may grant such an order.

(c) When this section of the regulations was proposed, numerous written comments were received urging that there be an absolute prohibition on the use of undercover agents and informants, and most of the witnesses at the hearings who addressed the issue at all testified to the same effect. A number of comments were received to the effect that § 2.19 should be dropped altogether, but this request was always clearly and often explicitly predicated on the assumption that failure to say anything about undercover agents and informants would make their use illegal. Our view is to the contrary: we think that the statutes, standing alone, do not prohibit the practice, and thus that in the absence of a specific prohibition in these regulations, the use of undercover agents and informants in treatment programs would not be unlawful. Since this is a view which we believe to be shared by the law enforcement and investigative agencies which are affected by § 2.19, there is as a practical matter no alternative to predicating these regulations upon its correctness.

(d) However desirable it may be to limit the use of undercover agents and informants in treatment programs, we think a strong argument can be made against our power to impose an absolute prohibition. To the extent that the practice is susceptible to regulation through the rulemaking process at all, it is on the theory that it opens the way to disclosure of information which is or should be in program records, and thus is contrary to the purposes of the statutes. Since subsection (g) of the statutes confers express rulemaking authority to carry out these purposes, regulation of the use of undercover agents and informants is a proper subject for the exercise of that authority. But even the express statutory prohibition against direct disclosure of the content of patient records is subject to the power of the courts to authorize such disclosure under subsection (b)(2)(C) of the statutes. It seems difficult to argue that Congress intended to confer on rulemaking agencies the authority to impose an absolute prohibition even though its own restrictions (other than those on disclosures of patient identities from secondary records) are subject to being set aside by court order in particular cases. Since we have not attempted to exercise such an authority, it is not necessary to decide at this time whether it was conferred.

(e) A careful reading of the definitions set forth in § 2.19(a) is crucial to an understanding of the prohibitions which are imposed by § 2.19. Objections to the section were made informally but vigorously on behalf of the Drug Enforcement Administration, on the ground that the testimony of informants or undercover agents is frequently if not normally essential to the successful prosecution of cases arising under the Controlled Substances Act. It was said that in the form originally proposed, the section would cut off from treatment those who might agree to cooperate with law enforcement authorities, a result both inhumane and counterproductive. As the definition of an informant is intended to make clear, however, it is his function vis-a-vis personnel and fellow patients in the program in which he is enrolled which is controlling, and not his relationship, *per se*, with an investigative agency.

(f) Finally, the definition of informant is intended to clarify the distinction between an informant and an ordinary witness. It is the element of prearrangement which is crucial. In one of the comments received on §2.19 as proposed, it was urged that treatment programs should be considered as sanctuaries, but such a result was explicitly disclaimed in the

initial publication of the previous regulations (37 FR 24636). In so saying, we are by no means insensitive to the anxieties repeatedly expressed in both testimony and comments on this section, but we believe that the prohibition contained in § 2.19 and the procedures and criteria set forth in § 2.67 provide a measure of relief which is consistent with the structure and intent of the underlying statutes.

§ 2.20 Identification cards.—Rules.

(a) *Required use prohibited.* No program may require or request any patient to carry in his or her possession, while away from the program premises, an identification card or other form of identification which is issued by the program or which would tend to identify the bearer as a participant in it or any similar program.

(b) *Conditions of voluntary use.* Nothing in this section prohibits a program from issuing an identification card to a patient if the patient's counsellor or other authorized member of the program staff has explained to the patient that acceptance and use of the card is entirely voluntary and that neither an initial rejection nor a subsequent discontinuation of its use will in any way prejudice his or her record or standing in the program. In the case of any patient to whom an identification card or similar device was issued prior to the effective date of this section, or subsequent thereto in violation of this section, a counsellor or other authorized member of the program staff shall explain to the patient his right to turn it in without prejudice at any time.

(c) *On-premises exemption.* Nothing in this section prohibits a program from maintaining and using on its premises cards, photographs, tickets, or other devices, or using passwords or other information, to assure positive identification of patients, correct recording of attendance or medication, or for other proper purposes, as long as no pressure is brought on any patient to carry any such device when away from the program premises.

§ 2.20–1 Identification cards.—Basis and purpose.

Section 2.20 is in furtherance of one of the basic purposes of the statutes authorizing this part, namely, protection of patients from improper disclosure of their status as such. Regrettably, there appear to be areas where possession of a treatment program identification card can be prejudicial to a person under arrest or subjected to a search. In any part of the country, the accidental display or circulation of such a card by reason of its loss or theft could have adverse consequences for a variety of reasons. Since programs have other means of achieving the ends which identification cards are meant to serve, patients who do not wish to assume whatever risks may be involved in carrying such cards should not be compelled to do so.

§ 2.21 Disposition of discontinued program records.—Rules.

(a) *General rule.* When a program discontinues operations or is taken over or acquired by another program, its records to which this part applies with respect to any patient may, with the written consent of that patient, be turned over to the acquiring program or, if none, to any other program specified in the patient's consent. Except as otherwise provided in this section, any records to which this part applies, but for the transfer of which patient consent is not obtained, shall be either completely purged of patient identifying information, or destroyed. If any effort to obtain consent for transfer is made, it shall be by means which minimize the likelihood of accidental or incidental disclosure to any third party of the patient's identity as such.

(b) *Retention period.* Where records are required by law to be kept for a specified period, and such period does not expire until after the discontinuation or acquisition of the program, and patient consent for their transfer is not obtained, such records shall be sealed in envelopes or other containers marked or labelled as follows: "Records of [insert name of program] required to be maintained pursuant to [insert citation to law or regulation requiring that records be kept] until a date not later than December 31, [insert appropriate year]." The same procedure may be followed when it is determined to retain records for the period of any applicable statute of limitations.

(c) *Custodial retention.* Records marked and sealed in accordance with paragraph (b) of this section may be held by any lawful custodian, but may be disclosed by such custodian only under such circumstances and to such extent as would be permissible for the program in which they originated. As soon as practicable after the date specified on the label or legend required to be affixed pursuant to paragraph (b) of this section, the custodian shall destroy the records. In the case of any program terminated by reason of bankruptcy, the expense of compliance with this paragraph shall be an expense of administration of the bankrupt estate.

§ 2.21–1 Disposition of discontinued program records.—Basis and purpose.

While arguments can be made for requiring the destruction of records at the conclusion of their useful clinical life, there is wide disagreement on its span, and there are in addition research considerations which argue for an even longer period of retention. Except in the case of discontinued programs, it therefore seems best to leave this issue for determination by the programs concerned.

§ 2.22 Former employees and others.—Rules.

The prohibitions of this part on disclosure of patient records or information contained therein apply to all individuals who are personnel of treatment programs, researchers, auditors, evaluators, service organizations, or others having access to such records or information, and continue to apply to such individuals with respect to such records or information after the termination of their employment or other relationship or activity giving rise to such access.

§ 2.22–1 Former employees and others.—Basis and purpose.

The probition contained in § 2.22 is arguably an interpretation of the authorizing legislation which would be necessary as a matter of law even in the absence of this part; its validity as an exercise of the rulemaking power conferred by subsection (g) of the authorizing legislation seems beyond dispute.

§ 2.23 Relationship to State laws.—Rules.

The enactment of the provisions of law authorizing this part was not intended to preempt the field of law covered thereby to the exclusion of State laws not in conflict therewith. If a disclosure permitted under the provisions of this part, or under a court order issued pursuant thereto, is prohibited under State law, nothing in this part or in the provisions of law authorizing this part may be construed to authorize any violation of such State law. No State law, however, may either authorize or compel any disclosure prohibited by this part.

§ 2.23–1 Relationship to State laws.—Basis and purpose.

Section 2.23 sets forth publicly an interpretation which, in informal communications, has consistently been given to 21 U.S.C. 1175 since its original enactment, and clearly has equal applicability to 42 U.S.C. 4582.

§ 2.24 Relationship to section 303(a) of Public Health Service Act and section 502(c) of Controlled Substances Act.—Rules.

(a) *Research privilege description.* In some instances, there may be concurrent coverage of a program or activity by the provisions of this part and by a regulation or other administrative action under section 303(a) of the Public Health Service Act (42 U.S.C. 242a(a)) or section 502(c) of the Controlled Substances Act (21 U.S.C. 872(c)). The latter two provisions of law, referred to hereinafter in this section as the research privilege sections, confer on the Secretary of Health, Education, and Welfare, and on the Attorney General, respectively, the power to authorize researchers to withhold from all persons not connected with the research the names and other identifying information concerning individuals who are the subject of such research. The Secretary of Health, Education, and Welfare may grant this privilege with respect to any "research on mental health, including research on the use and effect of alcohol and other psychoactive drugs." The Attorney General's power is conferred as part of a section authorizing

research related to enforcement of laws under his jurisdiction concerning substances which are or may be subject to control under the Controlled Substances Act, but is not expressly limited to such research. Regardless of whether a grant of research privilege is made by the Secretary or by the Attorney General, it is expressly provided that persons who obtain it "may not be compelled in any Federal, State, or local civil, criminal, administrative, legislative, or other proceeding to identify" the subjects of research for which the privilege was obtained.

(b) *Comparison with authority for this part.* Although they deal, in a sense, with the same subject matter, and may on occasion concurrently cover the same transactions, it is important to note the differences between the research privilege sections (21 U.S.C. 872(c) and 42 U.S.C. 242a(a)) and the provisions of law (21 U.S.C. 1175 and 42 U.S.C. 4582) which authorize this part. Briefly, these differences are as follows:

(1) Although they contain broad grants of express rulemaking authority, the provisions of law by which this part is authorized are self-executing in the sense that they are operative irrespective of whether the rulemaking authority is exercised. The protection afforded by the research privilege sections, on the other hand, can only come into existence as a result of affirmative administrative action.

(2) The provisions of law authorizing this part, as well as the provisions of this part itself, impose affirmative duties with respect to the records to which they apply, and the violation of such duties is subject to criminal penalties. To the extent that a privilege is thereby created, it grows out of the duties thus imposed. The research privilege sections, by contrast, impose no duties by their own terms, and if any duties are implied from their existence, they would have to be enforced on the basis of an implicit civil liability for damages or by equitable relief, as there are no criminal or administrative sanctions available.

(3) The exercise of the authority conferred by the research privilege sections is subject to administrative discretion, whereas in the case of the duties imposed under this part there is judicial discretion, within the limits and subject to procedures and criteria prescribed by statute and regulation, to grant relief in particular cases.

(c) *Grant of research privilege not affected by (b)(2)(C) order.* The issuance of an order under subsection (b)(2)(C) of either of the sections authorizing this part (21 U.S.C. 1175 and 42 U.S.C. 4582) in no way affects the continuing effectiveness of any exercise of the authority of the Secretary of Health, Education, and Welfare under 303(a) of the Public Health Service Act (42 U.S.C. 242a(a)) or the Attorney General under section 502(c) of the Controlled Substances Act (21 U.S.C. 872(c)).

§ 2.24–1 Relationship to section 303(a) of Public Health Service Act and section 502(c) of Controlled Substances Act.—Basis and purpose.

(a) In Pub. L. 93–282, the Congress expressly amended (by sections 122(a) and 303(a), 88 Stat. 131 and 137) the provisions of law which authorize this part, expressly amended (by section 122 (b), 88 Stat. 132) the research privilege section under the Secretary's jurisdiction, and made explicit reference (in section 303(d), 88 Stat. 139) to the regulations previously issued by the Special Action Office for Drug Abuse Prevention reconciling the provisions of section 408 of the Drug Abuse Office and Treatment Act of 1972 with the provisions of the research privilege sections. When the bill which became Pub. L. 93–282 was before the House of Representatives for its last Congressional consideration before transmission to the President, its floor manager, Chairman Staggers of the Committee on Interstate and Foreign Commerce, inserted in the Record a detailed analysis of the bill in its final form (Congressional Record, daily edition, May 6, 1974, page H3563). This analysis contained the following paragraph:

> The relationship of section 303(a) of the Public Health Service Act, authorizing the administrative grant of absolute confidentiality for research, to section 408 of the Drug Abuse Office and Treatment Act of 1972, requiring that Federally-connected drug abuse patient records generally be kept confidential, has been correctly described in an interpretative regulation, 21 C.F.R. 1401.61 and 1401.62, which was upheld in *People v. Newman*, 32 N.Y. 2d 379, [reversing] 336 N.Y.S. 2d 127, 298 N.E. 2d 651 (1973); *certiorari* denied, [414] U.S. [1163], 94 S. Ct. 927, [39 L. Ed. 2d 116] (1974). For that reason, among others, section 303(d) of the Senate amendment expressly continues the effectiveness of the current regulation promulgated by the Director of the Special Action Office for Drug Abuse Prevention. Thus, although section 502(c) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 is not explicitly referred to in this legislation, the congressional intent is clear that the authority conferred by that section was not modified by Pub. L. 92–255, and is not intended to be modified by the bill now before the House.

(b) Sections 2.24 and 2.61 restate, in substance, the interpretative rules (§§ 1401.61 and 1401.62 of the previous regulations) referred to in the passage quoted in paragraph (a) of this section, modified to reflect the amendment made to section 303(a) of the Public Health Service Act (42 U.S.C. 242(a)) by Pub. L. 93–282.

Subpart C—Disclosures With Patient's Consent

§ 2.31 Written consent required.—Rules.

(a) *Form of consent.* Except as otherwise provided, a consent for a disclosure under this part must be in writing and must contain the following:

(1) The name of the program which is to make the disclosure.

(2) The name or title of the person or organization to which disclosure is to be made.

(3) The name of the patient.

(4) The purpose or need for the disclosure.

(5) The extent or nature of information to be disclosed.

(6) A statement that the consent is subject to revocation at any time except to the extent that action has been taken in reliance thereon, and a specification of the date, event, or condition upon which it will expire without express revocation.

(7) The date on which the consent is signed.

(8) The signature of the patient and, when required under § 2.15, the signature of a person authorized to give consent under that section; or, when required under § 2.16, the signature of a person authorized to sign under that section in lieu of the patient.

(b) *Duration of consent.* Any consent given under this subpart shall have a duration no longer than that reasonably necessary to effectuate the purpose for which it is given.

(c) *Disclosure prohibited with deficient consent.* No program may disclose any information on the basis of a consent form—

(1) which on its face substantially fails to conform to any of the requirements set forth in paragraph (a), of this section, or

(2) which is known, or in the exercise of reasonable care should be known, to the responsible personnel of the program to be materially false in respect to any item required to be contained therein pursuant to paragraph (a) of this section.

(d) *Falsification prohibited.* No person may knowingly make, sign, or furnish to a program any consent form which is materially false with respect to any item required to be contained therein pursuant to paragraph (a) of this section.

§ 2.31–1 Written consent required.—Basis and purpose.

(a) The use of a consent form containing all of the elements specified in § 2.31(a) is necessary to assure compliance with the requirements of this subpart. Under § 1401.21 of the previous regulations, a much more abbreviated form was permissible, because the circumstances under which any consent could be given were very strictly limited. Now that the authorizing legislation permits disclosure with consent "to such extent, under such circumstances, and for such purposes as may be allowed under regulations," the consent form should show on its face information sufficient to indicate compliance with the regulations.

(b) Sections 2.31(b), 2.31(c), and 2.31 (d) are an exercise of the general rulemaking authority in subsection (g) of the authorizing legislation. Section 2.31 (c) imposes a legal liability on programs and their personnel for disclosure of information on the basis of a materially

deficient consent, and § 2.31(d) imposes liability on any person who submits a falsified consent form to a program.

§ 2.32 Prohibition on redisclosure.—Rules.

(a) *Notice to accompany disclosure.* Whenever a written disclosure is made under authority of this subpart, except a disclosure to a program or other person whose records pertaining to the patient are otherwise subject to this part, the disclosure shall be accompanied by a written statement substantially as follows: "This information has been disclosed to you from records whose confidentiality is protected by Federal law. Federal regulations (42 CFR Part 2) prohibit you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose." An oral disclosure may be accompanied or followed by such a notice.

(b) *Consent required for redisclosure.* A person who receives information from patient records and has been notified substantially in accordance with paragraph (a) of this section is prohibited from making any disclosure of such information except with the specific written consent of the person to whom it pertains, or as otherwise permitted under this part.

(c) *Restriction on redisclosure.* Whenever information from patient records is needed by any person, such information must be obtained directly from the program maintaining such records and not from another person to whom disclosure thereof has been made, except where the initial disclosure was intentionally and expressly made for the purpose of redisclosure (as for example in the case of an employment agency), or the information is no longer available from the program and redisclosure is not prohibited by any other provision of this part.

§ 2.32–1 Prohibition on redisclosure.—Basis and purpose.

(a) Section 2.32 is intended to provide a reasonable protection against redisclosure of information disclosed with consent in accordance with this subpart. There is, of course, no problem where the information becomes part of a record which is itself subject to this part because it is maintained in connection with the performance of a covered substance abuse prevention function. The difficulty arises when the disclosure is made to those whose records are not otherwise affected by this part. To attempt to make all of the provisions of this part applicable to such recipients with respect to such information might raise serious problems of legality, administrative feasibility, and fairness, but where they are given actual notice that specific patient consent is normally required for redisclosure, we think they can and should be bound by it.

(b) Oral disclosures are not mandatorily covered because they should rarely be made to any recipient with whom the program does not have a continuing relationship. Where such a relationship exists or the program is otherwise satisfied that the recipient understands and will respect the confidential nature of the information supplied, there seems no need to add to the already heavy load of paperwork with which programs must contend.

§ 2.33 Diagnosis, treatment, and rehabilitation.—Rules.

(a) *Disclosure authorized.* Where consent is given in accordance with § 2.31, disclosure of information subject to this part may be made to medical personnel or to treatment or rehabilitation programs where such disclosure is needed in order to better enable them to furnish services to the patient to whom the information pertains.

(b) *Traveling, incarcerated, or hospitalized patients on medication.* Where a patent on medication is at a distance from his normal residence or treatment program or is incarcerated or hospitalized, or is otherwise unable to deliver a written consent to his treatment program at the time the disclosure is needed, confirmation of the patient's status and information necessary to appropriately continue or modify his medication may be given to medical personnel in a position to provide services to the patient upon the oral representation of such personnel that the patient has requested medication and consented to such disclosure. Any program making a disclosure in accordance with this paragraph shall make a written memorandum showing the name of the patient, or the patient's case number assigned by the program, the date and time the disclosure was made, the information disclosed, and the names of the individuals by whom and to whom it was made.

§ 2.33–1 Diagnosis, treatment, and rehabilitation.—Basis and purpose.

(a) Section 2.33(a) is a restatement of the policy set forth in § 1401.22(a) of the previous regulations, expanded to make explicit reference to nonmedical counselling and other treatment and rehabilitative services.

(b) Section 2.33(b) clarifies the corresponding provision in § 1401.22(a) of the previous regulations by specifying how and through whom oral consent can be given, and limiting the disclosure to that necessary to determine appropriate medication.

§ 2.34 Prevention of certain multiple enrollments.—Rules.

(a) *Definitions.* For the purposes of this section and § 2.55—

(1) The terms "administer", "controlled substance", "dispense", "maintenance treatment", and "detoxification treatment" shall respectively have the meanings defined in paragraphs (2), (6), (10), (27), and (28) of section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) The term "program" means a program which offers maintenance treatment or detoxification treatment.

(3) The term "permissible central registry" means a qualified service organization which collects or accepts, from two or more programs (referred to hereinafter as member programs) all of which are located either within a given State or not more than 125 miles from the nearest point on the border of such State, patient identifying information about persons applying for maintenance treatment or detoxification treatment for the purpose of enabling the member programs to prevent any individual from being concurrently enrolled in more than one such program.

(b) *Use of central registries prohibited except as expressly authorized.* The furnishing of patient identifying information by a program to any central registry which fails to meet the definition of a permissible central registry set forth in paragraph (a)(3) of this section is prohibited, and the furnishing of patient identifying information to or by any central registry except as authorized in this section is prohibited. Information pertaining to patients held by a central registry may be furnished or used in accordance with paragraphs (e), (f), and (g) for the purpose of preventing multiple enrollments, but may not be otherwise furnished or used in connection with any legal, administrative, supervisory, or other action with respect to any patient.

(c) *Safeguards and procedures required.* To minimize the likelihood of disclosures of information to impostors or others seeking to bring about unauthorized or improper disclosure, any communications carried on by programs pursuant to this section must be conducted (1) by authorized personnel designated in accordance with § 2.17(b), and (2) in conformity with procedures established in accordance with that section.

(d) *Disclosures with respect to patients in treatment.* A member program may supply patient identifying information and information concerning the type of drug used or to be used in treatment and the dosage thereof, with relevant dates, to a permissible central registry with respect to any patient—

(1) When the patient is accepted for treatment,

(2) When the type or dosage of the drug is changed, and

(3) When the treatment is interrupted, resumed, or terminated.

(e) *Disclosures with respect to applications.* When any person applies to a program for maintenance treatment or detoxification treatment, then for the purpose of inquiring whether such person is currently enrolled in another program for such treatment, the program may furnish patient identifying information with respect to such person—

(1) To any permissible central registry of which the program is a member, and

(2) To any other program which is not more than 200 miles distant and which is not a member of any central registry of which the inquiring program is a member.

(f) *Program procedure in case of apparent concurrent enrollment.* When an inquiry pursuant to paragraph (e)(2) is made of another treatment program and its response is affirmative, the two programs may engage in such further communication as may be necessary to establish whether an error has been made, and if none, the programs should proceed in accordance with sound clinical practice and any applicable regulations pertaining to the type of treatment involved.

(g) *Registry procedure in case of apparent concurrent enrollment.* When an inquiry pursuant to paragraph (e)(1) is made of a permissible central registry and its response is affirmative, it may advise the inquiring program of the name, address, and telephone number of the other program, or it may advise the other program of the identity of the patient and the name, address, and telephone number of the inquiring program, or it may do both, and in any case the two programs may then communicate as provided in paragraph (f) above.

(h) *Advice to patients.* When the policies and procedures of any program involve any disclosures pursuant to this section, before any patient is accepted for or continued in treatment (other than detoxification treatment) after September 30, 1975, written consent in accordance with § 2.31 shall be obtained. Such consent shall set forth a current list of the names and addresses either of any programs or of any central registries to which such disclosures will be made. Notwithstanding the requirement of § 2.31(a)(2), such consent shall be effective with respect to any other such program thereafter established within 200 miles, or any registry serving such programs, and shall so state. Such consent shall be effective for as long as the patient remains enrolled in the program to which it is given.

§ 2.34–1 Prevention of certain multiple enrollments.—Basis and purpose.

Section 2.34 is based upon § 1401.43 of the previous regulations. It was omitted from the August 22, 1974 draft, but comments on the omission made it clear that in certain areas of the country, central registries are a functional component of the treatment system, and that regulations to guide their operations are needed.

§ 2.35 Legal counsel for patient.—Rules.

When a bona fide attorney-client relationship exists between an attorney-at-law and a patient, disclosure of any information in the patient's records may be made to the attorney upon the written application of the patient endorsed by the attorney. Information so disclosed may not be further disclosed by the attorney.

§ 2.35–1 Legal counsel for patient.—Basis and purpose.

Section 2.35 simplifies and broadens the statement of the policy embodied in § 1401.25 of the previous regulations. Its purpose is to assure the availability to the attorney, with his client's consent, of any information needed as a basis for advice and counsel. The purpose of the prohibition on further disclosure by the attorney is to guard against the possibility that the attorney might be forced to serve as a conduit for otherwise prohibited disclosures to third parties. Ordinarily, the attorney-client privilege would suffice, but that privilege is subject to waiver by the client, whereas this prohibition is not. Where there is a need for disclosure to a third party of any given information about any patient, this prohibition in no way affects the availability of other sections of this part to authorize such disclosure by the program.

§ 2.36 Patient's family and others.—Rules.

Where consent is given in accordance with § 2.31, information evaluating his current or past status in a treatment program may be furnished to any person with whom the patient has a personal relationship unless, in the judgment of the person responsible for the patient's treatment, the disclosure of such information would be harmful to the patient.

§ 2.36–1 Patient's family and others.—Basis and purpose.

Section 2.36 expresses the same policy as was embodied in § 1401.27 of the previous regulations, broadened to reflect the expanded authority for consensual disclosure under the authorizing legislation.

§ 2.37 Third-party payers and funding sources.—Rules.

(a) *Acquisition of information.* Disclosure of patient information to third-party payers or funding sources may be made only with the written consent of the patient given in accordance with § 2.31 and any such disclosure must be limited to that information which is reasonably necessary for the discharge of the legal or contractual obligations of the third-party payer or funding source.

(b) *Prohibition on disclosure.* Where a funding source or third-party payer maintains records of the identity of recipients of treatment or rehabilitation services for alcohol or drug abuse such records are, under the authorizing legislation, maintained in connection with the performance of an alcohol or drug abuse prevention function and are subject to the restrictions upon disclosure set forth in this part.

§ 2.37–1 Third-party payers and funding sources.—Basis and purpose.

Section 2.37 is based upon the general authority to prescribe regulations to carry out the purposes of the authorizing legislation. The great diversity of contractual arrangements and legal requirements under which the operations of third-party payers and funding sources are carried on precludes the prescription of detailed records management instructions in these regulations, even if that were otherwise desirable. The general principles set forth in § 2.37, however, should clarify the question of coverage, and where coverage exists, provide a standard which will minimize the likelihood of violations. See also § 2.12–1(g).

§ 2.38 Employers and employment agencies.—Rules.

(a) *Disclosure permitted.* Where consent is given in accordance with § 2.31, a program may make disclosures in accordance with this section.

(b) *Eligible recipients.* A program may make disclosures under this section to public or private employment agencies, employment services, or employers.

(c) *Scope of disclosure.* Ordinarily, disclosures pursuant to this section should be limited to a verification of the patient's status in treatment or a general evaluation of progress in treatment. More specific information may be furnished where there is a bona fide need for such information to evaluate hazards which the employment may pose to the patient or others, or where such information is otherwise directly relevant to the employment situation.

(d) *Criteria for approval.* A disclosure under this section may be made if, in the judgment of the program director or his authorized representative appointed as provided in § 2.17(b), the following criteria are met:

(1) The program has reason to believe, on the basis of past experience or other credible information (which may in appropriate cases consist of a written statement by the employer), that such information will be used for the purpose of assisting in the rehabilitation of the patient and not for the purpose of identifying the individual as a patient in order to deny him employment or advancement because of his history of drug or alcohol abuse.

(2) The information sought appears to be reasonably necessary in view of the type of employment involved.

§ 2.38–1 Employers and employment agencies.—Basis and purpose.

Section 2.38 is based on the rulemaking power conferred by subsection (b)(1) of the authorizing legislation, and is adapted from § 1401.26 of the previous regulations. Its purpose is to allow disclosures reasonably necessary and appropriate to facilitate the employment of patients and former patients, while protecting patients against unnecessary or excessively broad disclosures. It was urged in a comment received on the August 22, 1974 draft that disclosures to employers be flatly prohibited on the ground that the employer's sole legitimate concern is with on-the-job performance. While we are not unsympathetic to this view, a countervailing consideration is that in the case of an employee or applicant who is known by the employer to have a problem with drugs or alcohol, knowledge by the employer of a genuine effort by the employee to deal with it can make the difference between a job and no job.

§ 2.39 Criminal justice system referrals.—Rules.

(a) *Consent authorized.* Where participation by an individual in a treatment program is made a condition of such in-

dividual's release from confinement, the disposition or status of any criminal proceedings against him or the execution or suspension of any sentence imposed upon him, such individual may consent to unrestricted communication between any program in which he is enrolled in fulfillment of such condition and (1) the court granting probation, or other post-trial or pretrial conditional release, (2) the parole board or other authority granting parole, or (3) probation or parole officers responsible for his supervision.

(b) *Duration of consent.* Where consent is given for disclosures described in paragraph (a) of this section, such consent shall expire sixty days after it is given or when there is a substantial change in such person's status, whichever is later. For the purposes of this section, a substantial change occurs in the status of a person who, at the time such consent is given, has been—

(1) Arrested, when such person is formally charged or unconditionally released from arrest;

(2) Formally charged, when the charges have been dismissed with prejudice, or the trial of such person has been commenced;

(3) Brought to a trial which has commenced, when such person has been acquitted or sentenced;

(4) Sentenced, when the sentence has been fully executed.

(c) *Revocation of consent.* An individual whose release from confinement, probation, or parole is conditioned upon his participation in a treatment program may not revoke a consent given by him in accordance with paragraph (a) of this section until there has been a formal and effective termination or revocation of such release from confinement, probation, or parole.

(d) *Restrictions on redisclosure.* Any information directly or indirectly received pursuant to this section may be used by the recipients thereof only in connection with their official duties with respect to the particular individual with respect to whom it was acquired. Such recipients may not make such information available for general investigative purposes, or otherwise use it in unrelated proceedings or make it available for unrelated purposes.

§ 2.39–1 Criminal justice system referrals.—Basis and purpose.

(a) On the basis of extensive written comment and oral communications received on the subject matter of § 2.39 as proposed in the May 9, 1975 notice (designated as § 2.40 in that notice), we have concluded that the latitude allowed and the conditions imposed in § 2.39 as set forth above are necessary and proper to effectuate the purposes of the authorizing legislation.

(b) From a legal standpoint, it seems highly doubtful whether, in a proceeding to revoke probation or parole, the due process requirements laid down in *Morrissey v. Brewer*, 408 U.S. 471, 92 S.Ct. 2593, 33 L.Ed.2d 484 (1972) and *Gagnon v. Scarpelli*, 411 U.S. 778, 93 S.Ct. 1756, 36 L.Ed.2d 636 (1973) could be met by an unsupported general evaluation by a treatment program to the effect that a patient's status or progress in treatment was unsatisfactory. Thus, if such an evaluation were all that could be communicated by a program about a particular patient's conduct during the period he was in treatment, a condition requiring satisfactory participation in a treatment program would to all intents and purposes become unenforceable. Moreover, if it were held to be enforceable, the operative decision on the revocation issue would then be made by the program, arguably exacerbating rather than alleviating its role-conflict problem. It may thus be the part of wisdom to confess that some degree of role-conflict is inherent in the situation of any program which accepts criminal justice referrals. If so, the issue then becomes that of finding the most constructive way to handle the conflict, rather than a sterile and futile effort to avoid it altogether.

(c) We are persuaded that in many instances a prohibition on free communication between probation officers and drug abuse program counsellors would have profoundly deleterious effects on the rehabilitative process. Many probation officers bring to their work a high degree of training, professionalism, and experience. They are under no illusion that they are dealing with a clientelle which will never stumble or relapse, and if they have the information necessary to intervene at an early stage of such an episode, their intervention can often make the difference between success and failure for the client.

(d) There is, however, nothing in these regulations which precludes treatment programs from entering into agreements or arrangements with agencies or institutions of the criminal justice system to regulate or restrict the subject matter or form of communications of information about patients. For example, such an arrangement might provide for free oral communication between counsellors and probation officers, while restricting formal written reports by the program to specified types of so-called hard data such as attendance and urinalysis results. In view of widely differing conditions and attitudes in various parts of the country, substantial variations in such arrangements are not only expectable but desirable.

(e) A further aspect of this matter, which was not adequately considered or dealt with in the May 9 proposal, is the impact which the rules laid down in § 2.39 have on the bail decision. There is a high correlation between the disposition of the application for bail and the type of sentence which may be meted out upon conviction. The contrast between the recidivism rates for those who receive treatment and supervision, as against those who simply receive the punishment of incarceration, is a powerful argument against restrictions which would tend to narrow the circumstances under which conscientious judges can grant bail.

(f) It must be emphasized that § 2.39 in no way reduces the necessity to obtain written consent from patients, whether or not referred by the criminal justice system, before disclosures for the purposes here involved can be made by programs. We have been urged to make an exception from the requirement of § 2.31 in the case of parolees and probationers, but such an exception would be wholly unsupported by the authorizing legislation. In fashioning these regulations, it is not our privilege to adorn a tabula rasa according to our own predilections; rather, it is our duty to interlineate a statute with fidelity to its spirit, its terms, and its purposes.

§ 2.40 Situations not otherwise provided for.—Rules.

(a) *Criteria for approval.* In any situation not otherwise specifically provided for in this subpart, where consent is given in accordance with § 2.31, a program may make a disclosure for the benefit of a patient from the records of that patient if, in the judgment of the program director or his authorized representative appointed as provided in § 2.17, all of the following criteria are met:

(1) There is no suggestion in the written consent or the circumstances surrounding it, as known to the program, that the consent was not given freely, voluntarily, and without coercion.

(2) Granting the request for disclosure will not cause substantial harm to the relationship between the patient and the program or to the program's capacity to provide services in general.

(3) Granting the request for disclosure will not be harmful to the patient.

(b) *Circumstances deemed beneficial.* For the purposes of this section, the circumstances under which disclosure may be deemed to be beneficial to a patient include, but are not limited to, those in which the disclosure may assist the patient in connection with any public or private claim, right, privilege, gratuity, grant or other interest accruing to, or for the benefit of, the patient or the patient's immediate family. Examples of the foregoing include welfare, medicare, unemployment, workmen's compensation, accident or medical insurance, public or private pension or other retirement benefits, and any claim or defense asserted or which is an issue in any civil, criminal, administrative or other proceeding in which the patient is a party or is affected.

§ 2.40–1 Situations not otherwise provided for.—Basis and purpose.

(a) Section 2.40 is based upon §1401.23 of the previous regulations, amended to reflect the expansion made by the change in the law with respect to the permissible scope of consensual disclosures.

(b) A strong case can be made for the proposition that § 2.40 should, in effect if not expressly, require a program to make any disclosure requested by a patient. The discretion vested in the program, it can be argued, is at best an expression of overprotective paternalism, and at worst, an invitation to programs to cover up material potentially embarrassing to themselves. Bearing in

mind, however, that persons who have obtained the type of treatment to which this part applies are more vulnerable to pressures of various kinds than are patients in general, it seems preferable to retain some responsibility on the part of the program to protect the best interests of its patients in this very sensitive area. This, like many other choices which these regulations reflect, is a determination which can be reviewed and revised from time to time in the light of experience.

Subpart D—Disclosures Without Patient Consent

§ 2.51 Medical emergencies.—Rules.

(a) *In general.* Disclosure to medical personnel, either private or governmental, is authorized without the consent of the patient when and to the extent necessary to meet a bona fide medical emergency.

(b) *Food and Drug Administration.* Where treatment involves the use of any drug, and appropriate officials of the Food and Drug Administration determine that the life or health of patients may be endangered by an error in the manufacture or packaging of such drug, disclosure of the identities of the recipients of the drug may be made without their consent to appropriate officials of the Food and Drug Administration to enable them to notify the patients or their physicians of the problem in order that corrective action may be taken.

(c) *Incapacitated persons.* Where a patient is incapacitated and information concerning the treatment being given him by a program is necessary to make a sound determination of appropriate emergency treatment, such information may be given without the patient's consent to personnel providing such emergency treatment.

(d) *Notification of family or others.* When any individual suffering from a serious medical condition resulting from drug or alcohol abuse is receiving treatment at a facility which is within the scope of this Part the treating physician may, in his discretion, give notification of such condition to a member of the individual's family or any other person with whom the individual is known to have a responsible personal relationship. Such notification may not be made without such individual's consent at any time such individual is capable of rational communication.

(e) *Record required.* Any program making an oral disclosure under authority of this section shall make a written memorandum showing the patient's name or case number, the date and time the disclosure was made, some indication of the nature of the emergency, the information disclosed, and the names of the individuals by whom and to whom it was disclosed.

§ 2.51–1 Medical emergencies.—Basis and purpose.

The provisions of § 2.51 are adapted from § 1401.42 of the previous regulations, and are based on subsection (b)(2)(A) of the authorizing legislation. The provision in the previous regulations with respect to patients who may be incarcerated is now covered in § 2.33(b).

Paragraph (d) of § 2.51 is based upon the theory that the disclosure there allowed is of the patient's endangered condition, not his identity as a drug or alcohol abuse patient, and that the humanitarian necessity of such notification outweighs its potential for accidental violation of confidentiality.

§ 2.52 Research, audit, and evaluation.—Rules.

(a) *Research, audit, and evaluation.* Subject to any applicable specific provision set forth hereinafter in this subpart, the content of records pertaining to any patient which are maintained in connection with the performance of a function subject to this part may be disclosed, whether or not the patient gives consent, to qualified personnel for the purpose of conducting scientific research, management audits, financial audits, or program evaluation, but such personnel may not identify, directly or indirectly, any individual patient in any report of such research, audit, or evaluation, or otherwise disclose patient identities in any manner. For the purposes of this subpart and for the purposes of subsection (b)(2)(B) of the authorizing legislation, the term "qualified personnel" means persons whose training and experience are appropriate to the nature and level of the work in which they are engaged and who, when working as part of an organization, are performing such work with adequate administrative safeguards against unauthorized disclosures.

(b) *Use of disclosures of patient identifying information.*

(1) Where a disclosure made to any person pursuant to paragraph (a) of this section includes patient identifying information with respect to any patient, such information may not be further disclosed, and may not be used in connection with any legal, administrative, supervisory, or other action whatsoever with respect to such patient, except as provided in paragraphs (b)(2) and (b)(3) of this section.

(2) The inclusion of patient identifying information in any written or oral communication between a person to whom a disclosure has been made pursuant to paragraph (a) and the program making such disclosure does not constitute the identification of a patient in a report or otherwise in violation of paragraph (a).

(3) Where a disclosure is made pursuant to paragraph (a) of this section to a person qualified to determine, on the basis of such disclosure, the presence of a substantial risk to the health and well being, whether physical or psychological, of any patient, and, in the judgment of such person, such a risk exists and the situation cannot be dealt with solely by means of communications as described in paragraph (b)(2) of this section without intensifying or prolonging the risk as compared with other means of dealing with it, then the initial disclosure under paragraph (a) and any subsequent disclosure or redisclosure of patient identifying information for the purpose of reducing the risk to the patient involved shall be subject to the provisions of § 2.51.

§ 2.52–1 Research, audit, and evaluation.—Basis and purpose.

(a) *General purpose.* Subsection (a) of this section is adapted directly from subsection (b)(2)(B) of the authorizing legislation. The purpose of each is the same: To facilitate the search for truth, whether in the context of scientific investigation, administrative management, or broad issues of public policy, while at the same time safeguarding the personal privacy of the individuals who are the intended beneficiaries of the process or program under investigation. This subpart in particular, and this part as a whole, are intended to aid in carrying out that purpose.

(b) The succeeding sections of this subpart deal with problems which arise in connection with disclosures made for certain specific purposes which have been interpreted as falling within the general purposes embraced by § 2.52. Those sections will be best understood, however, in the light of some discussion of the underlying premises of the general rule, and its relationship to two other legal concepts: the right of privacy, and the duty to obtain informed consent from research subjects.

(c) *The Right of Privacy.* So far as is relevant to this discussion, we may consider the right of privacy in two aspects. One, a protection against improper governmental activity, is the right to be secure against unreasonable searches and seizures guaranteed by the Fourth Amendment, with some expansion from the penumbras of the Fifth and Sixth Amendments. The protections afforded to patients by the authorizing legislation, not to mention these regulations, go far beyond those which are constitutionally required.

(d) The other aspect of the right of privacy, which has sometimes been described as the right to be left alone, is the notion that an individual has a right not to be hurt by intrusions into his essentially personal concerns, or to have essentially private information exploited for commercial gain, whether or not the intrusion or exploitation is in connection with any possible governmental action against him. The courts have spoken of a right of privacy in a wide variety of contexts, but they have repeatedly and explicitly rejected the notion that anyone has a right to go about his daily affairs encapsulated in an impenetrable bubble of anonymity. The courts have been careful to weigh the competing interests, and the social interest in valid research and evaluation is clearly of sufficient moment to be considered in this process.

(e) In defense of the position that disclosure of patient identifying information even for carefully guarded scientific research should be permitted only on a consensual basis, two dominant lines of argument, somewhat interrelated, have emerged. One is that retrospective

studies are of questionable value in any case, and the other is that a sampling technique involving informed consent on the part of the members of the sample can always be used to develop the information sought. Neither line of argument will withstand careful scrutiny.

(f) It is true, of course, that the efficacy of a given therapeutic agent can often best be evaluated by means of a well-designed prospective study in which special recordkeeping procedures, special criteria for patient selection, and an appropriate control have all been established with a view to the purpose of the study. There are, however, many important investigations which simply do not lend themselves to such a format. Sometimes the desirability or even the possibility of a particular study does not suggest itself except in retrospect. Another important consideration is the fact that knowledge that an investigation is going on may influence the behavior of patients, clinicians, or both. Where such knowledge can influence the make-up of a sample, it will normally do so in the direction of favorable outcomes, but to an unknown degree, thus tending to invalidate the results reported.

(g) While the sample technique has its uses, especially with populations that are unmanageably large, it is often less difficult and expensive, and less likely to interfere with the actual conduct and outcomes of treatment or rehabilitation processes, to use the full population under study. Even more important than economy and administrative convenience in carrying out a study, there may be an overriding advantage in terms of eliminating any question as to the validity of the results of the study on the ground of bias in the selection of the sample.

(h) *Informed Consent.* The duty to obtain informed consent is obvious and compelling in situations where an individual is exposed to the possibility of harm, either physical or psychological, as a consequence of medical procedures, research, or similar activities. Where such a situation exists the person conducting the research or medical procedure violates his duty to the subject or patient if he proceeds without obtaining the voluntary informed consent from the individual or his legally authorized representative. Thus, in conducting an activity which places the subject or patient at risk the practitioner may not give precedence to a hidden agenda, even for so lofty a motive as the advancement of knowledge. In this regard, see the Department of Health, Education and Welfare's Protection of Human Subjects Regulations, 45 CFR Part 46. Those regulations are applicable to all Department of Health, Education and Welfare grants and contracts supporting research, development and related activities involving human subjects.

(i) It is apparent that the foregoing rationale for requiring informed consent does not apply to the same degree in situations involving the disclosure of clinical records for research in the form of follow-up or retrospective studies. Under these circumstances the risk to the subject is that some disclosure or misuse of information from which he could be identified might result in embarrassment, lost opportunities, or other forms of psychological or social injury. While that possibility of harm could be reduced by requiring consent to every review of clinical records for research purposes, a similar result can be achieved by the less restrictive method of limiting further disclosure of identifying information by the researcher. Given the applicability of this alternative, equally effective means for protecting a patient or subject from the possibility of a harmful public disclosure, it is unreasonable to insist upon informed consent to every review of clinical records for the purposes of conducting legitimate research, particularly since such insistence could lead to the ultimate absurdity of prohibiting efforts to identify the nature and source of an unknown plague simply because the patients or researcher lacked the clairvoyance to have consent forms signed prior to the onset of the affliction.

(j) In sum, there are restraints on certain means of governmental acquisition of information about individuals which are operative irrespective of how the information is used, and there are restraints on the uses of information which are independent of how or by whom it is acquired, but they do not and should not add up to the proposition that the use of information about a person is either morally or legally the absolute prerogative of that person to determine.

(k) For all of these reasons, the authorizing legislation expressly provides that patient consent is not required with respect to disclosures for research, audit, and evaluation, nor does it prohibit individual patient identification in connection with such disclosures. While it is entirely appropriate to impose safeguards and procedures in connection with these activities, it would be wholly inappropriate to use the rulemaking process to impose an absolute requirement of patient consent with respect to activities which by statute may be conducted without it.

(l) *Classification of activities.* It is clear that Congress intended a balancing of the social interest in the validity of the results of inquiry, on the one hand, with the individual interest in anonymity, on the other, all within the limits set by the legislation and the constitution. With that objective in mind, we may now turn to the various categories of activities which come within the purview of this subpart.

(m) These activities may be classified first, in regard to whether participation is voluntary from the standpoint of the program, and second, as to whether the objective is to ascertain compliance with predetermined standards (examinations as defined in § 2.54, and program evaluation as defined in § 2.11(g)(1)), or to ascertain the validity of a given standard or hypothesis (scientific research, and program evaluation as defined in § 2.11(g)(2)). The application of the foregoing classifications logically results in the creation of four categories of activities. Three of them are specifically dealt with in the succeeding sections of this subpart and need not detain us here; the fourth is discussed below.

(n) *Scientific research and evaluation.* Beyond the bare restatement of the authorizing legislation set forth in § 2.52, these regulations are deliberately silent with respect to purely voluntary scientific research and program evaluation in the sense defined in § 2.11(g)(2). Testimony and written comments received on the August 22, 1974 draft regulations were noteworthy in two respects. First, no instances of abuse on the part of persons acquiring patient identifying information under these circumstances were cited. Second, while there was some well-founded criticism of the attempt in that draft to provide guidelines for determining what is scientific research and who is qualified to do it, no usable alternatives—indeed, almost no alternatives at all—were forthcoming.

(o) In one of the written comments, the writer cautioned against any assumption "that our major remaining problems in drug and alcohol abuse treatment are prevention of illicit diversion and protection of confidentiality," and suggested "that we still have a problem in discovering, testing and evaluating improved treatment techniques. To do this," he continued, "one should place minimal obstacles in the way of bona fide clinical and epidemiologic research!"

(p) The result of leaving the rule as it is in the statute, without attempting to sharpen its outlines or define its terms, will be to leave it for interpretation on a case-by-case basis by those who must apply it in practice: the researchers who seek the information, and the programs which supply it. This does not foreclose the possibility of amending the regulations on the basis of experience if it appears either that clinicians are becoming so cautious that research and evaluation studies are being choked off, or that abuses are occurring in the use of information disclosed. But until a need for more detailed regulation in this area is demonstrated, we think its imposition would do more harm than good.

§ 2.53 Governmental agencies.—Rules.

(a) *In general.* Where research, audit, or evaluation functions are performed by or on behalf of a State or Federal governmental agency, the minimum qualifications of personnel performing such functions may be determined by such agency, subject to the provisions of this part, with particular reference to the organizational requirements and limitations on the categories of records subject to review by different categories of personnel.

(b) *Financial and administrative records.* Where program records are reviewed by personnel who lack either the responsibility for, or appropriate training and supervision for, conducting scientific research, determining adherence to treatment standards, or evaluating treatment as such, such review should be confined as far as practicable to adminis-

trative and financial records. Under no circumstances should such personnel be shown caseworker or counsellor notes, or similar clinical records. Programs should organize their records so that financial and administrative matters can be reviewed without disclosing clinical information and without disclosing patient identifying information except where necessary for audit verification.

(c) *Scientific research and long-term evaluation studies.* No State and no agency or political subdivision of a State may require, as a condition to funding, licensing, or otherwise, that any program furnish patient identifying information for the purpose of conducting scientific research or long-term evaluation studies unless the recipient of such information is legally required to hold such information in confidence, is prohibited from taking any administrative, investigative, or other action with respect to any individual patient on the basis of such information, and is prohibited from identifying, directly or indirectly, any individual patient in any report of such research or evaluation, or otherwise disclosing patient identities in any manner.

(d) *Opinion and description to be furnished program.* Before any patient identifying information is required to be submitted by a program under the circumstances described in paragraph (c), the program shall be furnished—

(1) An opinion by the attorney general or other chief legal officer of the State to the effect that the conditions specified in paragraph (c) are fulfilled with respect to such program or with respect to all programs in such State similarly situated, and

(2) A description of the administrative procedures and physical limitations on access or other measures to provide for the security of the data, but such description shall not be in such detail as to furnish guidance for wrongful attempts to breach such security.

(e) *Exclusiveness of procedures.* No State or local governmental agency may require any treatment program to furnish patient identifying information to itself or any other recipient except in conformity with this section or § 2.54. No Federal agency may require any treatment program to furnish patient identifying information to itself or any other recipient except in conformity with this section (other than paragraph (d)(1) thereof) or § 2.54.

§ 2.53–1 Governmental agencies.—Basis and purpose.

Section 2.53 is an implementation of the authority contained in subsection (g) of the authorizing legislation to provide safeguards and procedures to effectuate the purposes of such legislation. It makes clear that whenever information is required of a program, whether by law or by the terms or conditions of a contract or grant, the procedures and safeguards required under this section are applicable.

§ 2.54 Patient identifying information in connection with examinations.—Rules.

(a) *Definitions.* For the purposes of this section—

(1) The term "examination" means any examination to which this section is made applicable by paragraph (b) of this section.

(2) The term "examiner" means any individual or any public or private organization, including any Federal, State, or local governmental agency, which conducts an examination to which this section applies.

(b) *Applicability.* This section applies to any examination of the records of a treatment program which is carried out for the purpose of or as aid to ascertaining the accuracy or adequacy of its financial or other records, or the efficiency or effectiveness of its financial, administrative, or medical management, or its adherence to financial, legal, medical, administrative, or other standards, regardless of whether such examination is called an audit, an evaluation, an inspection, or by any other name.

(c) *Statement required for disclosure of patient identifying information in connection with examination.* No program may make, and no examiner may require, any disclosure of patient identifying information in connection with an examination unless the examiner furnishes to the program a written statement—

(1) that no record of patient identifying information will be made or retained by or on behalf of the examiner in connection with the examination without notice to the program in accordance with paragraph (c)(2) of this section, or

(2) setting forth the specific purpose for which a record of patient identifying information is being retained by or on behalf of the examiner, the location at which such information will be kept, and the name, official title, address, and telephone number of a responsible individual to whom any inquiries by the program about the disposition of such record should be directed.

(d) *Disposition of record of patient identifying information in connection with examination.* After any record of patient identifying information retained in connection with an examination has served its purpose, or within the time prescribed in paragraph (e) of this section, whichever is earlier, the examiner shall destroy or return to the program all records (including any copies thereof) containing patient indentifying information which have been in its possession in connection with such examination.

(e) *Maximum time allowed for disposition.* The action required by paragraph (d) shall be completed—

(1) Except as provided in paragraph (e)(2) of this section not more than two years after the record was acquired by or on behalf of the examiner, or

(2) Where the record is needed in connection with a formal legal proceeding against the program commenced or to be commenced not more than two years after the record was acquired, and written notice to this effect is furnished to the program within two years after the record was acquired, not later than the termination of such proceeding.

(f) *Notice of final disposition.* When an examiner disposes of records as required by paragraph (d) of this section, or not later than the time prescribed by paragraph (e) of this section, whichever is earlier, the examiner shall furnish to the program concerned a written statement—

(1) That there has been compliance with this section and with the provisions of this part prohibiting any disclosure of patient identifying information from records held by auditors or evaluators, or

(2) Specifying the particulars in which there has been a failure of compliance.

§ 2.54–1 Patient identifying information in connection with examinations.—Basis and purpose.

Confidence on the part of treatment program personnel in the integrity of auditing and regulatory processes is important to the effective functioning of the treatment system. It is the purpose of § 2.54 to foster practices which will both justify and engender such confidence.

§ 2.55 Supervision and regulation of narcotic maintenance and detoxification programs.—Rules.

(a) *Definition of "registrant".* For the purposes of this section, the term "registrant" means a person who (1) has pending an application for registration under section 303(g) of the Controlled Substances Act (21 U.S.C. 823(g)), or (2) has been registered under such section and whose registration has not expired or been surrendered or revoked.

(b) *Drug Enforcement Administration.* Duly authorized agents of the Drug Enforcement Administration shall have access to the premises of registrants for the purpose of ascertaining compliance (or ability to comply) with standards established by the Attorney General under section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2)) respecting the security of stocks of narcotic drugs and the maintenance of records (in accordance with section 307 of the Controlled Substances Act, 21 U.S.C. 827) on such drugs. Registrants shall maintain such records separate from and in addition to patients' clinical records required to be maintained under 21 CFR 310.505(d)(7)(iii), which shall not be available to such agents except as authorized under a court order in accordance with Subpart E of this part. Records maintained by registrants for the purposes of section 307 of the Controlled Substances Act (21 U.S.C. 827) need not identify patients by name, address, social security number, or otherwise except by an identifying number assigned by the registrant, but where such a system is used, the registrant shall maintain on a current basis a cross-index referencing each identifying number to the name and address of the patient to whom it refers. Upon request at any time and wtihout advance notice, but subject to the pro-

visions of § 2.54, such agents shall be granted immediate access to any such index. Such agents may use names and addresses so obtained strictly for the purposes of auditing or verifying program records, and shall exercise all reasonable precautions to avoid inadvertent disclosure of patient identities to third parties. Names and other identifying information so obtained may not be compiled or used in any registry or personal data bank of any description.

(c) *Food and Drug Administration.* Duly authorized agents of the Food and Drug Administration shall have access to the premises of registrants and to all records maintained by registrants, for the purpose of ascertaining compliance (or ability to comply) with standards established by the Secretary of Health, Education and Welfare under section 4 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (42 U.S.C. 257a), sections 303(g)(1) and 303(g)(3) of the Controlled Substances Act (21 U.S.C. 823(g)(1) and 823(g)(3)), and sections 505 and 701(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355 and 371(a)). When necessary in the conduct of their duties, and subject to the provisions of § 2.54, agents may use names and addresses of patients strictly for the purposes of auditing or verifying program records, and shall exercise all reasonable precautions to avoid inadvertent disclosure of patient identities to third parties. Names and other identifying information on patients obtained pursuant to this section or by any other compulsory process may not be compiled or used in any registry or personal data bank of any description. Except as authorized under this paragraph or by a court order granted under Subpart E of this part, (1) such agents may not, either orally or in writing, except in conversation with personnel of the registrant while on the premises of the registrant, identify any patient otherwise than by reference to an identifying number assigned by the registrant, and (2) such agents may not remove from the premises of the registrant any notes, documents, or copies thereof which contain patient identifying information.

(d) *State drug law enforcement agencies.* Duly authorized agents of any State drug law enforcement agency having jurisdiction and specific responsibility by statute or otherwise for the enforcement of criminal laws relating to controlled substances (as defined in the Controlled Substances Act) shall have access to the premises of any registrant for the purposes (with respect to corresponding provisions, if any, of State law) and subject to the restrictions and limitations set forth in paragraph (b) of this section, and subject to § 2.54.

(e) *State health authorities.*

(1) *Definition of "qualified State health agency".* As used in this paragraph, the term "qualified State health agency" means an agency of State government (i) which has express legal responsibility to ascertain that registrants under its jurisdiction comply with appropriate treatment standards; (ii) which is legally and administratively separate from any agency of State government responsible for investigation of violations of, or enforcement of, criminal law generally or criminal laws relating to controlled substances; (iii) whose personnel are qualified by training or experience to conduct inspections of health care facilities to ascertain compliance with treatment standards; and (iv) whose personnel are by State law, or by published administrative directive enforced by effective sanctions, required to maintain the confidentiality of any information concerning the identity of patients which they may acquire in the course of their official duties.

(2) *Access.* Duly authorized agents of a qualified State health agency shall have access to the premises of registrants and to all records maintained by registrants, for the purpose of ascertaining compliance (or ability to comply) with treatment standards (including those relating to quantities of narcotic drugs which may be provided for unsupervised use by individuals in treatment) established under State law. Such access, and the use of any information thereby obtained, shall be subject to the restrictions and limitations set forth in paragraph (c) of this section, and subject to § 2.54.

§ 2.55–1 Supervision and regulation of narcotic maintenance and detoxification programs.—Basis and purpose.

(a) Section 2.55 is addressed to the general problem described in the following passage from the legislative history of Pub. L. 93–282:

> A major element of the task of fashioning new regulations pursuant to the express rulemaking authority conferred by this legislation will be to reconcile the sometimes conflicting interests of research, audit, and evaluation with rights of privacy and the confidentiality of the relationship between patient and clinician. Such a reconciliation becomes particularly crucial where the functions of research, audit, or evaluation are conducted by a governmental agency with regulatory powers and responsibility, and the treatment involves the use of a drug such as methadone which is in a research status or which is readily susceptible of misuse or illicit diversion.
>
> Because of the difficulty and complexity of the task, the rulemaking authority is intentionally cast in terms broad enough to permit the limitation of the scope, content, or circumstances of any disclosure under subsection (b), whether (b)(1) or (b)(2), in the light of the necessary purposes for which it is made or required. (Congressional Record, daily edition, May 6, 1974, page H3563).

(b) It has been the consistent interpretation of the Special Action Office for Drug Abuse Prevention that the only provision of the authorizing legislation which permits disclosures to compliance officers, whether of DEA, FDA, or state agencies, is subsection (b)(2)(B). That subsection strictly prohibits any further disclosure of names or other identifying information concerning patients, and the statutory prohibition has been buttressed by provisions of these regulations, notably § 2.54, providing safeguards and procedures to assure that the statutory prohibition is respected.

(c) In testimony and written comment on the August 22, 1974 draft of these regulations, it has been urged that access to patient identifying information by law enforcement personnel, even for the limited purposes allowed by statute and regulation, should be prohibited except pursuant to a court order obtained under 21 U.S.C. 1175(b)(2)(C). We believe that such a prohibition is beyond our power to impose.

(d) Section 307(b) of the Controlled Substances Act (21 U.S.C. 827) provides, in pertinent part, "Every * * * record required under this section * * * shall be kept and be available, for at least two years, for inspection and copying by officers or employees of the United States authorized by the Attorney General." It is a well known principle of statutory construction that amendments and repeals by implication are not favored. In *People v. Newman*, 32 N.Y.2d 379, 345 N.Y.S.2d 502, 298 N.E.2d 651 (1973), cert. denied 414 U.S. 1163, 94 S.Ct. 927, 39L. Ed. 2d 116 (1974), the United States filed *amicus* briefs with the Court of Appeals of New York and with the United States Supreme Court, arguing that section 408 of Pub. L. 92–255 (21 U.S.C. 1175) did not effect an implied amendment or repeal of the provisions of Pub. L. 91–513 (21 U.S.C. 872(c) and 42 U.S.C. 242a(a)) which confer on the Attorney General and the Secretary of Health, Education, and Welfare the power to grant the so-called research privilege discussed in § 2.24. This position was expressly adopted by the New York court. We cannot now take the inconsistent position that section 408 of Pub. L. 92–255 did indeed amend by implication section 307 of Pub. L. 91–513, particularly in the face of a contrary contemporaneous administrative interpretation by both the Special Action Office for Drug Abuse Prevention and the Department of Justice. In short, if the right of access and copying conferred on Federal agents by 21 U.S.C. 827 is to be amended to provide that it may only be exercised pursuant to a court order in the case of maintenance and detoxification programs, that is a change which must be wrought by the Congress.

(e) In the case of inspections carried out by health supervisory agencies, we think that denial of access to any documents showing patient identifying information may have a serious adverse effect on the validity of the inspection process. Even if a program keeps its own records in terms of patient-identifying numbers assigned by the program, the patient file may contain—may, indeed, be required to contain—documents signed by the patient or originating outside the program. Where signatures, names, and addresses are all obliterated, it is impossible for the inspector to check the file even for apparent internal consistency. We believe that outright forgery is and will remain a rarity, but the temptation to cover improper or inadequate documentation by "accidental misfilings" may be something else again.

(f) From a legal standpoint, the term "audit" has long comprehended the notion of external verification. In a commercial setting, this means that at least some inventory will actually be counted, at least some receivables will be verified by contacting the customers, and so on. To rule that this crucial aspect of the audit process cannot be carried out with respect to a treatment program until after the auditor goes through the procedure of obtaining a specific court order under subsection (b)(2)(C) would seem to contravene the intent of subsection (b)(2)(B).

(g) In all of this, our decisions must be illuminated by a balanced consideration of the best interests of the patient no less than a desire to foster the implementation of cherished values in society at large. If protection of the patient's right to privacy is achieved by means which seriously impair our ability to protect him from exploitation and malpractice, not to mention the diversion of funds intended for his benefit, it would be a hollow victory indeed. We believe that the procedures and safeguards which these regulations impose on the conduct of audits and evaluations will avoid that result, while affording substantial and meaningful new protection to the confidentiality of patient records.

§ 2.56 Prohibition on disclosure of patient identities from research, audit, or evaluation records—Rules.

Where the content of patient records has been disclosed pursuant to this subpart for the purpose of conducting scientific research, management audits, financial audits, or program evaluation, information contained therein which would directly or indirectly identify any patient may not be disclosed by the recipient thereof either voluntarily or in response to any legal process whether Federal or State. This prohibition does not affect the accessibility of the original records under authority of a court order referred to in subpart E.

§ 2.56–1 Prohibition on disclosure of patient identities from research, audit, or evaluation records—Basis and purpose.

Section 2.56 restates the prohibition on further disclosure which is contained in subsection (b)(2)(B) of the authorizing legislation. The relationship of the provisions authorizing court orders to the provisions authorizing disclosure for research, audit, and evaluation, is dealt with in § 2.62.

Subpart E—Court Orders

§ 2.61 Legal effect of order—Rules.

Subsection (b)(2)(C) of the sections which authorize this part (21 U.S.C. 1175 and 42 U.S.C. 4582) empowers the courts, in appropriate circumstances, to authorize disclosures which would otherwise be prohibited by subsection (a) of those sections. Subsection (b)(2)(C) operates only as a mechanism for the relief of the duty imposed by subsection (a) and not as an affirmative grant of jurisdiction to authorize or compel disclosures prohibited or privileged by other provisions of law, whether Federal or State. An order or provision of an order based on some other authority, or a subpoena, or other appropriate legal process, is required to compel disclosure. To illustrate, if a person who maintains records subject to this part is merely requested, or is even served with a subpoena, to disclose information contained therein in a manner prohibited in the absence of a court order, he must refuse such a request unless, and until, an order is issued under subsection (b)(2)(C). Such an order would remove the prohibition, but could not, of its own force, require disclosure. If there were no subpoena or other compulsory process, or a subpoena had been issued but had expired or been quashed, the custodian of the records would have discretion as to whether to disclose the information sought unless and until disclosure were ordered by means of appropriate legal or administrative process, the authority for which would have to be found in some source other than subsection (b)(2)(C) of the sections authorizing this part.

§ 2.61–1 Legal effect of order—Basis and purpose.

(a) Section 2.61 is a restatement of the interpretative rules embodied in §§ 1401.61 and 1401.62 of the previous regulations. Both the positioning of the authority to issue court orders in S. 2097 as initially passed by the Senate (92nd Congress, 1st Session, December 2, 1971) and the explicit cross-reference in section 408(a) of Pub. L. 92–255 make clear the congressional intent that section 408(b)(2)(C) operate as a mechanism for the relief of the 408(a), strictures and not as an affirmative grant of jurisdiction to authorize disclosures prohibited by other provisions of law, whether Federal or State.

(b) The amendment made by Pub. L. 93–282 to section 333 of the Alcoholism Act (42 U.S.C. 4582) was enacted with the same language and structure as section 408 in this regard in order to make the interpretative rules set forth in § 2.61 applicable to it.

§ 2.62 Inapplicability to secondary records—Rules.

The authority which subsection (b)(2)(C) of the sections which authorize this part (21 U.S.C. 1175 and 42 U.S.C. 4582) confers on courts to issue orders authorizing the disclosure of records applies only to records referred to in subsection (a) of such sections, that is, the records maintained by treatment or research programs which have patients, and not to secondary records generated by the disclosure of the subsection (a) records to researchers, auditors, or evaluators pursuant to subsection (b)(2)(B).

§ 2.62–1 Inapplicability to secondary records—Basis and purpose.

(a) The interpretative rule set forth in § 2.62 is an essential and basic limitation on the scope of (b)(2)(C) orders. It was part of the original regulations under section 408 of Pub. L. 92–255 published November 17, 1972 (37 FR 24638), and was carried forward unchanged in the amended regulations published December 6, 1973 (38 FR 33748), the special status of which has already been noted in § 2.3. See, also, § 2.61–1.

(b) Although this rule is well supported by the history and technical structure of the legislation, the policy considerations in its favor are even more compelling. In § 2.52–1, we have discussed the urgent necessity for access, even without patient consent, to patient records on the part of qualified personnel engaged in scientific research and evaluation. Where this access includes patient identifying information, as it sometimes must if vital work is to be done, there must not be any question whatsoever about the legal inviolability of its confidential status in the hands of the researcher. Granted, there may occur rare occasions when the original records are for some reason not available, where a (b)(2)(C) order would lie as to the original records, and where there would seem to be some advantage in the administration of justice for such an order to permit disclosure of identifying information by the researcher. But compared to the damage which the mere potentiality for access does to the whole research enterprise, the advantage in terms of ability to deal with rare and anomalous cases seems almost trivial. Even in those cases, denial of access to the party seeking the information leaves him in no worse position than if the research or evaluation, which was certainly not undertaken for his benefit, had never been done at all.

(c) Where the secondary records are generated under the circumstances described in § 2.54, of course, this argument does not apply. In that situation, if preliminary examination suggests that the records may be needed for compliance or other administrative or judicial proceedings, the person conducting the audit or other examination should promptly seek the authority of a court order to copy the original records. The use of secondary records thus generated under authority of a court order would then be limited by the terms and purposes of the order, rather than subsection (b)(2)(B) of the authorizing legislation, and thus the rule set forth in § 2.62 would not apply.

§ 2.63 Limitation to objective data—Rules.

(a) *Limitation to objective data.* Except as provided in paragraph (b) of this section, the scope of an order issued pursuant to this subpart may not extend to communications by a patient to personnel of the program, but shall be limited to the facts or dates of enrollment, discharge, attendance, medication, and similar objective data, and may include only such objective data as is necessary to fulfill the purposes for which the order is issued.

(b) *Exception.* When a patient in litigation offers testimony or other evidence pertaining to the content of his communications with a program, an order under this subpart may authorize

the submission of testimony or other evidence by the program or its personnel.

§ 2.63–1 Limitation to objective data.—Basis and purpose.

In the three-year period subsequent to the original enactment of 21 U.S.C. 1175, not a single occasion was reported to the Special Action Office for Drug Abuse Prevention on which an attempt was made to secure a (b)(2)(C) order authorizing the disclosure of a confidential communication by a patient to a counsellor or other member of the staff of a treatment program. In all of the comments and testimony received on the draft regulations published August 22, 1974, there was nothing to suggest any circumstances under which a court order authorizing such a disclosure would be either desirable or appropriate. Yet the mere possibility that such an order might be issued is to some a source of anxiety which impairs the effectiveness of treatment. Such an ongoing negative effect clearly outweighs the remote theoretical possibility that some peculiar circumstance might arise in which judicial authorization for such a disclosure might be sought. Accordingly, the limitation imposed by § 2.63 on the scope of (b)(2)(C) orders to preclude that possibility, and hence to eliminate its adverse influence on treatment services, appears to be a proper exercise of rulemaking power.

§ 2.64 Procedures and criteria in general—Rules.

(a) *Identity of patient.* Applications for court orders to authorize disclosure of records pertaining to a known patient shall not use the real name of the patient unless the patient consents thereto voluntarily and intelligently. In the case of an *ex parte* application initiated by the patient, the application should be instituted in the name of a fictious person, such as Jon Doe, unless the patient requests otherwise. The same procedure should be followed in the case of a separate proceeding held in conjunction with a pending criminal or civil action. Any court order should identify the patient fictitiously, and the disclosure of the patient's real name should be communicated to the program in such manner as to protect the confidentiality of the patient's identity.

(b) *Notice.* In any proceeding not otherwise provided for in this subpart, in which the patient or the program has not been made a party, each shall be given appropriate notice and an opportunity to appear in person or to file a responsive statement, deposition or other form of response consistent with local rules of procedure. The court shall give due consideration to any such statement, deposition or other response in exercising its discretion as to the existence of good cause and, if deemed necessary or desirable, consistent with local rules of procedure, it may order the program director to appear and give direct testimony.

(c) *Hearings.* All hearings and all evidence in connection therewith shall be held or taken in the judge's chambers, unless the patient requests an open hearing or the court determines that such hearing is consistent with the public interest and the proper administration of justice.

(d) *Good cause.* No order shall be issued unless the record shows that good cause exists, and in assessing good cause, the court shall weigh the public interest and the need for disclosure against the injury to the patient, to the physician-patient relationship, and to the treatment services.

(e) *Need for disclosure.* If other competent evidence or sources of information are available, the court should ordinarily deny the application.

(f) *Adverse effects.* If there is evidence that disclosure would have an adverse effect upon successful treatment or rehabilitation of the patient or would impair the effectiveness of the program, or other programs similarly situated, in the treatment or rehabilitation of other patients, the application should be denied unless the court finds that the adverse effects are outweighed by other factors.

(g) *Content of order.* Any order authorizing disclosure shall—

(1) Limit disclosure to those parts of the patient's record deemed essential to fulfill the objective for which the order was granted;

(2) Limit disclosure to those persons whose need for information is the basis for the order; and

(3) Include any other appropriate measures to keep disclosure to a minimum for the protection of the patient, the physician-patient relationship and the treatment services.

(h) *Applications not otherwise provided for.* In any case not otherwise provided for in this subpart, application for an order authorizing disclosure of records to which this part applies may be made by any person who has a legally cognizable interest in obtaining such disclosure.

§ 2.64–1 Procedures and criteria in general.—Basis and purpose.

Section 2.64, in accordance with subsection (g) of the authorizing legislation, sets out procedures and criteria for the issuance of (b)(2)(C) orders in general, subject to the more specific provisions with respect to particular types of proceedings covered in the succeeding sections of this subpart.

§ 2.65 Investigation and prosecution of patients.—Rules.

(a) *Applicability.* This section applies to any application by an investigative, law enforcement, or prosecutorial agency for an order to permit disclosure of patient records for the purpose of conducting an investigation or prosecution of an individual who is, or who is believed to be, a present or former patient in a program.

(b) *Notice.* Except where an order under § 2.66 is sought in conjunction with an order under this section, any program with respect to whose records an order is sought under this section shall be notified of the application and afforded an opportunity to appear and be heard thereon.

(c) *Criteria.* A court may authorize disclosure of records pertaining to a patient for the purpose of conducting an investigation of or a prosecution for a crime of which the patient is suspected only if the court finds that all of the following criteria are met:

(1) The crime was extremely serious, such as one involving kidnapping, homicide, assault with a deadly weapon, armed robbery, rape, or other acts causing or directly threatening loss of life or serious bodily injury, or was believed to have been committed on the premises of the program or against personnel of the program.

(2) There is a reasonable likelihood that the records in question will disclose material information or evidence of substantial value in connection with the investigation or prosecution.

(3) There is no other practicable way of obtaining the information or evidence.

(4) The actual or potential injury to the physician-patient relationship in the program affected and in other programs similarly situated, and the actual or potential harm to the ability of such programs to attract and retain patients, is outweighed by the public interest in authorizing the disclosure sought.

(d) *Scope.* Both disclosure and dissemination of any information from the records in question shall be limited under the terms of the order to assure that no information will be unnecessarily disclosed and that dissemination will be no wider than necessary. Under no circumstances may an order under this section authorize a program to turn over patient records in general, pursuant to a subpoena or otherwise, to a grand jury or a law enforcement, investigative, or prosecutorial agency.

(e) *Counsel.* Any application to which this section applies shall be denied unless the court makes an explicit finding to the effect that the program has been afforded the opportunity to be represented by counsel independent of counsel for the applicant, and in the case of any program operated by any department or agency of Federal, State, or local Government, is in fact so represented.

§ 2.65–1 Investigation and prosecution of patients—Basis and purpose.

(a) The need for objective criteria for the issuance of court orders in connection with investigation or prosecution of patients seems particularly pressing. In the absence of such criteria, the assurance of confidentiality otherwise provided for by the authorizing legislation may be felt to be of little value.

(b) It has not been found possible to frame entirely satisfactory rules for the scope of orders under § 2.65, but an illustration may be helpful. Where a witness to a crime is believed capable of identifying a suspect by appearance, and the criteria set forth in § 2.65(c) are met, and the program has photographs of its patients, the witness alone may be permitted to view the photographs, with no names attached. If the witness failed to identify any photograph as being a pic-

ture of the suspect, that would end the matter. If there was such an identification, the program would be authorized to give any information in its possession as to the suspect's identity and whereabouts to appropriate authorities.

(c) It is not the purpose of this section to substitute a mechanical formula for judicial discretion, but rather to provide criteria which define the area within which discretion is to be exercised. The reason for including all crimes committed on program premises or against program personnel is not any special solicitude for programs as opposed to other victims of crime, but is rather the result of the special difficulties which the broad definition of "records" in § 2.11(o) creates for program personnel as complaining witnesses.

(d) In regard to § 2.65(e), experience has demonstrated that independent counsel may be of crucial importance. The leading case construing 21 U.S.C. 1175, *People v. Newman*, 32 N.Y.2d 379, 345 N.Y.S.2d 502, 298 N.E.2d 651 (1973); certiorari denied, 414 U.S. 1163, 94 S.Ct. 927, 39 L. Ed.2d 116 (1974), would never have been presented to the courts but for the fact that legal counsel for Dr. Newman was furnished on a *pro bono publico* basis by a private law firm. In an entirely different case, a United States District Court appears to have issued a wholly inappropriate order under 21 U.S.C. 1175 in a case in which the treatment program involved was operated by an agency of the United States Government, and either was unrepresented, or was represented by the same attorney who represented the agency seeking the order. It is possible, of course, that the order would have been issued in any event, but it seems clear that there was no adequate presentation to the court of arguments or testimony in opposition. It is difficult to see how the purposes of subsection (b)(2)(C) of the authorizing legislation can be carried out if there is inadequate presentation of the issues to the courts which must decide them.

§ 2.66 Investigation and prosecution of programs.—Rules.

(a) *Applicability.* This section applies to any application by an administrative, regulatory, supervisory, investigative, law enforcement, or prosecutorial agency for an order to permit disclosure of patient records or the making of copies thereof (including patient identifying information) for the purpose of conducting an investigation or an administrative or judicial proceeding with respect to any program or any principal, agent, or employee thereof in his capacity as such.

(b) *Notice.* An application under this section may, in the discretion of the court, be granted without notice, but upon the implementation of any order so granted, the program shall be afforded an opportunity to seek the revocation or amendment of such order.

(c) *Scope.* Both disclosure and dissemination of any information from the records in question shall be limited under the terms of the order to assure that patient identities will be protected to the maximum practicable extent, and that names and other identifying characteristics of patients are expunged from any documents placed in any public record. No information obtained pursuant to an order under this section may be used to conduct any investigation or prosecution of a patient, or be used as the basis for an application for an order under § 2.65.

§ 2.66–1 Investigation and prosecution of programs—Basis and purpose.

The principal purpose of § 2.66 is to enable a regulatory agency whose inspection or other source of information has disclosed a need for follow-up, or which has been refused access to patient records, to obtain the necessary authorization for access and copying. There may also be rare instances, such as those involving financial fraud, tax evasion, or other offenses where access by other investigative agencies is necessary, subject to the requirements and protections of this part.

§ 2.67 Undercover agents and informants—Rules.

(a) *Applicability.* This section applies to any application by an administrative, regulatory, supervisory, investigative, or law enforcement agency for an order to permit such agency to have an undercover agent or informant in a program under circumstances which would otherwise be prohibited under § 2.19.

(b) *Notice.* An order under this section may be granted without notice where the criminal conduct for the investigation of which it is granted is believed to be carried on by the program director or by any employee or agent of the program with the knowledge of the program director or under such circumstances that in the exercise of reasonable care the program director should know of such conduct. Under any other circumstances, an order under this section may be granted only after the program director has been afforded notice and opportunity for hearing.

(c) *Criteria.* An order under this section may be granted only where there is reason to believe that a program or any principal, agent, or employee thereof is engaged in serious criminal misconduct, and that other means of securing evidence of such criminal misconduct are not available or would not be effective.

(d) *Scope.* An order granted pursuant to this section may authorize the use by the applicant of an undercover agent or informant, either as a patient or as an employee, of the program in question.

(e) *Time periods.* An order under this section may not authorize the use of an undercover agent for an initial period exceeding 60 days. At any time prior to the expiration of such 60-day period, the applicant may apply for an order extending such period for an additional period not to exceed 60 days, but in no event may the use of an undercover agent in any program be authorized for more than 180 days in any period of 12 consecutive months.

(f) *Duty of agent.* Except to the extent expressly authorized in an order under this section, which shall be limited to disclosure of information directly related to the purpose for which the order is granted, an undercover agent or informant shall for the purposes of this part be deemed an agent of the program within which he is acting as such, and as such shall be subject to all of the prohibitions of this part applicable to disclosures of any information which he may acquire.

§ 2.67–1 Undercover agents and informants—Basis and purpose.

The legal rationale underlying this section has been set forth in § 2.19–1. It is expected that this section will find its principal and perhaps its exclusive application in the area of drug law enforcement. Experience has demonstrated that medical personnel, no matter how credentialed, can engage in the illicit sale of drugs on a large scale, and that the use of undecover agents and informants is normally the only effective means of securing evidence sufficient to support a successful prosecution.

[FR Doc.75-17169 Filed 6-27-75;9:38 am]

Title 21—Food and Drugs

CHAPTER III—SPECIAL ACTION OFFICE FOR DRUG ABUSE PREVENTION

PART 1401—CONFIDENTIALITY OF DRUG ABUSE PATIENT RECORDS

Revocation of Part

On May 9, 1975, there was published in the FEDERAL REGISTER (40 FR 20542) a notice of proposed rulemaking proposing the revocation of Part 1401 of Title 21 of the Code of Federal Regulations by reason of the proposed incorporation of its subject matter in a new Part 2 of Title 42 of the Code of Federal Regulations.

Interested persons were invited to submit written comments, views, or arguments with respect to the proposed revocation, within 30 days of the date of publication of that notice. None were received, except to the extent that they were implicit in those submitted on the proposed new Part 2 of Title 42 of the Code of Federal Regulations, which were duly considered.

Accordingly, pursuant to the authority of section 408 of the Drug Abuse Office and Treatment Act of 1972, as amended by Pub. L. 93-282 (21 U.S.C. 1175), and under the authority delegated to the General Counsel (39 FR 17901, May 21, 1974), Part 1401 of Title 21 of the Code of Federal Regulations is revoked, effective August 1, 1975.

Dated: June 25, 1975.

GRASTY CREWS, II,
General Counsel, Special Action Office for Drug Abuse Prevention.

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PART V

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

■

THREATENED OR ENDANGERED FAUNA OR FLORA

Review of Status of Vascular Plants and Determination of "Critical Habitat"

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

THREATENED OR ENDANGERED FAUNA OR FLORA

Review of Status of Over 3000 Vascular Plants and Determination of "Critical Habitat"

Notice hereby is given that the Department of the Interior has received from the Smithsonian Institution a report entitled, "Report on Endangered and Threatened Plant Species of the United States." That report was prepared in accordance with section 12 of the Endangered Species Act of 1973 (Pub. L. 93-205), and has been printed by the U.S. Government Printing Office, Washington, D.C., for the use of the House of Representatives Committee on Merchant Marine and Fisheries as House Document No. 94-51.

The report identifies over 3,000 vascular plants which occur or occurred within the United States and which the Smithsonian Institution considers candidate Endangered or Threatened species as provided for by the Endangered Species Act of 1973. The report includes the following recommendation:

"3. In accordance with section 4 of the Endangered Species Act of 1973, the Secretary of the Interior should review the lists in this report and publish proposed lists of endangered and threatened plants in the FEDERAL REGISTER."

The U.S. Fish and Wildlife Service considers the Smithsonian report to constitute a "petition" in the context of section 4(c)(2) of the Act and that ample justification has been presented to warrant a review to determine whether the plants identified in the report should be added to the lists of Threatened or Endangered species.

Three lists derived from the Smithsonian Report appear on the following pages:

List "A"—Identifies those floral taxa which occur within the Continental United States. This list is alphabetized by Family within State. Changes received from and recommended by the Smithsonian Institution through May 21, 1975, are indicated after it.

List "B"—Identifies those floral taxa which occur within the State of Hawaii. This list is aphabetized by Family.

List "C"—Identifies floral taxa the authors feel either are or may be Extinct Within the Continental United States. This list is alphabetized by Family.

The notations: Threatened, Endangered, Presumed Extinct, Possibly Extinct, Extinct or their abbreviations represent the views of the authors of the Smithsonian Report.

This notice should be construed as the "notice of consideration" provided for in section 10(b)(1) of the Act. This publication is intended to alert the public, the scientific community, commercial interests or any other person that these plants are being considered for addition to the lists of Threatened or Endangered species and to seek from such persons any data, advice, opinions or other relevant information.

Additional species under review. In addition to the floral taxa identified in this notice, the Service announced a similar review of 4 additional species on page 17612 of Vol. 40, Number 77 of the FEDERAL REGISTER dated April 21, 1975. A variety of one of those species (*Aconitum novaeboracense*) is also listed herein.

Critical Habitat: On April 22, 1975, on page 17764 of Volume 40, Number 78 of the FEDERAL REGISTER, the Service published a notice describing the process of the determination of "Critical Habitat" for Threatened or Endangered Species as provided for by section 7 of the Endangered Species Act of 1973. All interested parties are invited to submit their views concerning the determination of any "Critical Habitat" for any of the plants contained in Lists A, B, C or those published in Volume 40, Number 77 of the FEDERAL REGISTER and referred to above.

When data sufficient to substantiate a determination of whether any plant (or plants) described above is (are) a Threatened or Endangered species as provided for by the Act, such information will be summarized and a formal proposal to add any such plant will be published in the FEDERAL REGISTER in the form of a proposed rulemaking. A period of at least 60 days will be provided for public comment following any such proposed rulemaking.

The Service is seeking the views of the Governors of the States in which these plants are thought to occur.

Other interested parties hereby are invited to submit any factual information, including but not limited to publications and written reports, which is germane to this status review. Such information should be submitted to: Director, U.S. Fish and Wildlife Service (SE), U.S. Department of the Interior, Washington, DC. 20240.

Dated: June 20, 1975.

KEITH M. SCHREINER,
Acting Director, Fish and Wildlife Service.

List A

STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
ALABAMA	ENDANGERED	ARISTOLOCHIACEAE	HEXASTYLIS SPECIOSA
ALABAMA	ENDANGERED	ASCLEPIADACEAE	CYCLODON ALABAMENSE
ALABAMA	ENDANGERED	ASTERACEAE	JAMESIANTHUS ALABAMENSIS
ALABAMA	ENDANGERED	ASTERACEAE	LIATRIS PROVINCIALIS
ALABAMA	ENDANGERED	ASTERACEAE	MARSHALLIA MOHRI
ALABAMA	ENDANGERED	BRASSICACEAE	LEAVENWORTHIA ALABAMICA VAR. BRACHYSTYLA
ALABAMA	ENDANGERED	BRASSICACEAE	LEAVENWORTHIA CRASSA VAR. CRASSA
ALABAMA	ENDANGERED	BRASSICACEAE	LEAVENWORTHIA CRASSA VAR. ELONGATA
ALABAMA	ENDANGERED	BRASSICACEAE	LEAVENWORTHIA EXIGUA VAR. LUTEA
ALABAMA	ENDANGERED	BRASSICACEAE	LESQUERELLA DENSIPILA
ALABAMA	ENDANGERED	BRASSICACEAE	LESQUERELLA LYRATA
ALABAMA	ENDANGERED	BRASSICACEAE	WAREA SESSILIFOLIA
ALABAMA	ENDANGERED	CAPRIFOLIACEAE	VIBURNUM BRACTEATUM
ALABAMA	ENDANGERED	CARYOPHYLLACEAE	ARENARIA ALABAMENSIS
ALABAMA	ENDANGERED	CRASSULACEAE	SEDUM NEVII
ALABAMA	ENDANGERED	CYPERACEAE	RHYNCHOSPORA CRINIPES
ALABAMA	ENDANGERED	EUPHORBIACEAE	CROTON ALABAMENSIS
ALABAMA	ENDANGERED	EUPHORBIACEAE	CROTON ELLIOTTII
ALABAMA	ENDANGERED	FABACEAE	PETALOSTEMUM FOLIOSUM
ALABAMA	ENDANGERED	LAMIACEAE	PYCNANTHEMUM CURVIPES
ALABAMA	ENDANGERED	LILIACEAE	HYMENOCALLIS CORONARIA
ALABAMA	ENDANGERED	LILIACEAE	LILIUM IRIDOLLAE
ALABAMA	ENDANGERED	POACEAE	ANDROPOGON ARCTATUS
ALABAMA	ENDANGERED	POLEMONIACEAE	PHLOX PULCHRA
ALABAMA	ENDANGERED	POLYGONACEAE	ERIOGONUM LONGIFOLIUM VAR. HARPERI
ALABAMA	ENDANGERED	PORTULACACEAE	TALINUM APPALACHIANUM
ALABAMA	ENDANGERED	SARRACENIACEAE	SARRACENIA OREOPHILA
ALABAMA	THREATENED	APIACEAE	PTILIMNIUM FLUVIATILE
ALABAMA	THREATENED	APIACEAE	PTILIMNIUM NODOSUM
ALABAMA	THREATENED	AQUIFOLIACEAE	ILEX AMELANCHIER
ALABAMA	THREATENED	ARECACEAE	RHAPIDOPHYLLUM HYSTRIX
ALABAMA	THREATENED	ASTERACEAE	BRICKELLIA CORDIFOLIA
ALABAMA	THREATENED	ASTERACEAE	CACALIA DIVERSIFOLIA
ALABAMA	THREATENED	ASTERACEAE	LIATRIS HELLERI
ALABAMA	THREATENED	ASTERACEAE	RUDBECKIA AURICULATA
ALABAMA	THREATENED	ASTERACEAE	RUDBECKIA HELIOPSIDIS
ALABAMA	THREATENED	ASTERACEAE	SILPHIUM CONFERTIFOLIUM
ALABAMA	THREATENED	ASTERACEAE	SOLIDAGO SPITHAMAEA
ALABAMA	THREATENED	ASTERACEAE	VIGUIERA PORTERI
ALABAMA	THREATENED	BRASSICACEAE	ARABIS GEORGIANA
ALABAMA	THREATENED	BRASSICACEAE	LEAVENWORTHIA ALABAMICA
ALABAMA	THREATENED	BRASSICACEAE	LEAVENWORTHIA TORULOSA
ALABAMA	THREATENED	CARYOPHYLLACEAE	ARENARIA GODFREYI

List A

STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
ALABAMA	THREATENED	CUSCUTACEAE	CUSCUTA HARPERI
ALABAMA	THREATENED	CYPERACEAE	CAREX BALTZELLII
ALABAMA	THREATENED	CYPERACEAE	CAREX PURPURIFERA
ALABAMA	THREATENED	ERICACEAE	PIERIS PHILLYREAEFOLIA
ALABAMA	THREATENED	ERICACEAE	RHODODENDRON AUSTRINUM
ALABAMA	THREATENED	ERICACEAE	RHODODENDRON PRUNIFOLIUM
ALABAMA	THREATENED	FABACEAE	ASTRAGALUS TENNESSEENSIS
ALABAMA	THREATENED	FAGACEAE	QUERCUS GEORGIANA
ALABAMA	THREATENED	HAMAMELIDACEAE	FOTHERGILLA GARDENI
ALABAMA	THREATENED	HYDROPHYLLACEAE	PHACELIA DUBIA VAR. GEORGIANA
ALABAMA	THREATENED	HYPERICACEAE	HYPERICUM SPHAEROCARPUM VAR. TURGIDUM
ALABAMA	THREATENED	LAURACEAE	LINDERA MELISSIFOLIA
ALABAMA	THREATENED	LINACEAE	LINUM SULCATUM VAR. HARPERI
ALABAMA	THREATENED	MALVACEAE	KOSTELETZKYA SMILACIFOLIA
ALABAMA	THREATENED	MELASTOMATACEAE	RHEXIA SALICIFOLIA
ALABAMA	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
ALABAMA	THREATENED	POACEAE	ARISTIDA SIMPLICIFLORA
ALABAMA	THREATENED	POACEAE	MANISURIS TUBERCULOSA
ALABAMA	THREATENED	POACEAE	PANICUM NUDICAULE
ALABAMA	THREATENED	POLYPODIACEAE	ASPLENIUM EBENOIDES
ALABAMA	THREATENED	PORTULACACEAE	TALINUM MENGESII
ALABAMA	THREATENED	RANUNCULACEAE	THALICTRUM DEBILE
ALABAMA	THREATENED	ROSACEAE	NEVIUSIA ALABAMENSIS
ALABAMA	THREATENED	SANTALACEAE	NESTRONIA UMBELLULA
ALABAMA	THREATENED	SARRACENIACEAE	SARRACENIA PSITTACINA
ALABAMA	THREATENED	SARRACENIACEAE	SARRACENIA RUBRA
ALABAMA	THREATENED	SCHISANDRACEAE	SCHISANDRA GLABRA
ALABAMA	THREATENED	STEMONACEAE	CROOMIA PAUCIFLORA
ALABAMA	THREATENED	XYRIDACEAE	XYRIS DRUMMONDII
ALABAMA	THREATENED	XYRIDACEAE	XYRIS SCABRIFOLIA
ALASKA	ENDANGERED	ASTERACEAE	TARAXACUM CARNEOCOLORATUM
ALASKA	ENDANGERED	BORAGINACEAE	CRYPTANTHA SHACKLETTEANA
ALASKA	ENDANGERED	BRASSICACEAE	SMELOWSKIA BOREALIS VAR. VILLOSA
ALASKA	ENDANGERED	CYPERACEAE	CAREX JACOBI-PETERI
ALASKA	ENDANGERED	FABACEAE	OXYTROPIS GLABERRIMA
ALASKA	ENDANGERED	FABACEAE	OXYTROPIS KOBUKENSIS
ALASKA	ENDANGERED	POACEAE	POA NORBERGII
ALASKA	ENDANGERED	POLYGONACEAE	ERIOGONUM FLAVUM VAR. AQUILINUM
ALASKA	ENDANGERED	POLYPODIACEAE	POLYSTICHUM ALEUTICUM
ALASKA	THREATENED	ASTERACEAE	ARTEMISIA ALEUTICA
ALASKA	THREATENED	ASTERACEAE	ARTEMISIA UNALASKENSIS VAR. ALEUTICA
ALASKA	THREATENED	ASTERACEAE	ERIGERON HULTENII
ALASKA	THREATENED	BRASSICACEAE	DRABA VENTOSA VAR. RUAXES

List A

STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
ALASKA	THREATENED	BRASSICACEAE	LESQUERELLA ARCTICA VAR. SCAMMANAE
ALASKA	THREATENED	BRASSICACEAE	SMELOWSKIA PYRIFORMIS
ALASKA	THREATENED	BRASSICACEAE	THLASPI ARCTICUM
ALASKA	THREATENED	CARYOPHYLLACEAE	CERASTIUM ALEUTICUM
ALASKA	THREATENED	FABACEAE	OXYTROPIS KOKRINENSIS
ALASKA	THREATENED	GENTIANACEAE	GENTIANA ALEUTICA
ALASKA	THREATENED	JUNCACEAE	JUNCUS SLWOOKOORUM
ALASKA	THREATENED	PAPAVERACEAE	PAPAVER WALPOLEI
ALASKA	THREATENED	POACEAE	CALAMAGROSTIS CRASSIGLUMIS
ALASKA	THREATENED	POACEAE	POA EYERDAMII
ALASKA	THREATENED	POACEAE	POA MERRILLIANA
ALASKA	THREATENED	POACEAE	PUCCINELLIA TRIFLORA
ALASKA	THREATENED	POLYPODIACEAE	GYMNOCARPIUM HETEROSPORUM
ALASKA	THREATENED	RANUNCULACEAE	RANUNCULUS OCCIDENTALIS SSP. NELSONI
ALASKA	THREATENED	SAXIFRAGACEAE	SAXIFRAGA ALEUTICA
ALASKA	THREATENED	SCROPHULARIACEAE	CASTILLEJA ANNUA
ALASKA	THREATENED	SCROPHULARIACEAE	RHINANTHUS ARCTICUS
ARIZONA	ENDANGERED	ANACARDIACEAE	RHUS KEARNEYI
ARIZONA	ENDANGERED	APOCYNACEAE	AMSONIA KEARNEYANA
ARIZONA	ENDANGERED	ASTERACEAE	ERIGERON ERIOPHYLLUS
ARIZONA	ENDANGERED	ASTERACEAE	ERIGERON KUSCHEI
ARIZONA	ENDANGERED	ASTERACEAE	ERIGERON RELIGIOSUS
ARIZONA	ENDANGERED	ASTERACEAE	GALINSOGA SEMICALVA VAR. PERCALVA
ARIZONA	ENDANGERED	ASTERACEAE	HAPLOPAPPUS SALICINUS
ARIZONA	ENDANGERED	ASTERACEAE	MACHAERANTHERA ARIZONICA
ARIZONA	ENDANGERED	ASTERACEAE	PECTIS RUSBYI
ARIZONA	ENDANGERED	ASTERACEAE	PERITYLE GILENSIS VAR. SALENSIS
ARIZONA	ENDANGERED	ASTERACEAE	PLUMMERA AMBIGENS
ARIZONA	ENDANGERED	ASTERACEAE	SENECIO FRANCISCANUS
ARIZONA	ENDANGERED	ASTERACEAE	STEPHANOMERIA SCHOTTII
ARIZONA	ENDANGERED	BERBERIDACEAE	BERBERIS HARRISONIANA
ARIZONA	ENDANGERED	BORAGINACEAE	CRYPTANTHA ATWOODII
ARIZONA	ENDANGERED	BRASSICACEAE	DRABA ASPRELLA VAR. ASPRELLA
ARIZONA	ENDANGERED	BRASSICACEAE	DRABA ASPRELLA VAR. KAIBABENSIS
ARIZONA	ENDANGERED	BRASSICACEAE	SISYMBRIUM KEARNEYI
ARIZONA	ENDANGERED	BRASSICACEAE	STREPTANTHUS LEMMONII
ARIZONA	ENDANGERED	CACTACEAE	ECHINOCACTUS HORIZONTHALONIUS VAR. NICHOLII
ARIZONA	ENDANGERED	CACTACEAE	ECHINOCEREUS TRIGLOCHIDIATUS VAR. ARIZONICUS
ARIZONA	ENDANGERED	CACTACEAE	OPUNTIA BASILARIS VAR. TRELEASEI
ARIZONA	ENDANGERED	CACTACEAE	PEDIOCACTUS BRADYI
ARIZONA	ENDANGERED	CACTACEAE	PEDIOCACTUS PEEBLESIANUS VAR. PEEBLESIANUS
ARIZONA	ENDANGERED	CACTACEAE	PEDIOCACTUS SILERI
ARIZONA	ENDANGERED	CARYOPHYLLACEAE	SILENE RECTIRAMEA

List A

STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
ARIZONA	ENDANGERED	CHENOPODIACEAE	ATRIPLEX GRIFFITHSII
ARIZONA	ENDANGERED	CONVOLVULACEAE	IPOMOEA EGREGIA
ARIZONA	ENDANGERED	CONVOLVULACEAE	IPOMOEA LEMMONI
ARIZONA	ENDANGERED	CRASSULACEAE	ECHEVERIA COLLOMAE
ARIZONA	ENDANGERED	CRASSULACEAE	ECHEVERIA RUSBYI
ARIZONA	ENDANGERED	CYPERACEAE	CAREX SPECUICOLA
ARIZONA	ENDANGERED	FABACEAE	ASTRAGALUS BEATHII
ARIZONA	ENDANGERED	FABACEAE	ASTRAGALUS CREMNOPHYLAX
ARIZONA	ENDANGERED	FABACEAE	ASTRAGALUS LENTIGINOSUS VAR. NARICOPAE
ARIZONA	ENDANGERED	FABACEAE	ASTRAGALUS XIPHOIDES
ARIZONA	ENDANGERED	FABACEAE	SOPHORA FORMOSA
ARIZONA	ENDANGERED	HYDROPHYLLACEAE	PHACELIA FILIFORMIS
ARIZONA	ENDANGERED	HYDROPHYLLACEAE	PHACELIA WELSHII
ARIZONA	ENDANGERED	LILIACEAE	AGAVE ARIZONICA
ARIZONA	ENDANGERED	LILIACEAE	AGAVE MCKELVEYANA
ARIZONA	ENDANGERED	LILIACEAE	AGAVE SCHOTTII VAR. THELEASEI
ARIZONA	ENDANGERED	LOASACEAE	MENTZELIA NITENS VAR. LEPTOCAULIS
ARIZONA	ENDANGERED	MALVACEAE	SPHAERALCEA FENDLERI VAR. ALDESCENS
ARIZONA	ENDANGERED	NYCTAGINACEAE	ALLIONIA CRISTATA
ARIZONA	ENDANGERED	OLEACEAE	FRAXINUS GOODDINGII
ARIZONA	ENDANGERED	ONAGRACEAE	CAMISSONIA SPECUICOLA SSP. SPECUICOLA
ARIZONA	ENDANGERED	PAPAVERACEAE	ARCTOMECON HUMILIS
ARIZONA	ENDANGERED	POACEAE	SPOROBOLUS PATENS
ARIZONA	ENDANGERED	POLYGONACEAE	ERIOGONUM CAPILLARE
ARIZONA	ENDANGERED	POLYGONACEAE	ERIOGONUM DARROVII
ARIZONA	ENDANGERED	POLYGONACEAE	ERIOGONUM MORTONIANUM
ARIZONA	ENDANGERED	POLYGONACEAE	ERIOGONUM THOMPSONAE VAR. ATWOODII
ARIZONA	ENDANGERED	POLYGONACEAE	ERIOGONUM ZIONIS VAR. COCCINEUM
ARIZONA	ENDANGERED	POLYGONACEAE	RUMEX ORTHONEURUS
ARIZONA	ENDANGERED	PRIMULACEAE	PRIMULA HUNNEWELLII
ARIZONA	ENDANGERED	RANUNCULACEAE	RANUNCULUS INAMOENUS VAR. SUBAFFINIS
ARIZONA	ENDANGERED	ROSACEAE	COWANIA SUBINTEGRA
ARIZONA	ENDANGERED	RUBIACEAE	GALIUM COLLOMAE
ARIZONA	ENDANGERED	SCROPHULARIACEAE	CASTILLEJA CRUENTA
ARIZONA	ENDANGERED	SCROPHULARIACEAE	LIMOSELLA PUBIFLORA
ARIZONA	ENDANGERED	SCROPHULARIACEAE	PENSTEMON CLUTEI
ARIZONA	ENDANGERED	SCROPHULARIACEAE	PENSTEMON DISCOLOR
ARIZONA	ENDANGERED	SOLANACEAE	MARGARANTHUS LEMMONII
ARIZONA	THREATENED	APIACEAE	CYMOPTERUS NEWBERRYI
ARIZONA	THREATENED	APOCYNACEAE	AMSONIA PALMERI
ARIZONA	THREATENED	APOCYNACEAE	AMSONIA PEEBLESII
ARIZONA	THREATENED	ASCLEPIADACEAE	ASCLEPIAS CUTLERI
ARIZONA	THREATENED	ASTERACEAE	ASTER LEMMONII

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
ARIZONA	THREATENED	ASTERACEAE	ENCELIA FRUTESCENS VAR. RESINOSA
ARIZONA	THREATENED	ASTERACEAE	ERIGERON ARIZONICUS
ARIZONA	THREATENED	ASTERACEAE	ERIGERON LEMMONII
ARIZONA	THREATENED	ASTERACEAE	ERIGERON LOBATUS
ARIZONA	THREATENED	ASTERACEAE	ERIGERON PRINGLEI
ARIZONA	THREATENED	ASTERACEAE	GUTIERREZIA LINOIDES
ARIZONA	THREATENED	ASTERACEAE	HAPLOPAPPUS SCOPULORUM
ARIZONA	THREATENED	ASTERACEAE	HELENIUM ARIZONICUM
ARIZONA	THREATENED	ASTERACEAE	HYMENOXYS QUINQUESQUAMATA
ARIZONA	THREATENED	ASTERACEAE	HYMENOXYS SUBINTEGRA
ARIZONA	THREATENED	ASTERACEAE	MACHAERANTHERA MUCRONATA
ARIZONA	THREATENED	ASTERACEAE	PERITYLE COCHISENSIS
ARIZONA	THREATENED	ASTERACEAE	PERITYLE LEMMONII
ARIZONA	THREATENED	ASTERACEAE	PERITYLE SAXICOLA
ARIZONA	THREATENED	ASTERACEAE	PLUMMERA FLORIBUNDA
ARIZONA	THREATENED	ASTERACEAE	SENECIO CARDAMINE
ARIZONA	THREATENED	ASTERACEAE	TAGETES LEMMONII
ARIZONA	THREATENED	BORAGINACEAE	CRYPTANTHA SEMIGLABRA
ARIZONA	THREATENED	BRASSICACEAE	ARABIS GRACILIPES
ARIZONA	THREATENED	BRASSICACEAE	DRABA ASPRELLA VAR. STELLIGERA
ARIZONA	THREATENED	BRASSICACEAE	LESQUERELLA GOODDINGII
ARIZONA	THREATENED	CACTACEAE	CORYPHANTHA RECURVATA
ARIZONA	THREATENED	CACTACEAE	CORYPHANTHA SCHEERI VAR. ROBUSTISPINA
ARIZONA	THREATENED	CACTACEAE	CORYPHANTHA VIVIPARA VAR. ALVERSONII
ARIZONA	THREATENED	CACTACEAE	CORYPHANTHA VIVIPARA VAR. ROSEA
ARIZONA	THREATENED	CACTACEAE	ECHINOCEREUS LEDINGII
ARIZONA	THREATENED	CACTACEAE	FEROCACTUS ACANTHODES VAR. EASTWOODIAE
ARIZONA	THREATENED	CACTACEAE	MAMMILLARIA ORESTERA
ARIZONA	THREATENED	CACTACEAE	MAMMILLARIA THORNBERI
ARIZONA	THREATENED	CACTACEAE	NEOLLOYDIA ERECTOCENTRA VAR. ACUNENSIS
ARIZONA	THREATENED	CACTACEAE	NEOLLOYDIA ERECTOCENTRA VAR. ERECTOCENTRA
ARIZONA	THREATENED	CACTACEAE	OPUNTIA BASILARIS VAR. LONGIAREOLATA
ARIZONA	THREATENED	CACTACEAE	OPUNTIA PHAEACANTHA VAR. FLAVISPINA
ARIZONA	THREATENED	CACTACEAE	OPUNTIA PHAEACANTHA VAR. MOJAVENSIS
ARIZONA	THREATENED	CACTACEAE	OPUNTIA PHAEACANTHA VAR. SUPERBOSPINA
ARIZONA	THREATENED	CACTACEAE	OPUNTIA WHIPPLEI VAR. MULTIGENICULATA
ARIZONA	THREATENED	CACTACEAE	PEDIOCACTUS PAPYRACANTHUS
ARIZONA	THREATENED	CACTACEAE	PEDIOCACTUS PARADINEI
ARIZONA	THREATENED	CACTACEAE	PEDIOCACTUS PEEBLESIANUS VAR. FICKEISENIAE
ARIZONA	THREATENED	CACTACEAE	SCLEROCACTUS SPINOSIOR
ARIZONA	THREATENED	CAPPARIDACEAE	CLEOME MULTICAULIS
ARIZONA	THREATENED	CROSSOSOMATACEAE	CROSSOSOMA PARVIFLORUM
ARIZONA	THREATENED	EUPHORBIACEAE	MANIHOT DAVISIAE

List A

STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
ARIZONA	THREATENED	FABACEAE	ASTRAGALUS AMPULLARIUS
ARIZONA	THREATENED	FABACEAE	ASTRAGALUS DESPERATUS VAR. CONSPECTUS
ARIZONA	THREATENED	FABACEAE	ASTRAGALUS ENSIFORMIS
ARIZONA	THREATENED	FABACEAE	ASTRAGALUS GEYERI VAR. TRIQUETRUS
ARIZONA	THREATENED	FABACEAE	ASTRAGALUS LANCEARIUS
ARIZONA	THREATENED	FABACEAE	ASTRAGALUS LENTIGINOSUS VAR. AMBIGUUS
ARIZONA	THREATENED	FABACEAE	ASTRAGALUS STRIATIFLORUS
ARIZONA	THREATENED	FABACEAE	ASTRAGALUS TITANOPHILUS
ARIZONA	THREATENED	FABACEAE	ASTRAGALUS TROGLODYTUS
ARIZONA	THREATENED	FABACEAE	ERRAZURIZIA ROTUNDATA
ARIZONA	THREATENED	FABACEAE	LUPINUS CUTLERI
ARIZONA	THREATENED	FABACEAE	PETERIA THOMPSONIAE
ARIZONA	THREATENED	FABACEAE	PSORALEA EPIPSILA
ARIZONA	THREATENED	FABACEAE	SOPHORA ARIZONICA
ARIZONA	THREATENED	HYDROPHYLLACEAE	NAMA RETRORSUM
ARIZONA	THREATENED	HYDROPHYLLACEAE	PHACELIA CEPHALOTES
ARIZONA	THREATENED	HYDROPHYLLACEAE	PHACELIA CONSTANCEI
ARIZONA	THREATENED	HYDROPHYLLACEAE	PHACELIA HOWELLIANA
ARIZONA	THREATENED	HYDROPHYLLACEAE	PHACELIA RAFAELENSIS
ARIZONA	THREATENED	HYDROPHYLLACEAE	PHACELIA SERRATA
ARIZONA	THREATENED	ISOETACEAE	ISOETES BOLANDERI VAR. PYGMAEA
ARIZONA	THREATENED	LILIACEAE	AGAVE UTAHENSIS VAR. KAIBABENSIS
ARIZONA	THREATENED	LILIACEAE	ALLIUM GOODDINGII
ARIZONA	THREATENED	LILIACEAE	TRITELEIA LEMMONAE
ARIZONA	THREATENED	LORANTHACEAE	ARCEUTHOBIUM APACHENSE
ARIZONA	THREATENED	OLEACEAE	FRAXINUS ANOMALA VAR. LOWELLII
ARIZONA	THREATENED	OLEACEAE	FRAXINUS CUSPIDATA VAR. MACROPETALA
ARIZONA	THREATENED	ONAGRACEAE	CAMISSONIA CONFERTIFLORA
ARIZONA	THREATENED	ONAGRACEAE	CAMISSONIA EXILIS
ARIZONA	THREATENED	ONAGRACEAE	CAMISSONIA PARRYI
ARIZONA	THREATENED	ONAGRACEAE	CAMISSONIA SPECUICOLA SSP. HESPERIA
ARIZONA	THREATENED	PAPAVERACEAE	ARGEMONE ARIZONICA
ARIZONA	THREATENED	PLUMBAGINACEAE	LIMONIUM LIMBATUM
ARIZONA	THREATENED	POACEAE	PUCCINELLIA PARISHII
ARIZONA	THREATENED	POLEMONIACEAE	PHLOX CLUTEANA
ARIZONA	THREATENED	POLEMONIACEAE	PHLOX JONESII
ARIZONA	THREATENED	POLYGALACEAE	POLYGALA PILIOPHORA
ARIZONA	THREATENED	POLYGONACEAE	ERIOGONUM APACHENSE
ARIZONA	THREATENED	POLYGONACEAE	ERIOGONUM DENSUM
ARIZONA	THREATENED	POLYGONACEAE	ERIOGONUM HEERMANNII VAR. SUBRACEMOSUM
ARIZONA	THREATENED	POLYGONACEAE	ERIOGONUM OVALIFOLIUM VAR. VINEUM
ARIZONA	THREATENED	POLYGONACEAE	ERIOGONUM RIPLEYI
ARIZONA	THREATENED	POLYGONACEAE	ERIOGONUM THOMPSONAE VAR. THOMPSONAE

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
ARIZONA	THREATENED	POLYPODIACEAE	CHEILANTHES PRINGLEI
ARIZONA	THREATENED	POLYPODIACEAE	CHEILANTHES PYRAMIDALIS VAR. ARIZONICA
ARIZONA	THREATENED	POLYPODIACEAE	NOTHOLAENA LEMMONII
ARIZONA	THREATENED	PRIMULACEAE	PRIMULA SPECUICOLA
ARIZONA	THREATENED	RANUNCULACEAE	AQUILEGIA DESERTORUM
ARIZONA	THREATENED	RANUNCULACEAE	CIMICIFUGA ARIZONICA
ARIZONA	THREATENED	RANUNCULACEAE	CLEMATIS HIRSUTISSIMA VAR. ARIZONICA
ARIZONA	THREATENED	ROSACEAE	POTENTILLA MULTIFOLIOLATA
ARIZONA	THREATENED	ROSACEAE	ROSA STELLATA
ARIZONA	THREATENED	ROSACEAE	VAUQUELINIA PAUCIFLORA
ARIZONA	THREATENED	RUTACEAE	CHOISYA ARIZONICA
ARIZONA	THREATENED	RUTACEAE	CHOISYA MOLLIS
ARIZONA	THREATENED	SCROPHULARIACEAE	CASTILLEJA KAIBABENSIS
ARIZONA	THREATENED	SCROPHULARIACEAE	PENSTEMON BICOLOR SSP. ROSEUS
ARIZONA	THREATENED	SCROPHULARIACEAE	PENSTEMON VIRGATUS SSP. PSEUDOPUTUS
ARKANSAS	ENDANGERED	BRASSICACEAE	DRABA APRICA
ARKANSAS	ENDANGERED	BRASSICACEAE	STREPTANTHUS SQUAMIFORMIS
ARKANSAS	ENDANGERED	CARYOPHYLLACEAE	GEOCARPON MINIMUM
ARKANSAS	ENDANGERED	ERIOCAULACEAE	ERIOCAULON KORNICKIANUM
ARKANSAS	ENDANGERED	FAGACEAE	CASTANEA OZARKENSIS
ARKANSAS	THREATENED	ASTERACEAE	COREOPSIS HETEROLEPIS
ARKANSAS	THREATENED	CRASSULACEAE	SEDUM PUSILLUM
ARKANSAS	THREATENED	FAGACEAE	QUERCUS SHUMARDII VAR. ACERIFOLIA
ARKANSAS	THREATENED	LILIACEAE	TRILLIUM PUSILLUM VAR. OZARKANUM
ARKANSAS	THREATENED	MALVACEAE	CALLIRHOE PAPAVER VAR. BUSHII
ARKANSAS	THREATENED	ORCHIDACEAE	PLATANTHERA FLAVA
ARKANSAS	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
ARKANSAS	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
ARKANSAS	THREATENED	POLYPODIACEAE	ASPLENIUM KENTUCKIENSE
ARKANSAS	THREATENED	PRIMULACEAE	DODECATHEON FRENCHII
ARKANSAS	THREATENED	RANUNCULACEAE	DELPHINIUM NEWTONIANUM
ARKANSAS	THREATENED	RANUNCULACEAE	DELPHINIUM TRELEASEI
ARKANSAS	THREATENED	RANUNCULACEAE	THALICTRUM DEBILE
ARKANSAS	THREATENED	ROSACEAE	NEVIUSIA ALABAMENSIS
ARKANSAS	THREATENED	SAXIFRAGACEAE	HEUCHERA ARKANSANA
ARKANSAS	THREATENED	SCROPHULARIACEAE	PENSTEMON COBAEA VAR. PURPUREUS
ARKANSAS	THREATENED	SCROPHULARIACEAE	PENSTEMON MULTICAULIS
CALIFORNIA	ENDANGERED	APIACEAE	LOMATIUM RAVENII
CALIFORNIA	ENDANGERED	APIACEAE	SANICULA MARITIMA
CALIFORNIA	ENDANGERED	ASTERACEAE	BLENNOSPERMA BAKERI
CALIFORNIA	ENDANGERED	ASTERACEAE	BLENNOSPERMA NANUM VAR. ROBUSTUM
CALIFORNIA	ENDANGERED	ASTERACEAE	CIRSIUM FONTINALE VAR. FONTINALE
CALIFORNIA	ENDANGERED	ASTERACEAE	CIRSIUM LONCHOLEPIS

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	ENDANGERED	ASTERACEAE	CIRSIUM RHOTHOPHILUM
CALIFORNIA	ENDANGERED	ASTERACEAE	ERIGERON CALVUS
CALIFORNIA	ENDANGERED	ASTERACEAE	ERIGERON DELICATUS
CALIFORNIA	ENDANGERED	ASTERACEAE	ERIGERON FOLIOSUS VAR. BLOCHMANAE
CALIFORNIA	ENDANGERED	ASTERACEAE	ERIOPHYLLUM LANATUM VAR. HALLII
CALIFORNIA	ENDANGERED	ASTERACEAE	ERIOPHYLLUM MOHAVENSE
CALIFORNIA	ENDANGERED	ASTERACEAE	HAPLOPAPPUS EASTWOODAE
CALIFORNIA	ENDANGERED	ASTERACEAE	HELIANTHUS EXILIS
CALIFORNIA	ENDANGERED	ASTERACEAE	HELIANTHUS NIVEUS SSP. TEPHRODES
CALIFORNIA	ENDANGERED	ASTERACEAE	HEMIZONIA CONJUGENS
CALIFORNIA	ENDANGERED	ASTERACEAE	HEMIZONIA FLORIBUNDA
CALIFORNIA	ENDANGERED	ASTERACEAE	HEMIZONIA MINTHORNII
CALIFORNIA	ENDANGERED	ASTERACEAE	HOLOCARPHA MACRADENIA
CALIFORNIA	ENDANGERED	ASTERACEAE	LASTHENIA BURKEI
CALIFORNIA	ENDANGERED	ASTERACEAE	LAYIA DISCOIDEA
CALIFORNIA	ENDANGERED	ASTERACEAE	MICROSERIS LACINIATA SSP. SISKIYOUENSIS
CALIFORNIA	ENDANGERED	ASTERACEAE	PENTACHAETA LYONII
CALIFORNIA	ENDANGERED	ASTERACEAE	PSEUDOBAHIA PEIRSONII
CALIFORNIA	ENDANGERED	ASTERACEAE	SENECIO LAYNEAE
CALIFORNIA	ENDANGERED	ASTERACEAE	TRACYINA ROSTRATA
CALIFORNIA	ENDANGERED	BERBERIDACEAE	BERBERIS NEVINII
CALIFORNIA	ENDANGERED	BERBERIDACEAE	BERBERIS SONNEI
CALIFORNIA	ENDANGERED	BORAGINACEAE	AMSINCKIA GRANDIFLORA
CALIFORNIA	ENDANGERED	BORAGINACEAE	CRYPTANTHA ROOSIORUM
CALIFORNIA	ENDANGERED	BORAGINACEAE	PLAGIOBOTHRYS DIFFUSUS
CALIFORNIA	ENDANGERED	BRASSICACEAE	ARABIS BREWERI VAR. PECUNIARIA
CALIFORNIA	ENDANGERED	BRASSICACEAE	ARABIS MCDONALDIANA
CALIFORNIA	ENDANGERED	BRASSICACEAE	ERYSIMUM CAPITATUM VAR. ANGUSTATUM.
CALIFORNIA	ENDANGERED	BRASSICACEAE	ERYSIMUM FRANCISCANUM VAR. FRANCISCANUM
CALIFORNIA	ENDANGERED	BRASSICACEAE	SMELOWSKIA OVALIS SSP. CONGESTA
CALIFORNIA	ENDANGERED	BRASSICACEAE	STREPTANTHUS ALBIDUS SSP. ALBIDUS
CALIFORNIA	ENDANGERED	BRASSICACEAE	STREPTANTHUS CALLISTUS
CALIFORNIA	ENDANGERED	BRASSICACEAE	STREPTANTHUS FARNSWORTHIANUS
CALIFORNIA	ENDANGERED	BRASSICACEAE	STREPTANTHUS GLANDULOSUS VAR. HOFFMANII
CALIFORNIA	ENDANGERED	BRASSICACEAE	STREPTANTHUS MORRISONII SSP. HIRTIFLORUS
CALIFORNIA	ENDANGERED	BRASSICACEAE	STREPTANTHUS NIGER
CALIFORNIA	ENDANGERED	CACTACEAE	ECHINOCEREUS ENGELMANNII VAR. HOWEI
CALIFORNIA	ENDANGERED	CACTACEAE	FEROCACTUS VIRIDESCENS
CALIFORNIA	ENDANGERED	CACTACEAE	OPUNTIA BASILARIS VAR. TRELEASEI
CALIFORNIA	ENDANGERED	CAMPANULACEAE	CAMPANULA CALIFORNICA
CALIFORNIA	ENDANGERED	CAMPANULACEAE	LEGENERE LIMOSA
CALIFORNIA	ENDANGERED	CARYOPHYLLACEAE	ARENARIA URSINA
CALIFORNIA	ENDANGERED	CARYOPHYLLACEAE	SILENE APERTA

STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES List A

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	ENDANGERED	CARYOPHYLLACEAE	SILENE MARMORENSIS
CALIFORNIA	ENDANGERED	CELASTRACEAE	FORSELLESIA PUNGENS VAR. GLABRA
CALIFORNIA	ENDANGERED	CHENOPODIACEAE	NITROPHILA MOHAVENSIS
CALIFORNIA	ENDANGERED	CRASSULACEAE	DUDLEYA BETTINAE
CALIFORNIA	ENDANGERED	CRASSULACEAE	DUDLEYA CANDELABRUM
CALIFORNIA	ENDANGERED	CRASSULACEAE	DUDLEYA CYMOSA SSP. MARCESCENS
CALIFORNIA	ENDANGERED	CRASSULACEAE	DUDLEYA MULTICAULIS
CALIFORNIA	ENDANGERED	CRASSULACEAE	DUDLEYA NESIOTICA
CALIFORNIA	ENDANGERED	CRASSULACEAE	DUDLEYA STOLONIFERA
CALIFORNIA	ENDANGERED	CRASSULACEAE	PARVISEDUM LEIOCARPUM
CALIFORNIA	ENDANGERED	CUPRESSACEAE	CUPRESSUS GOVENIANA VAR. ABRAMSIANA
CALIFORNIA	ENDANGERED	CUSCUTACEAE	CUSCUTA HOWELLIANA
CALIFORNIA	ENDANGERED	CYPERACEAE	CAREX ALBIDA
CALIFORNIA	ENDANGERED	CYPERACEAE	CAREX TOMPKINSII
CALIFORNIA	ENDANGERED	CYPERACEAE	RHYNCHOSPORA CALIFORNICA
CALIFORNIA	ENDANGERED	ERICACEAE	ARCTOSTAPHYLOS ANDERSONII VAR. PALLIDA
CALIFORNIA	ENDANGERED	ERICACEAE	ARCTOSTAPHYLOS AURICULATA
CALIFORNIA	ENDANGERED	ERICACEAE	ARCTOSTAPHYLOS BAKERI
CALIFORNIA	ENDANGERED	ERICACEAE	ARCTOSTAPHYLOS DENSIFLORA
CALIFORNIA	ENDANGERED	ERICACEAE	ARCTOSTAPHYLOS FRANCISCANA
CALIFORNIA	ENDANGERED	ERICACEAE	ARCTOSTAPHYLOS GLANDULOSA VAR. CRASSIFOLIA
CALIFORNIA	ENDANGERED	ERICACEAE	ARCTOSTAPHYLOS GLUTINOSA
CALIFORNIA	ENDANGERED	ERICACEAE	ARCTOSTAPHYLOS HEARSTIORUM
CALIFORNIA	ENDANGERED	ERICACEAE	ARCTOSTAPHYLOS MYRTIFOLIA
CALIFORNIA	ENDANGERED	ERICACEAE	ARCTOSTAPHYLOS PACIFICA
CALIFORNIA	ENDANGERED	ERICACEAE	ARCTOSTAPHYLOS PUMILA
CALIFORNIA	ENDANGERED	EUPHORBIACEAE	CROTON WIGGINSII
CALIFORNIA	ENDANGERED	EUPHORBIACEAE	EUPHORBIA PLATYSPERMA
CALIFORNIA	ENDANGERED	FABACEAE	ASTRAGALUS CLARIANUS
CALIFORNIA	ENDANGERED	FABACEAE	ASTRAGALUS JAEGERIANUS
CALIFORNIA	ENDANGERED	FABACEAE	ASTRAGALUS JOHANNIS-HOWELLII
CALIFORNIA	ENDANGERED	FABACEAE	ASTRAGALUS MONOENSIS
CALIFORNIA	ENDANGERED	FABACEAE	ASTRAGALUS RAVENII
CALIFORNIA	ENDANGERED	FABACEAE	ASTRAGALUS TENER VAR. TITI
CALIFORNIA	ENDANGERED	FABACEAE	LATHYRUS HITCHCOCKIANUS
CALIFORNIA	ENDANGERED	FABACEAE	LOTUS ARGOPHYLLUS VAR. ADSURGENS
CALIFORNIA	ENDANGERED	FABACEAE	LOTUS SCOPARIUS SSP. TRASKIAE
CALIFORNIA	ENDANGERED	FABACEAE	LUPINUS DURANII
CALIFORNIA	ENDANGERED	FABACEAE	LUPINUS GUADALUPENSIS
CALIFORNIA	ENDANGERED	FABACEAE	LUPINUS LUDOVICIANUS
CALIFORNIA	ENDANGERED	FABACEAE	LUPINUS MILO-BAKERI
CALIFORNIA	ENDANGERED	FABACEAE	LUPINUS TIDESTROMII VAR. LAYNEAE
CALIFORNIA	ENDANGERED	FABACEAE	LUPINUS TIDESTROMII VAR. TIDESTROMII

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	ENDANGERED	FABACEAE	LUPINUS TRACYI
CALIFORNIA	ENDANGERED	FABACEAE	TRIFOLIUM AMOENUM
CALIFORNIA	ENDANGERED	FABACEAE	TRIFOLIUM LEMMONII
CALIFORNIA	ENDANGERED	FABACEAE	TRIFOLIUM POLYODON
CALIFORNIA	ENDANGERED	FABACEAE	TRIFOLIUM TRICHOCALYX
CALIFORNIA	ENDANGERED	FUMARIACEAE	DICENTRA FORMOSA SSP. OREGANA
CALIFORNIA	ENDANGERED	FUMARIACEAE	DICENTRA OCHROLEUCA
CALIFORNIA	ENDANGERED	GENTIANACEAE	CENTAURIUM NAMOPHILUM
CALIFORNIA	ENDANGERED	HYDROPHYLLACEAE	ERIODICTYON ALTISSIMUM
CALIFORNIA	ENDANGERED	HYDROPHYLLACEAE	ERIODICTYON CAPITATUM
CALIFORNIA	ENDANGERED	HYDROPHYLLACEAE	PHACELIA COOKEI
CALIFORNIA	ENDANGERED	IRIDACEAE	IRIS TENAX SSP. KLAMATHENSIS
CALIFORNIA	ENDANGERED	JUGLANDACEAE	JUGLANS HINDSII
CALIFORNIA	ENDANGERED	LAMIACEAE	ACANTHOMINTHA ILICIFOLIA
CALIFORNIA	ENDANGERED	LAMIACEAE	ACANTHOMINTHA OBOVATA SSP. DUTTONII
CALIFORNIA	ENDANGERED	LAMIACEAE	MONARDELLA LINOIDES SSP. VIMINEA
CALIFORNIA	ENDANGERED	LAMIACEAE	MONARDELLA MACRANTHA VAR. HALLII
CALIFORNIA	ENDANGERED	LAMIACEAE	MONARDELLA PRINGLEI
CALIFORNIA	ENDANGERED	LAMIACEAE	MONARDELLA UNDULATA VAR. FRUTESCENS
CALIFORNIA	ENDANGERED	LAMIACEAE	POGOGYNE ABRAMSII
CALIFORNIA	ENDANGERED	LAMIACEAE	POGOGYNE DOUGLASII SSP. PARVIFLORA
CALIFORNIA	ENDANGERED	LAMIACEAE	SALVIA COLUMBARIAE VAR. ZIEGLERI
CALIFORNIA	ENDANGERED	LAMIACEAE	SALVIA GREATAE
CALIFORNIA	ENDANGERED	LAMIACEAE	TRICHOSTEMA AUSTROMONTANUM SSP. COMPACTUM
CALIFORNIA	ENDANGERED	LILIACEAE	ALLIUM HICKMANII
CALIFORNIA	ENDANGERED	LILIACEAE	BRODIAEA CORONARIA VAR. ROSEA
CALIFORNIA	ENDANGERED	LILIACEAE	BRODIAEA FILIFOLIA
CALIFORNIA	ENDANGERED	LILIACEAE	BRODIAEA ORCUTTII
CALIFORNIA	ENDANGERED	LILIACEAE	BRODIAEA PALLIDA
CALIFORNIA	ENDANGERED	LILIACEAE	CALOCHORTUS CLAVATUS SSP. RECURVIFOLIUS
CALIFORNIA	ENDANGERED	LILIACEAE	CALOCHORTUS COERULEUS VAR. WESTONII
CALIFORNIA	ENDANGERED	LILIACEAE	CALOCHORTUS TIBURONENSIS
CALIFORNIA	ENDANGERED	LILIACEAE	CHLOROGALUM GRANDIFLORUM
CALIFORNIA	ENDANGERED	LILIACEAE	CHLOROGALUM PURPUREUM VAR. PURPUREUM
CALIFORNIA	ENDANGERED	LILIACEAE	CHLOROGALUM PURPUREUM VAR. REDUCTUM
CALIFORNIA	ENDANGERED	LILIACEAE	ERYTHRONIUM GRANDIFLORUM SSP. PUSATERII
CALIFORNIA	ENDANGERED	LILIACEAE	FRITILLARIA PHAEANTHERA
CALIFORNIA	ENDANGERED	LILIACEAE	FRITILLARIA RODERICKII
CALIFORNIA	ENDANGERED	LILIACEAE	LILIUM OCCIDENTALE
CALIFORNIA	ENDANGERED	LILIACEAE	LILIUM PITKINENSE
CALIFORNIA	ENDANGERED	LILIACEAE	LILIUM WASHINGTONIANUM VAR. MINUS
CALIFORNIA	ENDANGERED	LILIACEAE	NOLINA INTERRATA
CALIFORNIA	ENDANGERED	LIMNANTHACEAE	LIMNANTHES BAKERI

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	ENDANGERED	LIMNANTHACEAE	LIMNANTHES GRACILIS VAR. PARISHII
CALIFORNIA	ENDANGERED	LIMNANTHACEAE	LIMNANTHES VINCULANS
CALIFORNIA	ENDANGERED	LINACEAE	HESPEROLINON CONGESTUM
CALIFORNIA	ENDANGERED	LINACEAE	HESPEROLINON DIDYMOCARPUM
CALIFORNIA	ENDANGERED	LOASACEAE	MENTZELIA LEUCOPHYLLA
CALIFORNIA	ENDANGERED	MALVACEAE	HIBISCUS CALIFORNICUS
CALIFORNIA	ENDANGERED	MALVACEAE	LAVATERA ASSURGENTIFLORA
CALIFORNIA	ENDANGERED	MALVACEAE	MALACOTHAMNUS CLEMENTINUS
CALIFORNIA	ENDANGERED	MALVACEAE	MALACOTHAMNUS FASCICULATUS
CALIFORNIA	ENDANGERED	MALVACEAE	MALACOTHAMNUS PALMERI VAR. INVOLUCRATUS
CALIFORNIA	ENDANGERED	MALVACEAE	SIDALCEA COVILLEI
CALIFORNIA	ENDANGERED	NYCTAGINACEAE	ABRONIA ALPINA
CALIFORNIA	ENDANGERED	ONAGRACEAE	CAMISSONIA GUADALUPENSIS SSP. CLEMENTINA
CALIFORNIA	ENDANGERED	ONAGRACEAE	CLARKIA FRANCISCANA
CALIFORNIA	ENDANGERED	ONAGRACEAE	CLARKIA IMBRICATA
CALIFORNIA	ENDANGERED	ONAGRACEAE	CLARKIA SPECIOSA SSP. IMMACULATA
CALIFORNIA	ENDANGERED	ONAGRACEAE	EPILOBIUM NIVIUM
CALIFORNIA	ENDANGERED	ONAGRACEAE	OENOTHERA AVITA SSP. EUREKENSIS
CALIFORNIA	ENDANGERED	ONAGRACEAE	OENOTHERA DELTOIDES VAR. HOWELLII
CALIFORNIA	ENDANGERED	ORCHIDACEAE	PLATANTHERA UNALASCENSIS SSP. MARITIMA
CALIFORNIA	ENDANGERED	PAPAVERACEAE	ESCHSCHOLZIA RAMOSA
CALIFORNIA	ENDANGERED	POACEAE	AGROSTIS BLASDALEI VAR. MARINENSIS
CALIFORNIA	ENDANGERED	POACEAE	NEOSTAPFIA COLUSANA
CALIFORNIA	ENDANGERED	POACEAE	ORCUTTIA CALIFORNICA VAR. VISCIDA
CALIFORNIA	ENDANGERED	POACEAE	ORCUTTIA CALIFORNICA VAR. CALIFORNICA
CALIFORNIA	ENDANGERED	POACEAE	ORCUTTIA CALIFORNICA VAR. INAEQUALIS
CALIFORNIA	ENDANGERED	POACEAE	ORCUTTIA MUCRONATA
CALIFORNIA	ENDANGERED	POACEAE	ORCUTTIA PILOSA
CALIFORNIA	ENDANGERED	POACEAE	ORCUTTIA TENUIS
CALIFORNIA	ENDANGERED	POACEAE	PLEUROPOGON HOOVERIANUS
CALIFORNIA	ENDANGERED	POACEAE	POA ATROPURPUREA
CALIFORNIA	ENDANGERED	POACEAE	POA FIBRATA
CALIFORNIA	ENDANGERED	POACEAE	POA NAPENSIS
CALIFORNIA	ENDANGERED	POACEAE	STIPA LEMMONII VAR. PUBESCENS
CALIFORNIA	ENDANGERED	POACEAE	SWALLENIA ALEXANDRAE
CALIFORNIA	ENDANGERED	POLEMONIACEAE	NAVARRETIA PAUCIFLORA
CALIFORNIA	ENDANGERED	POLEMONIACEAE	NAVARRETIA PLEIANTHA
CALIFORNIA	ENDANGERED	POLEMONIACEAE	NAVARRETIA SETILOBA
CALIFORNIA	ENDANGERED	POLEMONIACEAE	PHLOX HIRSUTA
CALIFORNIA	ENDANGERED	POLYGONACEAE	CHORIZANTHE LEPTOCERAS
CALIFORNIA	ENDANGERED	POLYGONACEAE	CHORIZANTHE ORCUTTIANA
CALIFORNIA	ENDANGERED	POLYGONACEAE	CHORIZANTHE SPINOSA
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM ALPINUM

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM APRICUM VAR. APRICUM
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM APRICUM VAR. PROSTRATUM
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM BREEDLOVEI
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM BUTTERWORTHIANUM
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM CROCATUM
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM ERICIFOLIUM VAR. THORNEI
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM GIGANTEUM VAR. COMPACTUM
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM GILMANII
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM GRANUE VAR. TIMORUM
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM HIRTELLUM
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM INTRAFRACTUM
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM KENNEDYI VAR. PINICOLA
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM MICROTHECUM VAR. JOHNSTONII
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM NUDUM VAR. MURINUM
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM PARVIFOLIUM VAR. LUCIDUM
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM UMBELLATUM VAR. MINUS
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM UMBELLATUM VAR. TORREYANUM
CALIFORNIA	ENDANGERED	POLYGONACEAE	ERIOGONUM WRIGHTII VAR. OLANCHENSE
CALIFORNIA	ENDANGERED	RANUNCULACEAE	DELPHINIUM BAKERI
CALIFORNIA	ENDANGERED	RANUNCULACEAE	DELPHINIUM KINKIENSE
CALIFORNIA	ENDANGERED	RANUNCULACEAE	DELPHINIUM LUTEUM
CALIFORNIA	ENDANGERED	RHAMNACEAE	CEANOTHUS FERRISAE
CALIFORNIA	ENDANGERED	RHAMNACEAE	CEANOTHUS HEARSTIORUM
CALIFORNIA	ENDANGERED	RHAMNACEAE	CEANOTHUS MARITIMUS
CALIFORNIA	ENDANGERED	RHAMNACEAE	CEANOTHUS MASONII
CALIFORNIA	ENDANGERED	ROSACEAE	CERCOCARPUS TRASKIAE
CALIFORNIA	ENDANGERED	ROSACEAE	HORKELIA WILDERAE
CALIFORNIA	ENDANGERED	ROSACEAE	IVESIA CALLIDA
CALIFORNIA	ENDANGERED	ROSACEAE	LYONOTHAMNUS FLORIBUNDUS
CALIFORNIA	ENDANGERED	ROSACEAE	POTENTILLA HICKMANII
CALIFORNIA	ENDANGERED	RUBIACEAE	GALIUM ANGUSTIFOLIUM SSP. BORREGOENSE
CALIFORNIA	ENDANGERED	RUBIACEAE	GALIUM CALIFORNICUM SSP. LUCIENSE
CALIFORNIA	ENDANGERED	RUBIACEAE	GALIUM CALIFORNICUM SSP. SIERRAE
CALIFORNIA	ENDANGERED	RUBIACEAE	GALIUM CALIFORNICUM SSP. PRINUM
CALIFORNIA	ENDANGERED	RUBIACEAE	GALIUM CATALINENSE SSP. ACRISPUM
CALIFORNIA	ENDANGERED	RUBIACEAE	GALIUM GLABRESCENS SSP. MODOCENSE
CALIFORNIA	ENDANGERED	RUBIACEAE	GALIUM GRANDE
CALIFORNIA	ENDANGERED	RUBIACEAE	GALIUM HARDHAMAE
CALIFORNIA	ENDANGERED	RUBIACEAE	GALIUM HILENDIAE SSP. KINGSTONENSE
CALIFORNIA	ENDANGERED	RUBIACEAE	GALIUM SERPENTICUM SSP. SCOTTICUM
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	CASTILLEJA HOLOLEUCA SSP. GRISEA
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	CASTILLEJA ULIGINOSA
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	CORDYLANTHUS BERNARDINUS

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	CORDYLANTHUS BRUNNEUS VAR. CAPILLARIS
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	CORDYLANTHUS LITTORALIS SSP. LITTORALIS
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	CORDYLANTHUS MARITIMUS SSP. MARITIMUS
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	CORDYLANTHUS NIDULARIUS
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	CORDYLANTHUS PALLESCENS
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	GRATIOLA HETEROSEPALA
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	MIMULUS GUTTATUS SSP. ARENICOLA
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	MIMULUS PYGMAEUS
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	MIMULUS WHIPPLEI
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	ORTHOCARPUS CASTILLEJOIDES VAR. HUMBOLDTIENSIS
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	ORTHOCARPUS SUCCULENTIS
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	PEDICULARIS DUDLEYI
CALIFORNIA	ENDANGERED	SCROPHULARIACEAE	PENSTEMON PERSONATUS
CALIFORNIA	ENDANGERED	STERCULIACEAE	FREMONTODENDRON DECUMBENS
CALIFORNIA	ENDANGERED	STERCULIACEAE	FREMONTODENDRON MEXICANUM
CALIFORNIA	THREATENED	APIACEAE	CYMOPTERUS DESERTICOLA
CALIFORNIA	THREATENED	APIACEAE	ERYNGIUM RACEMOSUM
CALIFORNIA	THREATENED	APIACEAE	LOMATIUM CONGDONII
CALIFORNIA	THREATENED	APIACEAE	PERIDERIDIA LEPTOCARPA
CALIFORNIA	THREATENED	APIACEAE	SANICULA SAXATILIS
CALIFORNIA	THREATENED	APIACEAE	TAUSCHIA HOWELLII
CALIFORNIA	THREATENED	ASTERACEAE	ANTENNARIA SUFFRUTESCENS
CALIFORNIA	THREATENED	ASTERACEAE	ARNICA VENOSA
CALIFORNIA	THREATENED	ASTERACEAE	ARNICA VISCOSA
CALIFORNIA	THREATENED	ASTERACEAE	ARTEMISIA CANA SSP. BOLANDERI
CALIFORNIA	THREATENED	ASTERACEAE	ASTER BRICKELLIOIDES
CALIFORNIA	THREATENED	ASTERACEAE	ASTER GREATEI
CALIFORNIA	THREATENED	ASTERACEAE	ASTER PEIRSONII
CALIFORNIA	THREATENED	ASTERACEAE	BRICKELLIA KNAPPIANA
CALIFORNIA	THREATENED	ASTERACEAE	CHAENACTIS PARISHII
CALIFORNIA	THREATENED	ASTERACEAE	CIRSIUM CAMPYLON
CALIFORNIA	THREATENED	ASTERACEAE	CIRSIUM CRASSICAULE
CALIFORNIA	THREATENED	ASTERACEAE	CIRSIUM HYDROPHILUM VAR. VASEYI
CALIFORNIA	THREATENED	ASTERACEAE	COREOPSIS HAMILTONII
CALIFORNIA	THREATENED	ASTERACEAE	ENCELIOPSIS COVILLEI
CALIFORNIA	THREATENED	ASTERACEAE	ERIGERON AEQUIFOLIUS
CALIFORNIA	THREATENED	ASTERACEAE	ERIGERON BLOOMERI VAR. NUDATUS
CALIFORNIA	THREATENED	ASTERACEAE	ERIGERON FLEXUOSUS
CALIFORNIA	THREATENED	ASTERACEAE	ERIGERON MULTICEPS
CALIFORNIA	THREATENED	ASTERACEAE	ERIGERON PARISHII
CALIFORNIA	THREATENED	ASTERACEAE	ERIGERON SUPPLEX
CALIFORNIA	THREATENED	ASTERACEAE	ERIOPHYLLUM LATILOBUM
CALIFORNIA	THREATENED	ASTERACEAE	ERIOPHYLLUM NUBIGENUM VAR. CONGDONII

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	THREATENED	ASTERACEAE	GRINDELIA FRAXINO-PRATENSIS
CALIFORNIA	THREATENED	ASTERACEAE	GRINDELIA HALLII
CALIFORNIA	THREATENED	ASTERACEAE	GUTIERREZIA CALIFORNICA
CALIFORNIA	THREATENED	ASTERACEAE	HAPLOPAPPUS BRICKELLIOIDES
CALIFORNIA	THREATENED	ASTERACEAE	HAPLOPAPPUS CANUS
CALIFORNIA	THREATENED	ASTERACEAE	HAPLOPAPPUS EXIMIUS
CALIFORNIA	THREATENED	ASTERACEAE	HAPLOPAPPUS OPHITIDIS
CALIFORNIA	THREATENED	ASTERACEAE	HAPLOPAPPUS RACEMOSUS SSP. CONGESTUS
CALIFORNIA	THREATENED	ASTERACEAE	HAPLOPAPPUS UNIFLORUS SSP. GOSSYPINUS
CALIFORNIA	THREATENED	ASTERACEAE	HELIANTHELLA CASTANEA
CALIFORNIA	THREATENED	ASTERACEAE	HEMIZONIA ARIDA
CALIFORNIA	THREATENED	ASTERACEAE	HEMIZONIA HALLIANA
CALIFORNIA	THREATENED	ASTERACEAE	HEMIZONIA MOHAVENSIS
CALIFORNIA	THREATENED	ASTERACEAE	HULSEA INYOENSIS
CALIFORNIA	THREATENED	ASTERACEAE	LASTHENIA CONJUGENS
CALIFORNIA	THREATENED	ASTERACEAE	LASTHENIA LEPTALEA
CALIFORNIA	THREATENED	ASTERACEAE	LASTHENIA MINOR VAR. MARITIMA
CALIFORNIA	THREATENED	ASTERACEAE	LAYIA JONESII
CALIFORNIA	THREATENED	ASTERACEAE	LAYIA LEUCOPAPPA
CALIFORNIA	THREATENED	ASTERACEAE	LAYIA ZIEGLERI
CALIFORNIA	THREATENED	ASTERACEAE	MACHAERANTHERA AMMOPHILA
CALIFORNIA	THREATENED	ASTERACEAE	MACHAERANTHERA COGNATA
CALIFORNIA	THREATENED	ASTERACEAE	MACHAERANTHERA LAGUNENSIS
CALIFORNIA	THREATENED	ASTERACEAE	MACHAERANTHERA ORCUTTII
CALIFORNIA	THREATENED	ASTERACEAE	MALACOTHRIX SAXATILIS VAR. ARACHNOIDEA
CALIFORNIA	THREATENED	ASTERACEAE	MICROSERIS HOWELLII
CALIFORNIA	THREATENED	ASTERACEAE	PENTACHAETA EXILIS SSP. AEOLICA
CALIFORNIA	THREATENED	ASTERACEAE	PERITYLE INYOENSIS
CALIFORNIA	THREATENED	ASTERACEAE	PERITYLE VILLOSA
CALIFORNIA	THREATENED	ASTERACEAE	PSEUDOBAHIA BAHIAEFOLIA
CALIFORNIA	THREATENED	ASTERACEAE	RAILLARDELLA MUIRII
CALIFORNIA	THREATENED	ASTERACEAE	RAILLARDELLA PRINGLEI
CALIFORNIA	THREATENED	ASTERACEAE	SENECIO BERNARDINUS
CALIFORNIA	THREATENED	ASTERACEAE	SENECIO GANDERI
CALIFORNIA	THREATENED	ASTERACEAE	SENECIO HESPERIUS
CALIFORNIA	THREATENED	ASTERACEAE	TANACETUM CAMPHORATUM
CALIFORNIA	THREATENED	ASTERACEAE	TARAXACUM CALIFORNICUM
CALIFORNIA	THREATENED	ASTERACEAE	WYETHIA RETICULATA
CALIFORNIA	THREATENED	BERBERIDACEAE	BERBERIS PINNATA SSP. INSULARIS
CALIFORNIA	THREATENED	BERBERIDACEAE	VANCOUVERIA CHRYSANTHA
CALIFORNIA	THREATENED	BORAGINACEAE	AMSINCKIA VERNICOSA VAR. FURCATA
CALIFORNIA	THREATENED	BORAGINACEAE	CRYPTANTHA CRINITA
CALIFORNIA	THREATENED	BORAGINACEAE	CRYPTANTHA CRYMOPHILA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	THREATENED	BORAGINACEAE	CRYPTANTHA GANDERI
CALIFORNIA	THREATENED	BORAGINACEAE	CRYPTANTHA HOFFMANNII
CALIFORNIA	THREATENED	BORAGINACEAE	CRYPTANTHA TRASKIAE
CALIFORNIA	THREATENED	BORAGINACEAE	CRYPTANTHA TUMULOSA
CALIFORNIA	THREATENED	BORAGINACEAE	HACKELIA SHARSMITHII
CALIFORNIA	THREATENED	BORAGINACEAE	PLAGIOBOTHRYS DISTANTIFLORUS
CALIFORNIA	THREATENED	BORAGINACEAE	PLAGIOBOTHRYS GLABER
CALIFORNIA	THREATENED	BORAGINACEAE	PLAGIOBOTHRYS HYSTRICULUS
CALIFORNIA	THREATENED	BORAGINACEAE	PLAGIOBOTHRYS SCRIPTUS
CALIFORNIA	THREATENED	BORAGINACEAE	PLAGIOBOTHRYS STRICTUS
CALIFORNIA	THREATENED	BRASSICACEAE	ARABIS BLEPHAROPHYLLA
CALIFORNIA	THREATENED	BRASSICACEAE	ARABIS BREWERI VAR. AUSTINAE
CALIFORNIA	THREATENED	BRASSICACEAE	ARABIS CONSTANCEI
CALIFORNIA	THREATENED	BRASSICACEAE	ARABIS HOFFMANNII
CALIFORNIA	THREATENED	BRASSICACEAE	ARABIS JOHNSTONII
CALIFORNIA	THREATENED	BRASSICACEAE	ARABIS OREGANA
CALIFORNIA	THREATENED	BRASSICACEAE	ARABIS PARISHII
CALIFORNIA	THREATENED	BRASSICACEAE	ARABIS PYGMAEA
CALIFORNIA	THREATENED	BRASSICACEAE	ARABIS SHOCKLEYI
CALIFORNIA	THREATENED	BRASSICACEAE	ARABIS SUFFRUTESCENS VAR. PERSTYLOSA
CALIFORNIA	THREATENED	BRASSICACEAE	CAULANTHUS AMPLEXICAULIS VAR. BARBARAE
CALIFORNIA	THREATENED	BRASSICACEAE	CAULOSTRAMINA JAEGERI
CALIFORNIA	THREATENED	BRASSICACEAE	DRABA ASTEROPHORA VAR. ASTEROPHORA
CALIFORNIA	THREATENED	BRASSICACEAE	DRABA ASTEROPHORA VAR. MACROCARPA
CALIFORNIA	THREATENED	BRASSICACEAE	DRABA CRUCIATA VAR. CRUCIATA
CALIFORNIA	THREATENED	BRASSICACEAE	DRABA CRUCIATA VAR. INTEGRIFOLIA
CALIFORNIA	THREATENED	BRASSICACEAE	DRABA DOUGLASII
CALIFORNIA	THREATENED	BRASSICACEAE	DRABA HOWELLII VAR. CARNOSULA
CALIFORNIA	THREATENED	BRASSICACEAE	DRABA LEMMONII VAR. INCRASSATA
CALIFORNIA	THREATENED	BRASSICACEAE	DRABA QUADRICOSTATA
CALIFORNIA	THREATENED	BRASSICACEAE	DRABA STENOLOBA VAR. RAMOSA
CALIFORNIA	THREATENED	BRASSICACEAE	ERYSIMUM AMMOPHILUM
CALIFORNIA	THREATENED	BRASSICACEAE	ERYSIMUM INSULARE
CALIFORNIA	THREATENED	BRASSICACEAE	ERYSIMUM MENZIESII
CALIFORNIA	THREATENED	BRASSICACEAE	ERYSIMUM TERETIFOLIUM
CALIFORNIA	THREATENED	BRASSICACEAE	HALIMOLOBOS VIRGATA
CALIFORNIA	THREATENED	BRASSICACEAE	LESQUERELLA KINGII SSP. BERNARDINA
CALIFORNIA	THREATENED	BRASSICACEAE	RORIPPA COLUMBIAE
CALIFORNIA	THREATENED	BRASSICACEAE	RORIPPA SUBUMBELLATA
CALIFORNIA	THREATENED	BRASSICACEAE	SIBARA FILIFOLIA
CALIFORNIA	THREATENED	BRASSICACEAE	SIBARA ROSULATA
CALIFORNIA	THREATENED	BRASSICACEAE	STREPTANTHUS BATRACHOPUS
CALIFORNIA	THREATENED	BRASSICACEAE	STREPTANTHUS BRACHIATUS

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	THREATENED	BRASSICACEAE	STREPTANTHUS CORDATUS VAR. PIUTENSIS
CALIFORNIA	THREATENED	BRASSICACEAE	STREPTANTHUS FENESTRATUS
CALIFORNIA	THREATENED	BRASSICACEAE	STREPTANTHUS GLANDULOSUS VAR. PULCHELLUS
CALIFORNIA	THREATENED	BRASSICACEAE	STREPTANTHUS GRACILIS
CALIFORNIA	THREATENED	BRASSICACEAE	STREPTANTHUS HISPIDUS
CALIFORNIA	THREATENED	BRASSICACEAE	STREPTANTHUS MORRISONII SSP. ELATUS
CALIFORNIA	THREATENED	BRASSICACEAE	STREPTANTHUS MORRISONII SSP. MORRISONII
CALIFORNIA	THREATENED	BRASSICACEAE	STREPTANTHUS OLIGANTHUS
CALIFORNIA	THREATENED	BRASSICACEAE	THELYPODIUM BRACHYCARPUM
CALIFORNIA	THREATENED	BRASSICACEAE	THELYPODIUM STENOPETALUM
CALIFORNIA	THREATENED	BRASSICACEAE	THYSANOCARPUS CONCHULIFERUS
CALIFORNIA	THREATENED	BRASSICACEAE	TROPIDOCARPUM CAPPARIDEUM
CALIFORNIA	THREATENED	CACTACEAE	CORYPHANTHA VIVIPARA VAR. ALVERSONII
CALIFORNIA	THREATENED	CACTACEAE	CORYPHANTHA VIVIPARA VAR. ROSEA
CALIFORNIA	THREATENED	CACTACEAE	ECHINOCEREUS ENGELMANNII VAR. MUNZII
CALIFORNIA	THREATENED	CACTACEAE	OPUNTIA BASILARIS VAR. BRACHYCLADA
CALIFORNIA	THREATENED	CACTACEAE	OPUNTIA MUNZII
CALIFORNIA	THREATENED	CACTACEAE	OPUNTIA PARRYI VAR. SERPENTINA
CALIFORNIA	THREATENED	CACTACEAE	OPUNTIA PHAEACANTHA VAR. MOJAVENSIS
CALIFORNIA	THREATENED	CAMPANULACEAE	CAMPANULA SHETLERI
CALIFORNIA	THREATENED	CAMPANULACEAE	CAMPANULA WILKINSIANA
CALIFORNIA	THREATENED	CAMPANULACEAE	NEMACLADUS TWISSELMANNII
CALIFORNIA	THREATENED	CARYOPHYLLACEAE	ARENARIA PALUDICOLA
CALIFORNIA	THREATENED	CARYOPHYLLACEAE	ARENARIA ROSEI
CALIFORNIA	THREATENED	CARYOPHYLLACEAE	SILENE INVISA
CALIFORNIA	THREATENED	CHENOPODIACEAE	ATRIPLEX VALLICOLA
CALIFORNIA	THREATENED	CISTACEAE	HELIANTHEMUM SUFFRUTESCENS
CALIFORNIA	THREATENED	CONVOLVULACEAE	CALYSTEGIA PEIRSONII
CALIFORNIA	THREATENED	CRASSULACEAE	DUDLEYA BLOCHMANAE SSP. BREVIFOLIA
CALIFORNIA	THREATENED	CRASSULACEAE	DUDLEYA BLOCHMANAE SSP. INSULARIS
CALIFORNIA	THREATENED	CRASSULACEAE	DUDLEYA DENSIFLORA
CALIFORNIA	THREATENED	CRASSULACEAE	DUDLEYA PARVA
CALIFORNIA	THREATENED	CRASSULACEAE	DUDLEYA VARIEGATA
CALIFORNIA	THREATENED	CRASSULACEAE	DUDLEYA VISCIDA
CALIFORNIA	THREATENED	CRASSULACEAE	SEDUM LAXUM SSP. HECKNERI
CALIFORNIA	THREATENED	CRASSULACEAE	SEDUM NIVEUM
CALIFORNIA	THREATENED	CROSSOSOMATACEAE	CROSSOSOMA CALIFORNICUM
CALIFORNIA	THREATENED	CUPRESSACEAE	CUPRESSUS ARIZONICA VAR. STEPHENSONII
CALIFORNIA	THREATENED	CUPRESSACEAE	CUPRESSUS ARIZONICA VAR. NEVADENSIS
CALIFORNIA	THREATENED	CUPRESSACEAE	CUPRESSUS MACROCARPA
CALIFORNIA	THREATENED	CYPERACEAE	CAREX OBISPOENSIS
CALIFORNIA	THREATENED	CYPERACEAE	CAREX PAUCIFRUCTA
CALIFORNIA	THREATENED	CYPERACEAE	CAREX WHITNEYI

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	THREATENED	EPHEDRACEAE	EPHEDRA FUNEREA
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS CRUZENSIS
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS EDMUNDSII
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS INTRICATA VAR. OBLONGIFOLIA
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS LUCIANA
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS MONTANA
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS MONTARAENSIS
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS MONTEREYENSIS
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS MORROENSIS
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS NISSENANA
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS OTAYENSIS
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS PECHOENSIS
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS REFUGIOENSIS
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS SILVICOLA
CALIFORNIA	THREATENED	ERICACEAE	ARCTOSTAPHYLOS VIRGATA
CALIFORNIA	THREATENED	ERICACEAE	PITYOPUS CALIFORNICUS
CALIFORNIA	THREATENED	ERICACEAE	VACCINIUM COCCINIUM
CALIFORNIA	THREATENED	EUPHORBIACEAE	DITAXIS CALIFORNICA
CALIFORNIA	THREATENED	EUPHORBIACEAE	EUPHORBIA HOOVERI
CALIFORNIA	THREATENED	EUPHORBIACEAE	EUPHORBIA OCELLATA VAR. RATTANII
CALIFORNIA	THREATENED	EUPHORBIACEAE	TETRACOCCUS ILICIFOLIUS
CALIFORNIA	THREATENED	FABACEAE	ASTRAGALUS AGNICIDUS
CALIFORNIA	THREATENED	FABACEAE	ASTRAGALUS BRAUNTONII
CALIFORNIA	THREATENED	FABACEAE	ASTRAGALUS CIMAE VAR. SUFFLATUS
CALIFORNIA	THREATENED	FABACEAE	ASTRAGALUS DEANEI
CALIFORNIA	THREATENED	FABACEAE	ASTRAGALUS FUNEREUS
CALIFORNIA	THREATENED	FABACEAE	ASTRAGALUS LENTIFORMIS
CALIFORNIA	THREATENED	FABACEAE	ASTRAGALUS LENTIGINOSUS VAR. MICANS
CALIFORNIA	THREATENED	FABACEAE	ASTRAGALUS MOHAVENSIS VAR. HEMIGYRUS
CALIFORNIA	THREATENED	FABACEAE	ASTRAGALUS PANAMINTENSIS
CALIFORNIA	THREATENED	FABACEAE	ASTRAGALUS PSEUDIODANTHUS
CALIFORNIA	THREATENED	FABACEAE	ASTRAGALUS SUBVESTITUS
CALIFORNIA	THREATENED	FABACEAE	DALEA ARBORESCENS
CALIFORNIA	THREATENED	FABACEAE	LOTUS ARGOPHYLLUS VAR. NIVEUS
CALIFORNIA	THREATENED	FABACEAE	LOTUS NUTTALIANUS
CALIFORNIA	THREATENED	FABACEAE	LUPINUS CERVINUS
CALIFORNIA	THREATENED	FABACEAE	LUPINUS CITRINUS VAR. CITRINUS
CALIFORNIA	THREATENED	FABACEAE	LUPINUS CITRINUS VAR. DEFLEXUS
CALIFORNIA	THREATENED	FABACEAE	LUPINUS DEDECKERAE
CALIFORNIA	THREATENED	FABACEAE	LUPINUS HOLMGRENANUS
CALIFORNIA	THREATENED	FABACEAE	LUPINUS INYOENSIS
CALIFORNIA	THREATENED	FABACEAE	LUPINUS MONTIGENUS
CALIFORNIA	THREATENED	FABACEAE	LUPINUS PEIRSONII

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	THREATENED	FABACEAE	LUPINUS SERICATUS
CALIFORNIA	THREATENED	FABACEAE	LUPINUS SPECTABILIS
CALIFORNIA	THREATENED	FABACEAE	THERMOPSIS MACROPHYLLA VAR. AGNINA
CALIFORNIA	THREATENED	FABACEAE	TRIFOLIUM BOLANDERI
CALIFORNIA	THREATENED	FABACEAE	TRIFOLIUM DEDECKERAE
CALIFORNIA	THREATENED	FAGACEAE	QUERCUS PARVULA
CALIFORNIA	THREATENED	FAGACEAE	QUERCUS TOMENTELLA
CALIFORNIA	THREATENED	FUMARIACEAE	DICENTRA FORMOSA SSP. NEVADENSIS
CALIFORNIA	THREATENED	GENTIANACEAE	FRASERA PUBERULENTA
CALIFORNIA	THREATENED	GENTIANACEAE	FRASERA TUBULOSA
CALIFORNIA	THREATENED	GENTIANACEAE	FRASERA UMPQUAENSIS
CALIFORNIA	THREATENED	GENTIANACEAE	GENTIANA FREMONTII
CALIFORNIA	THREATENED	HYDROPHYLLACEAE	PHACELIA AMABILIS
CALIFORNIA	THREATENED	HYDROPHYLLACEAE	PHACELIA ANELSONII
CALIFORNIA	THREATENED	HYDROPHYLLACEAE	PHACELIA DALESIANA
CALIFORNIA	THREATENED	HYDROPHYLLACEAE	PHACELIA DIVARICATA VAR. INSULARIS
CALIFORNIA	THREATENED	HYDROPHYLLACEAE	PHACELIA GREENEI
CALIFORNIA	THREATENED	HYDROPHYLLACEAE	PHACELIA MUSTELINA
CALIFORNIA	THREATENED	HYDROPHYLLACEAE	PHACELIA NOVENMILLENSIS
CALIFORNIA	THREATENED	HYDROPHYLLACEAE	PHACELIA OROGENES
CALIFORNIA	THREATENED	HYDROPHYLLACEAE	PHACELIA PHACELIOIDES
CALIFORNIA	THREATENED	ISOETACEAE	ISOETES BOLANDERI VAR. PYGMAEA
CALIFORNIA	THREATENED	ISOETACEAE	ISOETES ORCUTTII
CALIFORNIA	THREATENED	JUNCACEAE	JUNCUS LEIOSPERMUS
CALIFORNIA	THREATENED	LAMIACEAE	AGASTACHE PARVIFOLIA
CALIFORNIA	THREATENED	LAMIACEAE	MONARDELLA ANTONINA
CALIFORNIA	THREATENED	LAMIACEAE	MONARDELLA BENITENSIS
CALIFORNIA	THREATENED	LAMIACEAE	MONARDELLA CRISPA
CALIFORNIA	THREATENED	LAMIACEAE	MONARDELLA HYPOLEUCA SSP. LANATA
CALIFORNIA	THREATENED	LAMIACEAE	MONARDELLA LINOIDES SSP. OBLONGA
CALIFORNIA	THREATENED	LAMIACEAE	MONARDELLA PALMERI
CALIFORNIA	THREATENED	LAMIACEAE	MONARDELLA PURPUREA
CALIFORNIA	THREATENED	LAMIACEAE	MONARDELLA ROBISONII
CALIFORNIA	THREATENED	LAMIACEAE	MONARDELLA VIRIDIS SSP. SAXICOLA
CALIFORNIA	THREATENED	LAMIACEAE	POGOGYNE NUDIUSCULA
CALIFORNIA	THREATENED	LAMIACEAE	SALVIA EREMOSTACHYA
CALIFORNIA	THREATENED	LAMIACEAE	SALVIA FUNEREA
CALIFORNIA	THREATENED	LAMIACEAE	SATUREJA CHANDLERI
CALIFORNIA	THREATENED	LILIACEAE	AGAVE UTAHENSIS VAR. NEVADENSIS
CALIFORNIA	THREATENED	LILIACEAE	ALLIUM HOFFMANII
CALIFORNIA	THREATENED	LILIACEAE	ALLIUM YOSEMITENSE
CALIFORNIA	THREATENED	LILIACEAE	BRODIAEA KINKIENSIS
CALIFORNIA	THREATENED	LILIACEAE	CALOCHORTUS DUNNII

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	THREATENED	LILIACEAE	CALOCHORTUS GREENEI
CALIFORNIA	THREATENED	LILIACEAE	CALOCHORTUS OBISPOENSIS
CALIFORNIA	THREATENED	LILIACEAE	CALOCHORTUS PERSISTENS
CALIFORNIA	THREATENED	LILIACEAE	CALOCHORTUS SIMULANS
CALIFORNIA	THREATENED	LILIACEAE	CALOCHORTUS STRIATUS
CALIFORNIA	THREATENED	LILIACEAE	ERYTHRONIUM HELENAE
CALIFORNIA	THREATENED	LILIACEAE	ERYTHRONIUM HOWELLII
CALIFORNIA	THREATENED	LILIACEAE	ERYTHRONIUM TUOLUMNENSE
CALIFORNIA	THREATENED	LILIACEAE	FRITILLARIA BRANDEGEI
CALIFORNIA	THREATENED	LILIACEAE	FRITILLARIA FALCATA
CALIFORNIA	THREATENED	LILIACEAE	FRITILLARIA PLURIFLORA
CALIFORNIA	THREATENED	LILIACEAE	FRITILLARIA STRIATA
CALIFORNIA	THREATENED	LILIACEAE	LILIUM VOLLMERI
CALIFORNIA	THREATENED	LILIACEAE	LILIUM WIGGINSII
CALIFORNIA	THREATENED	LILIACEAE	MUILLA CLEVELANDII
CALIFORNIA	THREATENED	LILIACEAE	SCHOENOLIRION BRACTEOSUM
CALIFORNIA	THREATENED	LILIACEAE	TRITELEIA CLEMENTINA
CALIFORNIA	THREATENED	LILIACEAE	TRITELEIA DUDLEYI
CALIFORNIA	THREATENED	LILIACEAE	VERATRUM FIMBRIATUM
CALIFORNIA	THREATENED	LIMNANTHACEAE	LIMNANTHES DOUGLASII VAR. SULPHUREA
CALIFORNIA	THREATENED	LIMNANTHACEAE	LIMNANTHES FLOCCOSA SSP. BELLINGERIANA
CALIFORNIA	THREATENED	LINACEAE	HESPEROLINON ADENOPHYLLUM
CALIFORNIA	THREATENED	LINACEAE	HESPEROLINON BICARPELLATUM
CALIFORNIA	THREATENED	LINACEAE	HESPEROLINON BREWERI
CALIFORNIA	THREATENED	LINACEAE	HESPEROLINON DRYMARIOIDES
CALIFORNIA	THREATENED	LOASACEAE	MENTZELIA HIRSUTISSIMA VAR. STENOPHYLLA
CALIFORNIA	THREATENED	LOASACEAE	PETALONYX THURBERI SSP. GILMANII
CALIFORNIA	THREATENED	MALVACEAE	MALACOTHAMNUS PALMERI VAR. LUCIANUS
CALIFORNIA	THREATENED	MALVACEAE	MALACOTHAMNUS PALMERI VAR. PALMERI
CALIFORNIA	THREATENED	MALVACEAE	MALACOTHAMNUS PARISHII
CALIFORNIA	THREATENED	MALVACEAE	SIDALCEA HICKMANII SSP. ANOMALA
CALIFORNIA	THREATENED	MALVACEAE	SIDALCEA HICKMANII SSP. HICKMANII
CALIFORNIA	THREATENED	MALVACEAE	SIDALCEA HICKMANII SSP. VIRIDIS
CALIFORNIA	THREATENED	MALVACEAE	SIDALCEA HICKMANII SSP. PARISHII
CALIFORNIA	THREATENED	MALVACEAE	SIDALCEA KECKII
CALIFORNIA	THREATENED	MALVACEAE	SIDALCEA MALVAEFLORA SSP. ELEGANS
CALIFORNIA	THREATENED	MALVACEAE	SIDALCEA OREGANA SSP. HYDROPHILA
CALIFORNIA	THREATENED	MALVACEAE	SIDALCEA OREGANA SSP. VALIDA
CALIFORNIA	THREATENED	MALVACEAE	SIDALCEA PEDATA
CALIFORNIA	THREATENED	MALVACEAE	SIDALCEA ROBUSTA
CALIFORNIA	THREATENED	MALVACEAE	SIDALCEA SETOSA
CALIFORNIA	THREATENED	MALVACEAE	SIDALCEA STIPULARIS
CALIFORNIA	THREATENED	MALVACEAE	SPHAERALCEA RUSBYI SSP. EREMICOLA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	THREATENED	ONAGRACEAE	CAMISSONIA BENITENSIS
CALIFORNIA	THREATENED	ONAGRACEAE	CAMISSONIA TANACETIFOLIA SSP. QUADRIPERFORATA
CALIFORNIA	THREATENED	ONAGRACEAE	CLARKIA AMOENA SSP. WHITNEYI
CALIFORNIA	THREATENED	ONAGRACEAE	CLARKIA BILOBA SSP. AUSTRALIS
CALIFORNIA	THREATENED	ONAGRACEAE	CLARKIA LINGULATA
CALIFORNIA	THREATENED	ONAGRACEAE	CLARKIA ROSTRATA
CALIFORNIA	THREATENED	OPHIOGLOSSACEAE	OPHIOGLOSSUM LUSITANICUM VAR. CALIFORNICUM
CALIFORNIA	THREATENED	ORCHIDACEAE	CYPRIPEDIUM CALIFORNICUM
CALIFORNIA	THREATENED	OROBANCHACEAE	OROBANCHE PARISHII SSP. BRACHYLOBA
CALIFORNIA	THREATENED	PAPAVERACEAE	ARCTOMECON MERRIAMII
CALIFORNIA	THREATENED	PAPAVERACEAE	ARGEMONE MUNITA SSP. ROBUSTA
CALIFORNIA	THREATENED	PAPAVERACEAE	ESCHSCHOLZIA PROCERA
CALIFORNIA	THREATENED	POACEAE	AGROSTIS ARISTIGLUMIS
CALIFORNIA	THREATENED	POACEAE	AGROSTIS CLIVICOLA VAR. PUNTA-REYESENSIS
CALIFORNIA	THREATENED	POACEAE	CALAMAGROSTIS CRASSIGLUMIS
CALIFORNIA	THREATENED	POACEAE	CALAMAGROSTIS FOLIOSA
CALIFORNIA	THREATENED	POACEAE	PUCCINELLIA PARISHII
CALIFORNIA	THREATENED	POLEMONIACEAE	COLLOMIA RAWSONIANA
CALIFORNIA	THREATENED	POLEMONIACEAE	ERIASTRUM BRANDEGEAE
CALIFORNIA	THREATENED	POLEMONIACEAE	ERIASTRUM TRACYI
CALIFORNIA	THREATENED	POLEMONIACEAE	GILIA RIPLEYI
CALIFORNIA	THREATENED	POLEMONIACEAE	GILIA TENUIFLORA SSP. HOFFMANNII
CALIFORNIA	THREATENED	POLEMONIACEAE	LEPTODACTYLON JAEGERI
CALIFORNIA	THREATENED	POLEMONIACEAE	LINANTHUS ARENICOLA
CALIFORNIA	THREATENED	POLEMONIACEAE	LINANTHUS MACULATUS
CALIFORNIA	THREATENED	POLEMONIACEAE	LINANTHUS ORCUTTII SSP. PACIFICUS
CALIFORNIA	THREATENED	POLEMONIACEAE	NAVARRETIA PROLIFERA SSP. LUTEA
CALIFORNIA	THREATENED	POLEMONIACEAE	PHLOX DOLICANTHA
CALIFORNIA	THREATENED	POLEMONIACEAE	POLEMONIUM CHARTACEUM
CALIFORNIA	THREATENED	POLYGONACEAE	CHORIZANTHE BLAKLEYI
CALIFORNIA	THREATENED	POLYGONACEAE	CHORIZANTHE BREWERI
CALIFORNIA	THREATENED	POLYGONACEAE	CHORIZANTHE HOWELLII
CALIFORNIA	THREATENED	POLYGONACEAE	CHORIZANTHE PARRYI VAR. FERNANDINA
CALIFORNIA	THREATENED	POLYGONACEAE	CHORIZANTHE STATICOIDES SSP. CHRYSACANTHA
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM AMPULLACEUM
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM BIFURCATUM
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM CONGDONII
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM DESERTICOLA
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM EASTWOODIANUM
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM EREMICOLA
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM GOSSYPINUM
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM HOFFMANNII VAR. HOFFMANNII
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM HOFFMANNII VAR. ROBUSTIUS

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM KELLOGGII
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM LATENS
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM MICROTHECUM VAR. PANAMINTENSE
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM OVALIFOLIUM VAR. VINEUM
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM PARVIFOLIUM VAR. PAYNEI
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM SISKIYOUENSE
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM TEMBLORENSE
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM TRUNCATUM
CALIFORNIA	THREATENED	POLYGONACEAE	ERIOGONUM TWISSELMANNII
CALIFORNIA	THREATENED	POLYGONACEAE	GILMANIA LUTEOLA
CALIFORNIA	THREATENED	POLYGONACEAE	POLYGONUM MARINENSE
CALIFORNIA	THREATENED	POLYPODIACEAE	CHEILANTHES FIBRILLOSA
CALIFORNIA	THREATENED	PORTULACACEAE	CLAYTONIA BELLIDIFOLIA
CALIFORNIA	THREATENED	PORTULACACEAE	CLAYTONIA LANCEOLATA VAR. PEIRSONII
CALIFORNIA	THREATENED	PORTULACACEAE	LEWISIA CANTELOWII
CALIFORNIA	THREATENED	PORTULACACEAE	LEWISIA CONGDONII
CALIFORNIA	THREATENED	PORTULACACEAE	LEWISIA COTYLEDON
CALIFORNIA	THREATENED	PORTULACACEAE	LEWISIA DISEPALA
CALIFORNIA	THREATENED	PORTULACACEAE	LEWISIA OPPOSITIFOLIA
CALIFORNIA	THREATENED	PORTULACACEAE	LEWISIA PYGMAEA SSP. LONGIPETALA
CALIFORNIA	THREATENED	PORTULACACEAE	LEWISIA SERRATA
CALIFORNIA	THREATENED	RANUNCULACEAE	DELPHINIUM HESPERIUM SSP. CUYAMACAE
CALIFORNIA	THREATENED	RANUNCULACEAE	DELPHINIUM HUTCHINSONAE
CALIFORNIA	THREATENED	RANUNCULACEAE	DELPHINIUM INOPINUM
CALIFORNIA	THREATENED	RANUNCULACEAE	DELPHINIUM PARISHII SSP. PURPUREUM
CALIFORNIA	THREATENED	RANUNCULACEAE	DELPHINIUM VARIEGATUM SSP. THORNEI
CALIFORNIA	THREATENED	RHAMNACEAE	CEANOTHUS ARBOREUS
CALIFORNIA	THREATENED	RHAMNACEAE	CEANOTHUS CYANEUS
CALIFORNIA	THREATENED	RHAMNACEAE	CEANOTHUS GLORIOSUS VAR. PORRECTUS
CALIFORNIA	THREATENED	RHAMNACEAE	CEANOTHUS RIGIDUS
CALIFORNIA	THREATENED	RHAMNACEAE	CEANOTHUS RODERICKII
CALIFORNIA	THREATENED	ROSACEAE	HORKELIA TULARENSIS
CALIFORNIA	THREATENED	ROSACEAE	IVESIA ARGYROCOMA
CALIFORNIA	THREATENED	ROSACEAE	IVESIA PICKERINGII
CALIFORNIA	THREATENED	ROSACEAE	POTENTILLA PATELLIFERA
CALIFORNIA	THREATENED	RUBIACEAE	GALIUM ANDREWSII VAR. GATENSE
CALIFORNIA	THREATENED	RUBIACEAE	GALIUM BUXIFOLIUM
CALIFORNIA	THREATENED	RUBIACEAE	GALIUM CALIFORNICUM VAR. MIGUELENSE
CALIFORNIA	THREATENED	RUBIACEAE	GALIUM CLEMENTIS
CALIFORNIA	THREATENED	RUBIACEAE	GALIUM HYPOTRICHIUM VAR. TOMENTELLUM
CALIFORNIA	THREATENED	RUBIACEAE	GALIUM SERPENTICUM SSP. WARNERENSE
CALIFORNIA	THREATENED	SARRACENIACEAE	DARLINGTONIA CALIFORNICA
CALIFORNIA	THREATENED	SAXIFRAGACEAE	CARPENTERIA CALIFORNICA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CALIFORNIA	THREATENED	SAXIFRAGACEAE	HEUCHERA BREVISTAMINEA
CALIFORNIA	THREATENED	SAXIFRAGACEAE	RIBES CANTHARIFORME
CALIFORNIA	THREATENED	SCROPHULARIACEAE	ANTIRRHINUM SUBCORDATUM
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CASTILLEJA BREVILOBATA
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CASTILLEJA CINEREA
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CASTILLEJA GLEASONII
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CASTILLEJA LASSENENSIS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CASTILLEJA LATIFOLIA SSP. MENDOCINENSIS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CASTILLEJA MARTINII VAR. EWANII
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CASTILLEJA MINIATA SSP. ELATA
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CASTILLEJA MOLLIS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CASTILLEJA NEGLECTA
CALIFORNIA	THREATENED	SCROPHULARIACEAE	COLLINSIA ANTONINA SSP. ANTONINA
CALIFORNIA	THREATENED	SCROPHULARIACEAE	COLLINSIA ANTONINA SSP. PURPUREA
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CORDYLANTHUS EREMICUS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CORDYLANTHUS MARITIMUS SSP. PALUSTRIS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CORDYLANTHUS MOLLIS SSP. HISPIDUS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CORDYLANTHUS RAMOSUS SSP. ERENICUS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	CORDYLANTHUS TECOPENSIS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	DIPLACUS ARIDIS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	MAURANDYA PETROPHILA
CALIFORNIA	THREATENED	SCROPHULARIACEAE	MIMULUS EXIGUUS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	MIMULUS PICTUS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	MIMULUS PURPUREUS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	MIMULUS RUPICOLA
CALIFORNIA	THREATENED	SCROPHULARIACEAE	ORTHOCARPUS FLORIBUNDUS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	ORTHOCARPUS LASIORHYNCHUS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	PEDICULARIS HOWELLII
CALIFORNIA	THREATENED	SCROPHULARIACEAE	PENSTEMON CALCAREUS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	PENSTEMON CALIFORNICUS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	PENSTEMON CINICOLA
CALIFORNIA	THREATENED	SCROPHULARIACEAE	PENSTEMON FILIFORMIS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	PENSTEMON PAPILLATUS
CALIFORNIA	THREATENED	SCROPHULARIACEAE	PENSTEMON STEPHENSII
CALIFORNIA	THREATENED	SCROPHULARIACEAE	PENSTEMON TRACYI
CALIFORNIA	THREATENED	SCROPHULARIACEAE	SCROPHULARIA ATRATA
CALIFORNIA	THREATENED	SCROPHULARIACEAE	VERONICA COPELANDII
CALIFORNIA	THREATENED	SOLANACEAE	SOLANUM TENUILOBATUM
CALIFORNIA	THREATENED	VIOLACEAE	VIOLA LANCEOLATA SSP. OCCIDENTALIS
CALIFORNIA	THREATENED	VIOLACEAE	VIOLA TOMENTOSA
COLORADO	ENDANGERED	APIACEAE	NEOPARRYA LITHOPHILA
COLORADO	ENDANGERED	ASTERACEAE	HAPLOPAPPUS FREMONTII SSP. MONOCEPHALUS
COLORADO	ENDANGERED	ASTERACEAE	SENECIO PORTERI

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
COLORADO	ENDANGERED	BORAGINACEAE	CRYPTANTHA WEBERI
COLORADO	ENDANGERED	BRASSICACEAE	ARABIS OXYLOBULA
COLORADO	ENDANGERED	BRASSICACEAE	BRAYA HUMILIS SSP. VENTOSA
COLORADO	ENDANGERED	BRASSICACEAE	EUTREMA PENLANDII
COLORADO	ENDANGERED	BRASSICACEAE	LESQUERELLA PRUINOSA
COLORADO	ENDANGERED	CACTACEAE	SCLEROCACTUS GLAUCUS
COLORADO	ENDANGERED	CARYOPHYLLACEAE	STELLARIA IRRIGUA
COLORADO	ENDANGERED	FABACEAE	ASTRAGALUS DETERIOR
COLORADO	ENDANGERED	FABACEAE	ASTRAGALUS DETRITALIS
COLORADO	ENDANGERED	FABACEAE	ASTRAGALUS LUTOSUS
COLORADO	ENDANGERED	FABACEAE	ASTRAGALUS MICROCYMBUS
COLORADO	ENDANGERED	FABACEAE	ASTRAGALUS NATURITENSIS
COLORADO	ENDANGERED	FABACEAE	ASTRAGALUS OSTERHOUTII
COLORADO	ENDANGERED	FABACEAE	ASTRAGALUS SCHMOLLAE
COLORADO	ENDANGERED	FABACEAE	OXYTROPIS OBNAPIFORMIS
COLORADO	ENDANGERED	FABACEAE	TRIFOLIUM LEMMONII
COLORADO	ENDANGERED	HYDROPHYLLACEAE	PHACELIA FORMOSULA
COLORADO	ENDANGERED	ONAGRACEAE	GAURA NEOMEXICANA SSP. COLORADENSIS
COLORADO	ENDANGERED	POLYGONACEAE	ERIOGONUM EPHEDROIDES
COLORADO	ENDANGERED	RANUNCULACEAE	AQUILEGIA MICRANTHA VAR. MANCUSANA
COLORADO	THREATENED	BORAGINACEAE	CRYPTANTHA ELATA
COLORADO	THREATENED	BORAGINACEAE	CRYPTANTHA STRICTA
COLORADO	THREATENED	BORAGINACEAE	MERTENSIA VIRIDIS VAR. CANA
COLORADO	THREATENED	BRASSICACEAE	ARABIS GUNNISONIANA
COLORADO	THREATENED	BRASSICACEAE	DRABA EXUNGUICULATA
COLORADO	THREATENED	BRASSICACEAE	PARRYA NUDICAULIS
COLORADO	THREATENED	BRASSICACEAE	RORIPPA COLORADENSIS
COLORADO	THREATENED	CACTACEAE	SCLEROCACTUS MESAE-VERDAE
COLORADO	THREATENED	CYPERACEAE	CAREX MICROPTERA VAR. CRASSINERVIA
COLORADO	THREATENED	FABACEAE	ASTRAGALUS WETHERILLII
COLORADO	THREATENED	FUMARIACEAE	CORYDALIS CASEANA SSP. CASEANA
COLORADO	THREATENED	POACEAE	PHIPPSIA ALGIDA
COLORADO	THREATENED	POLYGONACEAE	ERIOGONUM BRANDEGEI
COLORADO	THREATENED	POLYGONACEAE	ERIOGONUM SAURINUM
COLORADO	THREATENED	POLYGONACEAE	ERIOGONUM VIRIDULUM
COLORADO	THREATENED	RANUNCULACEAE	AQUILEGIA CHRYSANTHA VAR. RYDBERGII
COLORADO	THREATENED	SAXIFRAGACEAE	SULLIVANTIA PURPUSII
CONNECTICUT	ENDANGERED	ORCHIDACEAE	ISOTRIA MEDEOLOIDES
CONNECTICUT	ENDANGERED	RANUNCULACEAE	TROLLIUS LAXUS
CONNECTICUT	ENDANGERED	ROSACEAE	PRUNUS GRAVESII
CONNECTICUT	THREATENED	CISTACEAE	HELIANTHEMUM DUMOSUM
CONNECTICUT	THREATENED	CYPERACEAE	SCIRPUS LONGII
CONNECTICUT	THREATENED	ISOETACEAE	ISOETES EATONII

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
CONNECTICUT	THREATENED	POACEAE	PANICUM ACULEATUM
CONNECTICUT	THREATENED	ROSACEAE	PRUNUS ALLEGHANIENSIS
CONNECTICUT	THREATENED	SCROPHULARIACEAE	AGALINIS ACUTA
DELAWARE	ENDANGERED	CYPERACEAE	RHYNCHOSPORA KNIESKERNII
DELAWARE	ENDANGERED	RANUNCULACEAE	TROLLIUS LAXUS
DELAWARE	THREATENED	APIACEAE	OXYPOLIS CANBYI
DELAWARE	THREATENED	BETULACEAE	ALNUS MARITIMA
DELAWARE	THREATENED	ORCHIDACEAE	PLATANTHERA PERAHOENA
DELAWARE	THREATENED	POACEAE	MUHLENBERGIA TORREYANA
DELAWARE	THREATENED	SCROPHULARIACEAE	MICRANTHEMUM MICRANTHEMOIDES
DISTRICT OF COLUMBIA	THREATENED	POACEAE	PANICUM ACULEATUM
DISTRICT OF COLUMBIA	THREATENED	SCROPHULARIACEAE	MICRANTHEMUM MICRANTHEMOIDES
FLORIDA	ENDANGERED	ACANTHACEAE	JUSTICIA COOLEYI
FLORIDA	ENDANGERED	ACANTHACEAE	JUSTICIA CRASSIFOLIA
FLORIDA	ENDANGERED	ANNONACEAE	ASIMINA TETRAMERA
FLORIDA	ENDANGERED	APIACEAE	OXYPOLIS GREENMANII
FLORIDA	ENDANGERED	APIACEAE	SIUM FLORIDANUM
FLORIDA	ENDANGERED	ARECACEAE	ROYSTONEA ELATA
FLORIDA	ENDANGERED	ASTERACEAE	ASTER PINIFOLIUS
FLORIDA	ENDANGERED	ASTERACEAE	BALDUINA ATROPURPUREA
FLORIDA	ENDANGERED	ASTERACEAE	LIATRIS OHLINGERAE
FLORIDA	ENDANGERED	ASTERACEAE	LIATRIS PROVINCIALIS
FLORIDA	ENDANGERED	BRASSICACEAE	WAREA CARTERI
FLORIDA	ENDANGERED	BRASSICACEAE	WAREA SESSILIFOLIA
FLORIDA	ENDANGERED	CACTACEAE	CEREUS ERIOPHORUS VAR. FRAGRANS
FLORIDA	ENDANGERED	CACTACEAE	CEREUS GRACILIS VAR. SIMPSONII
FLORIDA	ENDANGERED	CACTACEAE	CEREUS GRACILIS VAR. ABORIGINUM
FLORIDA	ENDANGERED	CACTACEAE	CEREUS ROBINII VAR. DEERINGII
FLORIDA	ENDANGERED	CACTACEAE	CEREUS ROBINII VAR. ROBINII
FLORIDA	ENDANGERED	CARYOPHYLLACEAE	PARONYCHIA CHARTACEA
FLORIDA	ENDANGERED	CARYOPHYLLACEAE	PARONYCHIA RUGELII VAR. INTERIOR
FLORIDA	ENDANGERED	CARYOPHYLLACEAE	SILENE POLYPETALA
FLORIDA	ENDANGERED	CYCADACEAE	ZAMIA INTEGRIFOLIA
FLORIDA	ENDANGERED	ERICACEAE	HOMOTROPSIS REYNOLDSIAE
FLORIDA	ENDANGERED	ERICACEAE	RHODODENDRON CHAPMANII
FLORIDA	ENDANGERED	EUPHORBIACEAE	CHAMAESYCE(EUPHORBIA) DELTOIDEA SSP. SERPYLLUM
FLORIDA	ENDANGERED	EUPHORBIACEAE	CHAMAESYCE(EUPHORBIA) PORTERIANA VAR. KEYENSIS
FLORIDA	ENDANGERED	EUPHORBIACEAE	CHAMAESYCE(EUPHORBIA) PORTERIANA VAR. SCOPARIA
FLORIDA	ENDANGERED	EUPHORBIACEAE	CROTON ELLIOTTII
FLORIDA	ENDANGERED	EUPHORBIACEAE	CROTON GLANDULOSUS VAR. SIMPSONII
FLORIDA	ENDANGERED	EUPHORBIACEAE	EUPHORBIA GARBERI
FLORIDA	ENDANGERED	FABACEAE	BAPTISIA RIPARIA
FLORIDA	ENDANGERED	FABACEAE	CASSIA KEYENSIS

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
FLORIDA	ENDANGERED	FABACEAE	CENTROSEMA ARENICOLA
FLORIDA	ENDANGERED	FABACEAE	GALACTIA PINETORUM
FLORIDA	ENDANGERED	FABACEAE	TEPHROSIA ANGUSTISSIMA
FLORIDA	ENDANGERED	FABACEAE	VICIA OCALENSIS
FLORIDA	ENDANGERED	GENTIANACEAE	GENTIANA PENNELLIANA
FLORIDA	ENDANGERED	HYPERICACEAE	HYPERICUM CUMULICOLA
FLORIDA	ENDANGERED	LAMIACEAE	CONRADINA BREVIFOLIA
FLORIDA	ENDANGERED	LAMIACEAE	CONRADINA GLABRA
FLORIDA	ENDANGERED	LAMIACEAE	DICERANDRA FRUTESCENS
FLORIDA	ENDANGERED	LAMIACEAE	DICERANDRA IMMACULATA
FLORIDA	ENDANGERED	LAMIACEAE	HEDEOMA GRAVEOLENS
FLORIDA	ENDANGERED	LAMIACEAE	MACBRIDEA ALBA
FLORIDA	ENDANGERED	LAMIACEAE	SALVIA BLODGETTII
FLORIDA	ENDANGERED	LENTIBULARIACEAE	PINGUICULA IONANTHA
FLORIDA	ENDANGERED	LILIACEAE	HARPEROCALLIS FLAVA
FLORIDA	ENDANGERED	LILIACEAE	HYMENOCALLIS CORONARIA
FLORIDA	ENDANGERED	LILIACEAE	LILIUM IRIDOLLAE
FLORIDA	ENDANGERED	LILIACEAE	NOLINA ATOPOCARPA
FLORIDA	ENDANGERED	LILIACEAE	NOLINA BRITTONIANA
FLORIDA	ENDANGERED	LILIACEAE	VERATRUM WOODII
FLORIDA	ENDANGERED	LINACEAE	LINUM ARENICOLA
FLORIDA	ENDANGERED	LINACEAE	LINUM CARTERI VAR. CARTERI
FLORIDA	ENDANGERED	LINACEAE	LINUM CARTERI VAR. SMALLII
FLORIDA	ENDANGERED	LINACEAE	LINUM WESTII
FLORIDA	ENDANGERED	LOGANIACEAE	SPIGELIA GENTIANOIDES
FLORIDA	ENDANGERED	LOGANIACEAE	SPIGELIA LOGANIOIDES
FLORIDA	ENDANGERED	LYTHRACEAE	CUPHEA ASPERA
FLORIDA	ENDANGERED	MELASTOMATACEAE	RHEXIA PARVIFLORA
FLORIDA	ENDANGERED	OLEACEAE	FORESTIERA SEGREGATA VAR. PINETORUM
FLORIDA	ENDANGERED	ORCHIDACEAE	SPIRANTHES LANCEOLATA VAR. PALUDICOLA
FLORIDA	ENDANGERED	ORCHIDACEAE	TRIPHORA CRAIGHEADII
FLORIDA	ENDANGERED	ORCHIDACEAE	TRIPHORA LATIFOLIA
FLORIDA	ENDANGERED	PLUMBAGINACEAE	LIMONIUM CAROLINIANUM VAR. ANGUSTATUM
FLORIDA	ENDANGERED	POACEAE	ANDROPOGON ARCTATUS
FLORIDA	ENDANGERED	POACEAE	ARISTIDA FLORIDANA
FLORIDA	ENDANGERED	POACEAE	CALAMOVILFA CURTISSII
FLORIDA	ENDANGERED	POACEAE	DIGITARIA PAUCIFLORA
FLORIDA	ENDANGERED	POACEAE	SCHIZACHYRIUM RHIZOMATUM
FLORIDA	ENDANGERED	POACEAE	TRIPSACUM FLORIDANUM
FLORIDA	ENDANGERED	POLYGALACEAE	POLYGALA LEWTONII
FLORIDA	ENDANGERED	POLYGONACEAE	POLYGONELLA CILIATA VAR. BASIRAMIA
FLORIDA	ENDANGERED	POLYGONACEAE	POLYGONELLA MYRIOPHYLLA
FLORIDA	ENDANGERED	RANUNCULACEAE	AQUILEGIA CANADENSIS VAR. AUSTRALIS

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
FLORIDA	ENDANGERED	RANUNCULACEAE	CLEMATIS MICRANTHA
FLORIDA	ENDANGERED	ROSACEAE	PRUNUS GENICULATA
FLORIDA	ENDANGERED	RUBIACEAE	HOUSTONIA NIGRICANS VAR. PULVINATA
FLORIDA	ENDANGERED	SALICACEAE	SALIX FLORIDANA
FLORIDA	ENDANGERED	SAXIFRAGACEAE	RIBES ECHINELLUM
FLORIDA	ENDANGERED	SCHIZAEACEAE	SCHIZAEA GERMANII
FLORIDA	ENDANGERED	SOLANACEAE	SOLANUM GODFREYI
FLORIDA	ENDANGERED	TAXACEAE	TAXUS FLORIDANA
FLORIDA	ENDANGERED	TAXACEAE	TORREYA TAXIFOLIA
FLORIDA	ENDANGERED	VERBENACEAE	VERBENA TAMPENSIS
FLORIDA	THREATENED	ACANTHACEAE	ELYTRARIA CAROLINIENSIS VAR. ANGUSTIFOLIA
FLORIDA	THREATENED	ANNONACEAE	ASIMINA PULCHELLA
FLORIDA	THREATENED	ANNONACEAE	ASIMINA RUGELII
FLORIDA	THREATENED	APIACEAE	ERYNGIUM CUNEIFOLIUM
FLORIDA	THREATENED	APIACEAE	ZIZIA LATIFOLIA
FLORIDA	THREATENED	AQUIFOLIACEAE	ILEX AMELANCHIER
FLORIDA	THREATENED	AQUIFOLIACEAE	ILEX OPACA VAR. ARENICOLA
FLORIDA	THREATENED	ARECACEAE	RHAPIDOPHYLLUM HYSTRIX
FLORIDA	THREATENED	ASCLEPIADACEAE	ASCLEPIAS VIRIDULA
FLORIDA	THREATENED	ASCLEPIADACEAE	MATELEA FLORIDANA
FLORIDA	THREATENED	ASTERACEAE	ASTER BRACHYPHOLIS
FLORIDA	THREATENED	ASTERACEAE	ASTER PLUMOSUS
FLORIDA	THREATENED	ASTERACEAE	ASTER SPINULOSUS
FLORIDA	THREATENED	ASTERACEAE	BRICKELLIA CORDIFOLIA
FLORIDA	THREATENED	ASTERACEAE	BRICKELLIA EUPATORIOIDES VAR. FLORIDANA
FLORIDA	THREATENED	ASTERACEAE	CACALIA DIVERSIFOLIA
FLORIDA	THREATENED	ASTERACEAE	HARTWRIGHTIA FLORIDANA
FLORIDA	THREATENED	ASTERACEAE	HELIANTHUS CARNOSUS
FLORIDA	THREATENED	ASTERACEAE	HELIANTHUS DEBILIS SSP. VESTITUS
FLORIDA	THREATENED	ASTERACEAE	HETEROTHECA FLEXUOSA
FLORIDA	THREATENED	ASTERACEAE	MELANTHERA PARVIFOLIA
FLORIDA	THREATENED	ASTERACEAE	RUDBECKIA TRILOBA VAR. PINNATILOBA
FLORIDA	THREATENED	ASTERACEAE	VERBESINA CHAPMANNII
FLORIDA	THREATENED	ASTERACEAE	VERBESINA HETEROPHYLLA
FLORIDA	THREATENED	BORAGINACEAE	HELIOTROPIUM POLYPHYLLUM VAR. HORIZONTALE
FLORIDA	THREATENED	BRASSICACEAE	WAREA AMPLEXIFOLIA
FLORIDA	THREATENED	CACTACEAE	OPUNTIA SPINOSISSIMA
FLORIDA	THREATENED	CACTACEAE	OPUNTIA TRIACANTHA
FLORIDA	THREATENED	CARYOPHYLLACEAE	ARENARIA GODFREYI
FLORIDA	THREATENED	CISTACEAE	LECHEA CERNUA
FLORIDA	THREATENED	CISTACEAE	LECHEA DIVARICATA
FLORIDA	THREATENED	COMMELINACEAE	COMMELINA GIGAS
FLORIDA	THREATENED	CONVOLVULACEAE	BONAMIA GRANDIFLORA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
FLORIDA	THREATENED	CONVOLVULACEAE	JACQUEMONTIA CURTISSII
FLORIDA	THREATENED	CONVOLVULACEAE	JACQUEMONTIA RECLINATA
FLORIDA	THREATENED	CUCURBITACEAE	CUCURBITA OKEECHOBEENSIS
FLORIDA	THREATENED	CYPERACEAE	CAREX BALTZELLII
FLORIDA	THREATENED	CYPERACEAE	CAREX CHAPMANII
FLORIDA	THREATENED	CYPERACEAE	RHYNCHOSPORA CULIXA
FLORIDA	THREATENED	CYPERACEAE	RHYNCHOSPORA PUNCTATA
FLORIDA	THREATENED	ERICACEAE	PIERIS PHILLYREAEFOLIA
FLORIDA	THREATENED	ERICACEAE	RHODODENDRON AUSTRINUM
FLORIDA	THREATENED	ERIOCAULACEAE	LACHNOCAULON BEYRICHIANUM
FLORIDA	THREATENED	EUPHORBIACEAE	ARGYTHAMNIA BLODGETTII
FLORIDA	THREATENED	EUPHORBIACEAE	CHAMAESYCE(EUPHORBIA) CUMULICOLA
FLORIDA	THREATENED	EUPHORBIACEAE	CHAMAESYCE(EUPHORBIA) DELTOIDEA SSP. DELTOIDEA
FLORIDA	THREATENED	EUPHORBIACEAE	CHAMAESYCE(EUPHORBIA) PORTERIANA VAR. PORTERIANA
FLORIDA	THREATENED	EUPHORBIACEAE	EUPHORBIA AUSTRINA
FLORIDA	THREATENED	EUPHORBIACEAE	EUPHORBIA DISCOIDALIS
FLORIDA	THREATENED	EUPHORBIACEAE	EUPHORBIA EXSERTA
FLORIDA	THREATENED	EUPHORBIACEAE	EUPHORBIA TELEPHIOIDES
FLORIDA	THREATENED	EUPHORBIACEAE	PHYLLANTHUS LIEBMANIANUS SSP. PLATYLEPIS
FLORIDA	THREATENED	EUPHORBIACEAE	PHYLLANTHUS PENTAPHYLLUS SSP. FLORIDANUS
FLORIDA	THREATENED	EUPHORBIACEAE	STILLINGIA SYLVATICA SSP. TENUIS
FLORIDA	THREATENED	EUPHORBIACEAE	TRAGIA SAXICOLA
FLORIDA	THREATENED	FABACEAE	BAPTISIA CALYCOSA
FLORIDA	THREATENED	FABACEAE	BAPTISIA HIRSUTA
FLORIDA	THREATENED	FABACEAE	BAPTISIA SIMPLICIFOLIA
FLORIDA	THREATENED	FABACEAE	CLITORIA FRAGRANS
FLORIDA	THREATENED	FABACEAE	LUPINUS WESTIANUS
FLORIDA	THREATENED	FABACEAE	RHYNCHOSIA CINEREA
FLORIDA	THREATENED	FABACEAE	TEPHROSIA MOHRII
FLORIDA	THREATENED	HALORAGACEAE	MYRIOPHYLLUM LAXUM
FLORIDA	THREATENED	HYPERICACEAE	HYPERICUM EDISONIANUM
FLORIDA	THREATENED	ILLICIACEAE	ILLICIUM PARVIFLORUM
FLORIDA	THREATENED	IRIDACEAE	NEMASTYLIS FLORIDANA
FLORIDA	THREATENED	IRIDACEAE	SPHENOSTIGMA COELESTINA
FLORIDA	THREATENED	ISOETACEAE	ISOETES FLACCIDA
FLORIDA	THREATENED	JUNCACEAE	JUNCUS GYMNOCARPUS
FLORIDA	THREATENED	LAMIACEAE	CALAMINTHA ASHEI
FLORIDA	THREATENED	LAMIACEAE	CALAMINTHA DENTATUM
FLORIDA	THREATENED	LAMIACEAE	CONRADINA GRANDIFLORA
FLORIDA	THREATENED	LAMIACEAE	DICERANDRA ODORATISSIMA
FLORIDA	THREATENED	LAMIACEAE	PHYSOSTEGIA LEPTOPHYLLUM
FLORIDA	THREATENED	LAMIACEAE	PYCNANTHEMUM FLORIDANUM
FLORIDA	THREATENED	LAMIACEAE	SCUTELLARIA FLORIDANA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
FLORIDA	THREATENED	LAMIACEAE	STACHYS LYTHROIDES
FLORIDA	THREATENED	LAURACEAE	LINDERA MELISSIFOLIA
FLORIDA	THREATENED	LAURACEAE	LITSEA AESTIVALIS
FLORIDA	THREATENED	LAURACEAE	PERSEA BORBONIA VAR. HUMILIS
FLORIDA	THREATENED	LENTIBULARIACEAE	PINGUICULA PLANIFOLIA
FLORIDA	THREATENED	LILIACEAE	HYMENOCALLIS LATIFOLIA
FLORIDA	THREATENED	LILIACEAE	ZEPHYRANTHES SIMPSONII
FLORIDA	THREATENED	LILIACEAE	ZEPHYRANTHES TREATIAE
FLORIDA	THREATENED	LINACEAE	LINUM SULCATUM VAR. HARPERI
FLORIDA	THREATENED	LYTHRACEAE	LYTHRUM CURTISSII
FLORIDA	THREATENED	LYTHRACEAE	LYTHRUM FLAGELLARE
FLORIDA	THREATENED	MAGNOLIACEAE	MAGNOLIA ASHEI
FLORIDA	THREATENED	MALVACEAE	KOSTELETZKYA SMILACIFOLIA
FLORIDA	THREATENED	MALVACEAE	SIDA RUBROMARGINATA
FLORIDA	THREATENED	MELASTOMATACEAE	RHEXIA SALICIFOLIA
FLORIDA	THREATENED	MYRTACEAE	MYRCIANTHES FRAGRANS VAR. SIMPSONII
FLORIDA	THREATENED	NYMPHAEACEAE	NUPHAR LUTEUM SSP. ULVACEUM
FLORIDA	THREATENED	OLEACEAE	CHIONANTHUS PYGMAEUS
FLORIDA	THREATENED	OPHIOGLOSSACEAE	OPHIOGLOSSUM DENDRONEURON
FLORIDA	THREATENED	OPHIOGLOSSACEAE	OPHIOGLOSSUM PALMATUM
FLORIDA	THREATENED	ORCHIDACEAE	ENCYCLIA BOOTHIANA VAR. ERYTHRONIOIDES
FLORIDA	THREATENED	ORCHIDACEAE	LEPANTHOPSIS MELANANTHA
FLORIDA	THREATENED	ORCHIDACEAE	PLATANTHERA FLAVA
FLORIDA	THREATENED	ORCHIDACEAE	PLATANTHERA INTEGRA
FLORIDA	THREATENED	ORCHIDACEAE	SPIRANTHES POLYANTHA
FLORIDA	THREATENED	POACEAE	ARISTIDA SIMPLICIFLORA
FLORIDA	THREATENED	POACEAE	CTENIUM FLORIDANUM
FLORIDA	THREATENED	POACEAE	DIGITARIA FLORIDANA
FLORIDA	THREATENED	POACEAE	DIGITARIA GRACILLIMA
FLORIDA	THREATENED	POACEAE	ERAGROSTIS TRACYI
FLORIDA	THREATENED	POACEAE	ERIOCHLOA MICHAUXII VAR. SIMPSONII
FLORIDA	THREATENED	POACEAE	GYMNOPOGON FLORIDANUS
FLORIDA	THREATENED	POACEAE	MANISURIS TUBERCULOSA
FLORIDA	THREATENED	POACEAE	PANICUM NUDICAULE
FLORIDA	THREATENED	POACEAE	PANICUM PINETORUM
FLORIDA	THREATENED	POACEAE	SCHIZACHYRIUM NIVEUM
FLORIDA	THREATENED	POLYGALACEAE	POLYGALA BOYKINII VAR. SPARSIFOLIA
FLORIDA	THREATENED	POLYGONACEAE	PERSICARIA PALUDICOLA
FLORIDA	THREATENED	POLYGONACEAE	POLYGONELLA MACROPHYLLA
FLORIDA	THREATENED	POLYPODIACEAE	ASPLENIUM PLENUM
FLORIDA	THREATENED	POLYPODIACEAE	TECTARIA AMESIANA
FLORIDA	THREATENED	ROSACEAE	AGRIMONIA INCISA
FLORIDA	THREATENED	RUBIACEAE	PINCKNEYA PUBENS

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
FLORIDA	THREATENED	SARRACENIACEAE	SARRACENIA PSITTACINA
FLORIDA	THREATENED	SARRACENIACEAE	SARRACENIA RUBRA
FLORIDA	THREATENED	SCHISANDRACEAE	SCHISANDRA GLABRA
FLORIDA	THREATENED	SCROPHULARIACEAE	AGALINIS PURPUREA VAR. CARTERI
FLORIDA	THREATENED	STEMONACEAE	CROOMIA PAUCIFLORA
FLORIDA	THREATENED	VERBENACEAE	VERBENA MARITIMA
FLORIDA	THREATENED	XYRIDACEAE	XYRIS ISOETIFOLIA
FLORIDA	THREATENED	XYRIDACEAE	XYRIS LONGISEPALA
FLORIDA	THREATENED	XYRIDACEAE	XYRIS SCABRIFOLIA
GEORGIA	ENDANGERED	ASTERACEAE	BALDUINA ATROPURPUREA
GEORGIA	ENDANGERED	ASTERACEAE	MARSHALLIA MOHRI
GEORGIA	ENDANGERED	BRASSICACEAE	DRABA APRICA
GEORGIA	ENDANGERED	CAPRIFOLIACEAE	VIBURNUM BRACTEATUM
GEORGIA	ENDANGERED	CARYOPHYLLACEAE	PARONYCHIA RUGELII VAR. INTERIOR
GEORGIA	ENDANGERED	CARYOPHYLLACEAE	SILENE POLYPETALA
GEORGIA	ENDANGERED	CYPERACEAE	FIMBRISTYLIS PERPUSILLA
GEORGIA	ENDANGERED	DIAPENSIACEAE	SHORTIA GALACIFOLIA VAR. GALACIFOLIA
GEORGIA	ENDANGERED	ERICACEAE	ELLIOTTIA RACEMOSA
GEORGIA	ENDANGERED	EUPHORBIACEAE	CROTON ELLIOTTII
GEORGIA	ENDANGERED	FABACEAE	BAPTISIA ARACHNIFERA
GEORGIA	ENDANGERED	GENTIANACEAE	GENTIANA DELOACHII
GEORGIA	ENDANGERED	LAMIACEAE	PYCNANTHEMUM CURVIPES
GEORGIA	ENDANGERED	LILIACEAE	HYMENOCALLIS CORONARIA
GEORGIA	ENDANGERED	LILIACEAE	VERATRUM WOODII
GEORGIA	ENDANGERED	MELASTOMATACEAE	RHEXIA PARVIFLORA
GEORGIA	ENDANGERED	POACEAE	PANICUM HIRSTII
GEORGIA	ENDANGERED	SALICACEAE	SALIX FLORIDANA
GEORGIA	ENDANGERED	SAPOTACEAE	BUMELIA THORNEI
GEORGIA	ENDANGERED	SARRACENIACEAE	SARRACENIA OREOPHILA
GEORGIA	ENDANGERED	SCROPHULARIACEAE	AMPHIANTHUS PUSILLUS
GEORGIA	ENDANGERED	SCROPHULARIACEAE	LINDERNIA SAXICOLA
GEORGIA	ENDANGERED	TAXACEAE	TORREYA TAXIFOLIA
GEORGIA	THREATENED	APIACEAE	OXYPOLIS CANBYI
GEORGIA	THREATENED	APIACEAE	PTILIMNIUM NODOSUM
GEORGIA	THREATENED	AQUIFOLIACEAE	ILEX AMELANCHIER
GEORGIA	THREATENED	ARECACEAE	RHAPIDOPHYLLUM HYSTRIX
GEORGIA	THREATENED	ASTERACEAE	BRICKELLIA CORDIFOLIA
GEORGIA	THREATENED	ASTERACEAE	CACALIA DIVERSIFOLIA
GEORGIA	THREATENED	ASTERACEAE	ECHINACEA LAEVIGATA
GEORGIA	THREATENED	ASTERACEAE	HARTWRIGHTIA FLORIDANA
GEORGIA	THREATENED	ASTERACEAE	MARSHALLIA RAMOSA
GEORGIA	THREATENED	ASTERACEAE	RUDBECKIA HELIOPSIDIS
GEORGIA	THREATENED	ASTERACEAE	SENECIO MILLEFOLIUM

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
GEORGIA	THREATENED	ASTERACEAE	VERNONIA PULCHELLA
GEORGIA	THREATENED	ASTERACEAE	VIGUIERA PORTERI
GEORGIA	THREATENED	BRASSICACEAE	ARABIS GEORGIANA
GEORGIA	THREATENED	BRASSICACEAE	LEAVENWORTHIA EXIGUA VAR. EXIGUA
GEORGIA	THREATENED	CRASSULACEAE	SEDUM PUSILLUM
GEORGIA	THREATENED	CUSCUTACEAE	CUSCUTA HARPERI
GEORGIA	THREATENED	CYPERACEAE	CAREX AMPLISQUAMA
GEORGIA	THREATENED	CYPERACEAE	CAREX BILTMOREANA
GEORGIA	THREATENED	CYPERACEAE	CAREX MISERA
GEORGIA	THREATENED	CYPERACEAE	CAREX PURPURIFERA
GEORGIA	THREATENED	CYPERACEAE	CYPERUS GRANITOPHILUS
GEORGIA	THREATENED	CYPERACEAE	RHYNCHOSPORA CULIXA
GEORGIA	THREATENED	CYPERACEAE	RHYNCHOSPORA GLOBULARIS VAR. SAXICOLA
GEORGIA	THREATENED	CYPERACEAE	RHYNCHOSPORA PUNCTATA
GEORGIA	THREATENED	ERICACEAE	PIERIS PHILLYREAEFOLIA
GEORGIA	THREATENED	ERICACEAE	RHODODENDRON AUSTRINUM
GEORGIA	THREATENED	ERICACEAE	RHODODENDRON PRUNIFOLIUM
GEORGIA	THREATENED	ERIOCAULACEAE	LACHNOCAULON BEYRICHIANUM
GEORGIA	THREATENED	FAGACEAE	QUERCUS GEORGIANA
GEORGIA	THREATENED	FAGACEAE	QUERCUS OGLETHORPENSIS
GEORGIA	THREATENED	HALORAGACEAE	MYRIOPHYLLUM LAXUM
GEORGIA	THREATENED	HAMAMELIDACEAE	FOTHERGILLA GARDENI
GEORGIA	THREATENED	HYDROPHYLLACEAE	PHACELIA DUBIA VAR. GEORGIANA
GEORGIA	THREATENED	ISOETACEAE	ISOETES FLACCIDA
GEORGIA	THREATENED	ISOETACEAE	ISOETES MELANOSPORA
GEORGIA	THREATENED	ISOETACEAE	ISOETES VIRGINICA
GEORGIA	THREATENED	LAMIACEAE	CALAMINTHA DENTATUM
GEORGIA	THREATENED	LAMIACEAE	DICERANDRA ODORATISSIMA
GEORGIA	THREATENED	LAMIACEAE	PHYSOSTEGIA VERONICIFORMIS
GEORGIA	THREATENED	LAMIACEAE	SCUTELLARIA MONTANA
GEORGIA	THREATENED	LAURACEAE	LITSEA AESTIVALIS
GEORGIA	THREATENED	LILIACEAE	SMILAX LEPTANTHERA
GEORGIA	THREATENED	LINACEAE	LINUM SULCATUM VAR. HARPERI
GEORGIA	THREATENED	LYTHRACEAE	LYTHRUM CURTISSII
GEORGIA	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
GEORGIA	THREATENED	POACEAE	CTENIUM FLORIDANUM
GEORGIA	THREATENED	POACEAE	MUHLENBERGIA TORREYANA
GEORGIA	THREATENED	POACEAE	PANICUM LITHOPHILUM
GEORGIA	THREATENED	POACEAE	SCHIZACHYRIUM NIVEUM
GEORGIA	THREATENED	POACEAE	SPOROBOLUS TERETIFOLIUS
GEORGIA	THREATENED	POLYPODIACEAE	ASPLENIUM HETERORESILIENS
GEORGIA	THREATENED	PORTULACACEAE	PORTULACA SMALLII
GEORGIA	THREATENED	PORTULACACEAE	TALINUM MENGESII

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STATE	STATUS	FAMILY	SPECIES
GEORGIA	THREATENED	RANUNCULACEAE	THALICTRUM DEBILE
GEORGIA	THREATENED	ROSACEAE	WALDSTEINIA LOBATA
GEORGIA	THREATENED	RUBIACEAE	PINCKNEYA PUBENS
GEORGIA	THREATENED	SANTALACEAE	NESTRONIA UMBELLULA
GEORGIA	THREATENED	SARRACENIACEAE	SARRACENIA PSITTACINA
GEORGIA	THREATENED	SARRACENIACEAE	SARRACENIA RUBRA
GEORGIA	THREATENED	SCHISANDRACEAE	SCHISANDRA GLABRA
GEORGIA	THREATENED	SCROPHULARIACEAE	AUREOLARIA PATULA
GEORGIA	THREATENED	SCROPHULARIACEAE	PENSTEMON DISSECTUS
GEORGIA	THREATENED	STEMONACEAE	CROOMIA PAUCIFLORA
GEORGIA	THREATENED	XYRIDACEAE	XYRIS SCABRIFOLIA
IDAHO	LNDANGERED	ASTERACEAE	ANTENNARIA ARCUATA
IDAHO	ENDANGERED	ASTERACEAE	ERIGERON LATUS
IDAHO	ENDANGERED	ASTERACEAE	HAPLOPAPPUS RADIATUS
IDAHO	ENDANGERED	BORAGINACEAE	DASYNOTUS DAUBENMIREI
IDAHO	ENDANGEHED	BORAGINACEAE	HACKELIA DAVISII
IDAHO	ENDANGERED	BRASSICACEAE	CARDAMINE CONSTANCEI
IDAHO	ENDANGERED	BRASSICACEAE	LEPIDIUM DAVISII
IDAHO	ENDANGERED	BRASSICACEAE	THELYPODIUM REPANDUM
IDAHO	ENDANGERED	CARYOPHYLLACEAE	SILENE SPALDINGII
IDAHO	ENDANGERED	CYPERACEAE	CAREX ABORIGINUM
IDAHO	ENDANGERED	FABACEAE	ASTRAGALUS AMNIS-AMISSI
IDAHO	ENDANGERED	FABACEAE	ASTRAGALUS ATRATUS VAR. INSEPTUS
IDAHO	ENDANGERED	FABACEAE	ASTRAGALUS PURSHII VAR. OPHIOGENES
IDAHO	ENDANGERED	FABACEAE	ASTRAGALUS STERILIS
IDAHO	ENDANGERED	LILIACEAE	ALLIUM AASEAE
IDAHO	ENDANGERED	LILIACEAE	TOFIELDIA GLUTINOSA SSP. ABSGNA
IDAHO	ENDANGERED	NYCTAGINACEAE	MIRABILIS MACFARLANEI
IDAHO	ENDANGERED	ONAGRACEAE	OENOTHERA PSAMMOPHILA
IDAHO	ENDANGERED	POLEMONIACEAE	PHLOX IDAHONIS
IDAHO	ENDANGERED	PRIMULACEAE	PRIMULA CUSICKIANA
IDAHO	ENDANGERED	SCROPHULARIACEAE	CASTILLEJA CHRISTII
IDAHO	THREATENED	APIACEAE	LOMATIUM HENDERSONII
IDAHO	THREATENED	APIACEAE	LOMATIUM ROLLINSII
IDAHO	THREATENED	APIACEAE	LOMATIUM SERPENTINUM
IDAHO	THREATENED	ASTERACEAE	ARTEMISIA PAPPOSA
IDAHO	THREATENED	ASTERACEAE	ASTER JESSICAE
IDAHO	THREATENED	ASTERACEAE	CHAENACTIS EVERMANNII
IDAHO	THREATENED	ASTERACEAE	CIRSIUM DAVISII
IDAHO	THREATENED	ASTERACEAE	GRINDELIA HOWELLII
IDAHO	THREATENED	ASTERACEAE	HAPLOPAPPUS ABERRANS
IDAHO	THREATENED	ASTERACEAE	HAPLOPAPPUS LIATRIFORMIS
IDAHO	THREATENED	ASTERACEAE	HYMENOPAPPUS FILIFOLIUS VAR. IDAHOENSIS

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
IDAHO	THREATENED	BORAGINACEAE	CRYPTANTHA HYPSOPHILA
IDAHO	THREATENED	BORAGINACEAE	HACKELIA HISPIDA
IDAHO	THREATENED	BRASSICACEAE	DRABA APICULATA VAR. DAVIESIAE
IDAHO	THREATENED	BRASSICACEAE	DRABA ARGYRAEA
IDAHO	THREATENED	BRASSICACEAE	DRABA SPHAEROCARPA
IDAHO	THREATENED	BRASSICACEAE	HALIMOLOBOS PERPLEXA VAR. LEMHIENSIS
IDAHO	THREATENED	BRASSICACEAE	HALIMOLOBOS PERPLEXA VAR. PERPLEXA
IDAHO	THREATENED	BRASSICACEAE	LESQUERELLA CARINATA
IDAHO	THREATENED	BRASSICACEAE	PHYSARIA ALPESTRIS VAR. LYRATA
IDAHO	THREATENED	BRASSICACEAE	PHYSARIA ALPESTRIS VAR. PURPUREA
IDAHO	THREATENED	CARYOPHYLLACEAE	SILENE SCAPOSA VAR. LOBATA
IDAHO	THREATENED	FABACEAE	ASTRAGALUS MULFORDAE
IDAHO	THREATENED	FABACEAE	ASTRAGALUS VEXILLIFLEXUS VAR. NUDILUS
IDAHO	THREATENED	FABACEAE	TRIFOLIUM PLUMOSUM VAR. AMPLIFOLIUM
IDAHO	THREATENED	FUMARIACEAE	CORYDALIS CASEANA SSP. HASTATA
IDAHO	THREATENED	GENTIANACEAE	FRASERA IDAHOENSIS
IDAHO	THREATENED	LILIACEAE	ALLIUM MADIDUM
IDAHO	THREATENED	LILIACEAE	ALLIUM TOLMIEI VAR. PERSIMILE
IDAHO	THREATENED	LILIACEAE	CALOCHORTUS NITIDUS
IDAHO	THREATENED	POACEAE	CALAMAGROSTIS TWEEDYI
IDAHO	THREATENED	POLYGONACEAE	ERIOGONUM THYMOIDES
IDAHO	THREATENED	PORTULACACEAE	CLAYTONIA FLAVA
IDAHO	THREATENED	PORTULACACEAE	LEWISIA COLUMBIANA VAR. WALLOWENSIS
IDAHO	THREATENED	ROSACEAE	RUBUS BARTONIANUS
IDAHO	THREATENED	ROSACEAE	WALDSTEINIA IDAHOENSIS
IDAHO	THREATENED	SCROPHULARIACEAE	CASTILLEJA ORESBIA
IDAHO	THREATENED	SCROPHULARIACEAE	PENSTEMON ELEGANTULUS
IDAHO	THREATENED	SCROPHULARIACEAE	PENSTEMON LEMHIENSIS
IDAHO	THREATENED	SCROPHULARIACEAE	SYNTHYRIS HENDERSONII
IDAHO	THREATENED	SCROPHULARIACEAE	SYNTHYRIS PLATYCARPA
ILLINOIS	ENDANGERED	ASTERACEAE	ASTER CHASEI
ILLINOIS	ENDANGERED	FABACEAE	LESPEDEZA LEPTOSTACHYA
ILLINOIS	ENDANGERED	FABACEAE	PETALOSTEMUM FOLIOSUM
ILLINOIS	ENDANGERED	MALVACEAE	ILIAMNA REMOTA
ILLINOIS	ENDANGERED	ORCHIDACEAE	ISOTRIA MEDEOLOIDES
ILLINOIS	THREATENED	ANACARDIACEAE	RHUS TRILOBATA VAR. ARENARIA
ILLINOIS	THREATENED	ASCLEPIADACEAE	ASCLEPIAS MEADII
ILLINOIS	THREATENED	ASTERACEAE	BOLTONIA ASTEROIDES VAR. DECURRENS
ILLINOIS	THREATENED	CYPERACEAE	CYPERUS GRAYIOIDES
ILLINOIS	THREATENED	FABACEAE	APIOS PRICEANA
ILLINOIS	THREATENED	FABACEAE	ASTRAGALUS TENNESSEENSIS
ILLINOIS	THREATENED	LAMIACEAE	SYNANDRA HISPIDULA
ILLINOIS	THREATENED	LAURACEAE	LINDERA MELISSIFOLIA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
ILLINOIS	THREATENED	ORCHIDACEAE	PLATANTHERA FLAVA
ILLINOIS	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
ILLINOIS	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
ILLINOIS	THREATENED	POACEAE	MUHLENBERGIA CURTISETOSA
ILLINOIS	THREATENED	POACEAE	POA PALUDIGENA
ILLINOIS	THREATENED	POLYPODIACEAE	ASPLENIUM KENTUCKIENSE
ILLINOIS	THREATENED	PRIMULACEAE	DODECATHEON FRENCHII
ILLINOIS	THREATENED	SAXIFRAGACEAE	SULLIVANTIA OHIONIS
INDIANA	ENDANGERED	MALVACEAE	ILIAMNA REMOTA
INDIANA	THREATENED	ANACARDIACEAE	RHUS TRILOBATA VAR. ARENARIA
INDIANA	THREATENED	ASCLEPIADACEAE	ASCLEPIAS MEADII
INDIANA	THREATENED	BRASSICACEAE	LESQUERELLA GLOBOSA
INDIANA	THREATENED	ORCHIDACEAE	PLATANTHERA FLAVA
INDIANA	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
INDIANA	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
INDIANA	THREATENED	POACEAE	POA PALUDIGENA
INDIANA	THREATENED	POLEMONIACEAE	PHLOX BIFIDA VAR. STELLARIA
INDIANA	THREATENED	SAXIFRAGACEAE	SULLIVANTIA OHIONIS
IOWA	ENDANGERED	FABACEAE	LESPEDEZA LEPTOSTACHYA
IOWA	THREATENED	ASCLEPIADACEAE	ASCLEPIAS MEADII
IOWA	THREATENED	RANUNCULACEAE	ACONITUM NOVEBORACENSE VAR. QUASICILIATUM
KANSAS	THREATENED	ASCLEPIADACEAE	ASCLEPIAS MEADII
KANSAS	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
KENTUCKY	ENDANGERED	ASTERACEAE	EUPATORIUM RESINOSUM VAR. KENTUCKIENSE
KENTUCKY	ENDANGERED	ASTERACEAE	HELIANTHUS EGGERTII
KENTUCKY	ENDANGERED	ASTERACEAE	SOLIDAGO ALBOPILOSA
KENTUCKY	ENDANGERED	ASTERACEAE	SOLIDAGO SHORTII
KENTUCKY	ENDANGERED	BRASSICACEAE	ARABIS PERSTELLATA VAR. PERSTELLATA
KENTUCKY	ENDANGERED	BRASSICACEAE	LEAVENWORTHIA EXIGUA VAR. LACINIATA
KENTUCKY	ENDANGERED	LAMIACEAE	CONRADINA VERTICILLATA
KENTUCKY	THREATENED	APIACEAE	OXYPOLIS CANBYI
KENTUCKY	THREATENED	ASTERACEAE	PRENANTHES ROANENSIS
KENTUCKY	THREATENED	BRASSICACEAE	LEAVENWORTHIA TORULOSA
KENTUCKY	THREATENED	BRASSICACEAE	LESQUERELLA GLOBOSA
KENTUCKY	THREATENED	CARYOPHYLLACEAE	ARENARIA FONTINALIS
KENTUCKY	THREATENED	CARYOPHYLLACEAE	STELLARIA FONTINALIS
KENTUCKY	THREATENED	CYPERACEAE	CAREX PURPURIFERA
KENTUCKY	THREATENED	ERICACEAE	RHODODENDRON BAKERI
KENTUCKY	THREATENED	FABACEAE	APIOS PRICEANA
KENTUCKY	THREATENED	HYPERICACEAE	HYPERICUM SPHAEROCARPUM VAR. TURGIDUM
KENTUCKY	THREATENED	ORCHIDACEAE	CYPRIPEDIUM CANDIDUM
KENTUCKY	THREATENED	ORCHIDACEAE	PLATANTHERA FLAVA
KENTUCKY	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
KENTUCKY	THREATENED	POACEAE	MUHLENBERGIA TORREYANA
KENTUCKY	THREATENED	POLEMONIACEAE	PHLOX BIFIDA VAR. STELLARIA
KENTUCKY	THREATENED	POLEMONIACEAE	POLEMONIUM REPTANS VAR. VILLOSUM
KENTUCKY	THREATENED	POLYPODIACEAE	ASPLENIUM KENTUCKIENSE
KENTUCKY	THREATENED	PRIMULACEAE	DODECATHEON FRENCHII
KENTUCKY	THREATENED	SAXIFRAGACEAE	SAXIFRAGA CAROLINIANA
KENTUCKY	THREATENED	SAXIFRAGACEAE	SULLIVANTIA OHIONIS
KENTUCKY	THREATENED	SCROPHULARIACEAE	AUREOLARIA PATULA
KENTUCKY	THREATENED	VIOLACEAE	VIOLA EGGLESTONII
LOUISIANA	ENDANGERED	ISOETACEAE	ISOETES LOUISIANENSIS
LOUISIANA	THREATENED	APOCYNACEAE	AMSONIA GLABERRIMA
LOUISIANA	THREATENED	AQUIFOLIACEAE	ILEX AMELANCHIER
LOUISIANA	THREATENED	LAMIACEAE	SCUTELLARIA THIERETII
LOUISIANA	THREATENED	LAURACEAE	LINDERA MELISSIFOLIA
LOUISIANA	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
LOUISIANA	THREATENED	POACEAE	BOTHRIOCHLOA EXARISTATA
LOUISIANA	THREATENED	SARRACENIACEAE	SARRACENIA PSITTACINA
LOUISIANA	THREATENED	SCROPHULARIACEAE	AGALINIS CADDOENSIS
MAINE	ENDANGERED	CYPERACEAE	CAREX ELACHYCARPA
MAINE	ENDANGERED	POACEAE	CALAMAGROSTIS INEXPANSA VAR. NOVAE-ANGLIAE
MAINE	ENDANGERED	RANUNCULACEAE	TROLLIUS LAXUS
MAINE	ENDANGERED	SCROPHULARIACEAE	MIMULUS RINGENS VAR. COLPOPHILUS
MAINE	THREATENED	ASTERACEAE	PRENANTHES BOOTTII
MAINE	THREATENED	BRASSICACEAE	CARDAMINE LONGII
MAINE	THREATENED	CARYOPHYLLACEAE	PARONYCHIA ARGYROCOMA VAR. ALBIMONTANA
MAINE	THREATENED	CYPERACEAE	CAREX ORONENSIS
MAINE	THREATENED	ORCHIDACEAE	LISTERA AURICULATA
MAINE	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
MARYLAND	ENDANGERED	LILIACEAE	TRILLIUM PUSILLUM VAR. VIRGINIANUM
MARYLAND	THREATENED	APIACEAE	PTILIMNIUM FLUVIATILE
MARYLAND	THREATENED	BETULACEAE	ALNUS MARITIMA
MARYLAND	THREATENED	BRASSICACEAE	CARDAMINE LONGII
MARYLAND	THREATENED	JUNCACEAE	JUNCUS CAESARIENSIS
MARYLAND	THREATENED	LILIACEAE	LILIUM GRAYII
MARYLAND	THREATENED	ORCHIDACEAE	PLATANTHERA FLAVA
MARYLAND	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
MARYLAND	THREATENED	SCROPHULARIACEAE	MICRANTHEMUM MICRANTHEMOIDES
MASSACHUSETTS	ENDANGERED	ORCHIDACEAE	ISOTRIA MEDEOLOIDES
MASSACHUSETTS	THREATENED	ASTERACEAE	EUPATORIUM LEUCOLEPIS VAR. NOVAE-ANGLIAE
MASSACHUSETTS	THREATENED	CARYOPHYLLACEAE	PARONYCHIA ARGYROCOMA VAR. ALBIMONTANA
MASSACHUSETTS	THREATENED	CISTACEAE	HELIANTHEMUM DUMOSUM
MASSACHUSETTS	THREATENED	CYPERACEAE	SCIRPUS LONGII
MASSACHUSETTS	THREATENED	ISOETACEAE	ISOETES EATONII

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STATE	STATUS	FAMILY	SPECIES
MASSACHUSETTS	THREATENED	ORCHIDACEAE	CYPRIPEDIUM ARIETINUM
MASSACHUSETTS	THREATENED	SCROPHULARIACEAE	AGALINIS ACUTA
MICHIGAN	ENDANGERED	ORCHIDACEAE	ISOTRIA MEDEOLOIDES
MICHIGAN	ENDANGERED	POLYPODIACEAE	PHYLLITIS SCOLOPENDRIUM VAR. AMERICANA
MICHIGAN	ENDANGERED	POLYPODIACEAE	WOODSIA ABBEAE
MICHIGAN	ENDANGERED	RANUNCULACEAE	TROLLIUS LAXUS
MICHIGAN	ENDANGERED	SCROPHULARIACEAE	MIMULUS GLABRATUS VAR. MICHIGANENSIS
MICHIGAN	THREATENED	IRIDACEAE	IRIS LACUSTRIS
MICHIGAN	THREATENED	ORCHIDACEAE	CYPRIPEDIUM ARIETINUM
MICHIGAN	THREATENED	ORCHIDACEAE	LISTERA AURICULATA
MICHIGAN	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
MICHIGAN	THREATENED	POACEAE	POA PALUDIGENA
MICHIGAN	THREATENED	POLYPODIACEAE	GYMNOCARPIUM HETEROSPORUM
MICHIGAN	THREATENED	POTAMOGETONACEAE	POTAMOGETON HILLII
MINNESOTA	ENDANGERED	FABACEAE	LESPEDEZA LEPTOSTACHYA
MINNESOTA	ENDANGERED	POLEMONIACEAE	POLEMONIUM OCCIDENTALE VAR. LACUSTRE
MINNESOTA	ENDANGERED	POLYPODIACEAE	WOODSIA ABBEAE
MINNESOTA	THREATENED	ASTERACEAE	ERIGERON PULCHELLUS VAR. TOLSTEADII
MINNESOTA	THREATENED	LILIACEAE	ERYTHRONIUM PROPULLANS
MINNESOTA	THREATENED	ORCHIDACEAE	CYPRIPEDIUM ARIETINUM
MINNESOTA	THREATENED	ORCHIDACEAE	LISTERA AURICULATA
MINNESOTA	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
MINNESOTA	THREATENED	POLYPODIACEAE	GYMNOCARPIUM HETEROSPORUM
MINNESOTA	THREATENED	SAXIFRAGACEAE	SULLIVANTIA OHIONIS
MISSISSIPPI	THREATENED	AQUIFOLIACEAE	ILEX AMELANCHIER
MISSISSIPPI	THREATENED	ARECACEAE	RHAPIDOPHYLLUM HYSTRIX
MISSISSIPPI	THREATENED	ASTERACEAE	ASTER VERUTIFOLIUS
MISSISSIPPI	THREATENED	LENTIBULARIACEAE	PINGUICULA PLANIFOLIA
MISSISSIPPI	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
MISSISSIPPI	THREATENED	POACEAE	ARISTIDA SIMPLICIFLORA
MISSISSIPPI	THREATENED	POACEAE	PANICUM NUDICAULE
MISSISSIPPI	THREATENED	RANUNCULACEAE	THALICTRUM DEBILE
MISSISSIPPI	THREATENED	ROSACEAE	AGRIMONIA INCISA
MISSISSIPPI	THREATENED	SARRACENIACEAE	SARRACENIA PSITTACINA
MISSISSIPPI	THREATENED	SARRACENIACEAE	SARRACENIA RUBRA
MISSISSIPPI	THREATENED	XYRIDACEAE	XYRIS SCABRIFOLIA
MISSOURI	ENDANGERED	BRASSICACEAE	DRABA APRICA
MISSOURI	ENDANGERED	BRASSICACEAE	LESQUERELLA FILIFORMIS
MISSOURI	ENDANGERED	CARYOPHYLLACEAE	GEOCARPON MINIMUM
MISSOURI	ENDANGERED	FAGACEAE	CASTANEA OZARKENSIS
MISSOURI	ENDANGERED	ORCHIDACEAE	ISOTRIA MEDEOLOIDES
MISSOURI	ENDANGERED	POACEAE	CALAMAGROSTIS INSPERATA
MISSOURI	ENDANGERED	SAXIFRAGACEAE	HEUCHERA MISSOURIENSIS

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
MISSOURI	THREATENED	ASCLEPIADACEAE	ASCLEPIAS MEADII
MISSOURI	THREATENED	ASTERACEAE	BOLTONIA ASTEROIDES VAR. DECURRENS
MISSOURI	THREATENED	ERICACEAE	VACCINIUM VACILLANS VAR. MISSOURIENSE
MISSOURI	THREATENED	FABACEAE	AMORPHA BRACHYCARPA
MISSOURI	THREATENED	LAURACEAE	LINDERA MELISSIFOLIA
MISSOURI	THREATENED	LILIACEAE	TRILLIUM PUSILLUM VAR. OZARKANUM
MISSOURI	THREATENED	MALVACEAE	CALLIRHOE PAPAVER VAR. BUSHII
MISSOURI	THREATENED	ORCHIDACEAE	CYPRIPEDIUM CANDIDUM
MISSOURI	THREATENED	ORCHIDACEAE	PLATANTHERA FLAVA
MISSOURI	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
MISSOURI	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
MISSOURI	THREATENED	POACEAE	MUHLENBERGIA CURTISETOSA
MISSOURI	THREATENED	POACEAE	SPOROBOLUS NEGLECTUS VAR. OZARKANUS
MISSOURI	THREATENED	RANUNCULACEAE	DELPHINIUM TRELEASEI
MISSOURI	THREATENED	ROSACEAE	NEVIUSIA ALABAMENSIS
MISSOURI	THREATENED	ROSACEAE	RUBUS MISSOURICUS
MISSOURI	THREATENED	SCROPHULARIACEAE	PENSTEMON COBAEA VAR. PURPUREUS
MONTANA	ENDANGERED	CARYOPHYLLACEAE	SILENE SPALDINGII
MONTANA	ENDANGERED	POLEMONIACEAE	PHLOX MISSOULENSIS
MONTANA	THREATENED	ASTERACEAE	GRINDELIA HOWELLII
MONTANA	THREATENED	BORAGINACEAE	CRYPTANTHA SOBOLIFERA
MONTANA	THREATENED	BRASSICACEAE	CARDAMINE RUPICOLA
MONTANA	THREATENED	BRASSICACEAE	DRABA APICULATA VAR. DAVIESIAE
MONTANA	THREATENED	BRASSICACEAE	RORIPPA CALYCINA
MONTANA	THREATENED	PORTULACACEAE	CLAYTONIA FLAVA
MONTANA	THREATENED	RANUNCULACEAE	AQUILEGIA JONESII
MONTANA	THREATENED	SCROPHULARIACEAE	PENSTEMON LEMHIENSIS
NEBRASKA	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
NEVADA	ENDANGERED	APIACEAE	CYMOPTERUS NIVALIS
NEVADA	ENDANGERED	ASCLEPIADACEAE	ASCLEPIAS EASTWOODIANA
NEVADA	ENDANGERED	ASTERACEAE	CIRSIUM CLOKEYI
NEVADA	ENDANGERED	ASTERACEAE	MACHAERANTHERA LEUCANTHEMIFOLIA
NEVADA	ENDANGERED	ASTERACEAE	TANACETUM COMPACTUM
NEVADA	ENDANGERED	BRASSICACEAE	DRABA ARIDA
NEVADA	ENDANGERED	BRASSICACEAE	DRABA PAUCIFRUCTA
NEVADA	ENDANGERED	EUPHORBIACEAE	CROTON WIGGINSII
NEVADA	ENDANGERED	EUPHORBIACEAE	DITAXIS DIVERSIFLORA
NEVADA	ENDANGERED	FABACEAE	ASTRAGALUS BEATLEYAE
NEVADA	ENDANGERED	FABACEAE	ASTRAGALUS CALYCOSUS VAR. MONOPHYLLIDIUS
NEVADA	ENDANGERED	FABACEAE	ASTRAGALUS NYENSIS
NEVADA	ENDANGERED	FABACEAE	ASTRAGALUS PHOENIX
NEVADA	ENDANGERED	FABACEAE	ASTRAGALUS PORRECTUS
NEVADA	ENDANGERED	FABACEAE	ASTRAGALUS ROBBINSII VAR. OCCIDENTALIS

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
NEVADA	ENDANGERED	FABACEAE	ASTRAGALUS SERENOI VAR. SORDESCENS
NEVADA	ENDANGERED	FABACEAE	ASTRAGALUS UNCIALIS
NEVADA	ENDANGERED	FABACEAE	LATHYRUS HITCHCOCKIANUS
NEVADA	ENDANGERED	FABACEAE	TRIFOLIUM ANDERSONII SSP. BEATLEYAE
NEVADA	ENDANGERED	FABACEAE	TRIFOLIUM LEMMONII
NEVADA	ENDANGERED	GENTIANACEAE	CENTAURIUM NAMOPHILUM
NEVADA	ENDANGERED	GENTIANACEAE	FRASERA GYPSICOLA
NEVADA	ENDANGERED	GENTIANACEAE	FRASERA PAHUTENSIS
NEVADA	ENDANGERED	GERANIACEAE	GERANIUM TOQUIMENSE
NEVADA	ENDANGERED	HYDROPHYLLACEAE	PHACELIA BEATLEYAE
NEVADA	ENDANGERED	LOASACEAE	MENTZELIA LEUCOPHYLLA
NEVADA	ENDANGERED	NYCTAGINACEAE	MIRABILIS PUDICA
NEVADA	ENDANGERED	ONAGRACEAE	CAMISSONIA MEGALANTHA
NEVADA	ENDANGERED	ONAGRACEAE	CAMISSONIA NEVADENSIS
NEVADA	ENDANGERED	POLYGONACEAE	ERIOGONUM ANEMOPHILUM
NEVADA	ENDANGERED	POLYGONACEAE	ERIOGONUM ARGOPHYLLUM
NEVADA	ENDANGERED	PRIMULACEAE	PRIMULA CAPILLARIS
NEVADA	ENDANGERED	PRIMULACEAE	PRIMULA NEVADENSIS
NEVADA	ENDANGERED	ROSACEAE	IVESIA CRYPTOCAULIS
NEVADA	ENDANGERED	ROSACEAE	IVESIA EREMICA
NEVADA	ENDANGERED	SCROPHULARIACEAE	CASTILLEJA SALSUGINOSA
NEVADA	ENDANGERED	SCROPHULARIACEAE	PENSTEMON DECURVUS
NEVADA	ENDANGERED	SCROPHULARIACEAE	PENSTEMON KECKII
NEVADA	ENDANGERED	SCROPHULARIACEAE	PENSTEMON NANUS
NEVADA	ENDANGERED	SCROPHULARIACEAE	PENSTEMON NYEENSIS
NEVADA	ENDANGERED	SCROPHULARIACEAE	PENSTEMON PAHUTENSIS
NEVADA	ENDANGERED	SCROPHULARIACEAE	PENSTEMON RUBICUNDUS
NEVADA	ENDANGERED	SCROPHULARIACEAE	SYNTHYRIS RANUNCULINA
NEVADA	THREATENED	APIACEAE	ANGELICA SCABRIDA
NEVADA	THREATENED	APIACEAE	CYMOPTERUS BASALTICUS
NEVADA	THREATENED	ASTERACEAE	ANTENNARIA SOLICEPS
NEVADA	THREATENED	ASTERACEAE	ENCELIOPSIS NUDICAULIS VAR. CORRUGATA
NEVADA	THREATENED	ASTERACEAE	ERIGERON OVINUS
NEVADA	THREATENED	ASTERACEAE	ERIGERON UNCIALIS VAR. CONJUGANS
NEVADA	THREATENED	ASTERACEAE	GRINDELIA FRAXINO-PRATENSIS
NEVADA	THREATENED	ASTERACEAE	HAPLOPAPPUS BRICKELLIOIDES
NEVADA	THREATENED	ASTERACEAE	HAPLOPAPPUS CANUS
NEVADA	THREATENED	ASTERACEAE	HAPLOPAPPUS EXIMIUS
NEVADA	THREATENED	ASTERACEAE	MACHAERANTHERA AMMOPHILA
NEVADA	THREATENED	ASTERACEAE	MACHAERANTHERA GRINDELIOIDES VAR. DEPRESSA
NEVADA	THREATENED	ASTERACEAE	PERITYLE MEGALOCEPHALA VAR. INTRICATA
NEVADA	THREATENED	ASTERACEAE	SENECIO LYNCEUS VAR. LEUCOREUS
NEVADA	THREATENED	ASTERACEAE	TOWNSENDIA JONESII VAR. TUMULOSA

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STATE	STATUS	FAMILY	SPECIES
NEVADA	THREATENED	BORAGINACEAE	CRYPTANTHA COMPACTA
NEVADA	THREATENED	BORAGINACEAE	CRYPTANTHA HOFFMANNII
NEVADA	THREATENED	BORAGINACEAE	CRYPTANTHA INTERRUPTA
NEVADA	THREATENED	BORAGINACEAE	CRYPTANTHA TUMULOSA
NEVADA	THREATENED	BRASSICACEAE	ARABIS SHOCKLEYI
NEVADA	THREATENED	BRASSICACEAE	DRABA ASTEROPHORA VAR. ASTEROPHORA
NEVADA	THREATENED	BRASSICACEAE	DRABA CRASSIFOLIA VAR. NEVADENSIS
NEVADA	THREATENED	BRASSICACEAE	DRABA DOUGLASII
NEVADA	THREATENED	BRASSICACEAE	DRABA JAEGERI
NEVADA	THREATENED	BRASSICACEAE	DRABA STENOLOBA VAR. RAMOSA
NEVADA	THREATENED	BRASSICACEAE	LEPIDIUM NANUM
NEVADA	THREATENED	BRASSICACEAE	LESQUERELLA HITCHCOCKII
NEVADA	THREATENED	BRASSICACEAE	RORIPPA SUBUMBELLATA
NEVADA	THREATENED	CACTACEAE	CORYPHANTHA VIVIPARA VAR. ROSEA
NEVADA	THREATENED	CACTACEAE	OPUNTIA WHIPPLEI VAR. MULTIGENICULATA
NEVADA	THREATENED	CACTACEAE	SCLEROCACTUS PUBISPINUS
NEVADA	THREATENED	CARYOPHYLLACEAE	ARENARIA KINGII VAR. ROSEA
NEVADA	THREATENED	CARYOPHYLLACEAE	ARENARIA STENOMERES
NEVADA	THREATENED	CARYOPHYLLACEAE	SILENE CLOKEYI
NEVADA	THREATENED	CARYOPHYLLACEAE	SILENE SCAPOSA VAR. LOBATA
NEVADA	THREATENED	EPHEDRACEAE	EPHEDRA FUNEREA
NEVADA	THREATENED	FABACEAE	ASTRAGALUS AEQUALIS
NEVADA	THREATENED	FABACEAE	ASTRAGALUS ALVORDENSIS
NEVADA	THREATENED	FABACEAE	ASTRAGALUS CALLITHRIX
NEVADA	THREATENED	FABACEAE	ASTRAGALUS CONVALLARIUS VAR. FINITIMUS
NEVADA	THREATENED	FABACEAE	ASTRAGALUS FUNEREUS
NEVADA	THREATENED	FABACEAE	ASTRAGALUS GEYERI VAR. TRIQUETRUS
NEVADA	THREATENED	FABACEAE	ASTRAGALUS LENTIGINOSUS VAR. LATUS
NEVADA	THREATENED	FABACEAE	ASTRAGALUS MUSIMONUM
NEVADA	THREATENED	FABACEAE	ASTRAGALUS OOPHORUS VAR. CLOKEYANUS
NEVADA	THREATENED	FABACEAE	ASTRAGALUS OOPHORUS VAR. LONCHOCALYX
NEVADA	THREATENED	FABACEAE	ASTRAGALUS PSEUDIODANTHUS
NEVADA	THREATENED	FABACEAE	ASTRAGALUS PTEROCARPUS
NEVADA	THREATENED	FABACEAE	ASTRAGALUS TOQUIMANUS
NEVADA	THREATENED	FABACEAE	DALEA KINGII
NEVADA	THREATENED	FABACEAE	LUPINUS HOLMGRENANUS
NEVADA	THREATENED	FABACEAE	LUPINUS MONTIGENUS
NEVADA	THREATENED	HYDROPHYLLACEAE	PHACELIA ANELSONII
NEVADA	THREATENED	HYDROPHYLLACEAE	PHACELIA GLABERRIMA
NEVADA	THREATENED	HYDROPHYLLACEAE	PHACELIA MUSTELINA
NEVADA	THREATENED	ISOETACEAE	ISOETES BOLANDERI VAR. PYGMAEA
NEVADA	THREATENED	LILIACEAE	AGAVE UTAHENSIS VAR. NEVADENSIS
NEVADA	THREATENED	LILIACEAE	AGAVE UTAHENSIS VAR. EBORISPINA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
NEVADA	THREATENED	LILIACEAE	CALOCHORTUS STRIATUS
NEVADA	THREATENED	NYCTAGINACEAE	ABRONIA ORBICULATA
NEVADA	THREATENED	OLEACEAE	FRAXINUS CUSPIDATA VAR. MACROPETALA
NEVADA	THREATENED	ONAGRACEAE	EPILOBIUM NEVADENSE
NEVADA	THREATENED	PAPAVERACEAE	ARCTOMECON MERRIAMII
NEVADA	THREATENED	POLEMONIACEAE	GILIA NYENSIS
NEVADA	THREATENED	POLEMONIACEAE	GILIA RIPLEYI
NEVADA	THREATENED	POLEMONIACEAE	LINANTHUS ARENICOLA
NEVADA	THREATENED	POLEMONIACEAE	PHLOX GLADIFORMIS
NEVADA	THREATENED	POLEMONIACEAE	POLEMONIUM NEVADENSE
NEVADA	THREATENED	POLYGONACEAE	ERIOGONUM BIFURCATUM
NEVADA	THREATENED	POLYGONACEAE	ERIOGONUM CONCINNUM
NEVADA	THREATENED	POLYGONACEAE	ERIOGONUM EREMICUM
NEVADA	THREATENED	POLYGONACEAE	ERIOGONUM HOLMGRENII
NEVADA	THREATENED	POLYGONACEAE	ERIOGONUM OVALIFOLIUM VAR. CALLESTRINUM
NEVADA	THREATENED	POLYGONACEAE	ERIOGONUM RUBRICAULE
NEVADA	THREATENED	PORTULACACEAE	LEWISIA MAGUIREI
NEVADA	THREATENED	SCROPHULARIACEAE	CASTILLEJA LINOIDES
NEVADA	THREATENED	SCROPHULARIACEAE	CORDYLANTHUS TECOPENSIS
NEVADA	THREATENED	SCROPHULARIACEAE	PENSTEMON ARENARIUS
NEVADA	THREATENED	SCROPHULARIACEAE	PENSTEMON BICOLOR SSP. BICOLOR
NEVADA	THREATENED	SCROPHULARIACEAE	PENSTEMON BICOLOR SSP. ROSEUS
NEVADA	THREATENED	SCROPHULARIACEAE	PENSTEMON MODESTUS
NEVADA	THREATENED	SCROPHULARIACEAE	PENSTEMON PUDICUS
NEVADA	THREATENED	SCROPHULARIACEAE	PENSTEMON THOMPSONIAE SSP. JAEGERI
NEVADA	THREATENED	VIOLACEAE	VIOLA CHARLESTONENSIS
NEW HAMPSHIRE	ENDANGERED	FABACEAE	ASTRAGALUS ROBBINSII VAR. JESUPI
NEW HAMPSHIRE	ENDANGERED	ORCHIDACEAE	ISOTRIA MEDEOLOIDES
NEW HAMPSHIRE	ENDANGERED	POACEAE	CALAMAGROSTIS INEXPANSA VAR. NOVAE-ANGLIAE
NEW HAMPSHIRE	ENDANGERED	RANUNCULACEAE	TROLLIUS LAXUS
NEW HAMPSHIRE	ENDANGERED	ROSACEAE	GEUM PECKII
NEW HAMPSHIRE	ENDANGERED	ROSACEAE	POTENTILLA ROBBINSIANA
NEW HAMPSHIRE	THREATENED	ASTERACEAE	PRENANTHES BOOTTII
NEW HAMPSHIRE	THREATENED	CARYOPHYLLACEAE	PARONYCHIA ARGYROCOMA VAR. ALBIMONTANA
NEW HAMPSHIRE	THREATENED	ISOETACEAE	ISOETES EATONII
NEW HAMPSHIRE	THREATENED	ISOETACEAE	ISOETES FOVEOLATA
NEW HAMPSHIRE	THREATENED	ORCHIDACEAE	LISTERA AURICULATA
NEW JERSEY	ENDANGERED	CYPERACEAE	RHYNCHOSPORA KNIESKERNII
NEW JERSEY	ENDANGERED	ORCHIDACEAE	ISOTRIA MEDEOLOIDES
NEW JERSEY	ENDANGERED	POACEAE	PANICUM HIRSTII
NEW JERSEY	ENDANGERED	RANUNCULACEAE	TROLLIUS LAXUS
NEW JERSEY	THREATENED	CYPERACEAE	SCIRPUS LONGII
NEW JERSEY	THREATENED	ISOETACEAE	ISOETES EATONII

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
NEW JERSEY	THREATENED	JUNCACEAE	JUNCUS CAESARIENSIS
NEW JERSEY	THREATENED	ORCHIDACEAE	CYPRIPEDIUM CANDIDUM
NEW JERSEY	THREATENED	ORCHIDACEAE	PLATANTHERA INTEGRA
NEW JERSEY	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
NEW JERSEY	THREATENED	POACEAE	CALAMOVILFA BREVIPILIS VAR. BREVIPILIS
NEW JERSEY	THREATENED	POACEAE	MUHLENBERGIA TORREYANA
NEW JERSEY	THREATENED	POLYPODIACEAE	ASPLENIUM EBENOIDES
NEW JERSEY	THREATENED	SCHIZAEACEAE	SCHIZAEA PUSILLA
NEW JERSEY	THREATENED	SCROPHULARIACEAE	MICRANTHEMUM MICRANTHEMOIDES
NEW MEXICO	ENDANGERED	ASTERACEAE	ERIGERON RHIZOMATUS
NEW MEXICO	ENDANGERED	ASTERACEAE	HELIANTHUS LACINIATUS SSP. CRENATUS
NEW MEXICO	ENDANGERED	ASTERACEAE	HELIANTHUS PARADOXUS
NEW MEXICO	ENDANGERED	BRASSICACEAE	LESQUERELLA AUREA
NEW MEXICO	ENDANGERED	BRASSICACEAE	LESQUERELLA VALIDA
NEW MEXICO	ENDANGERED	CACTACEAE	ECHINOCEREUS LLOYDII
NEW MEXICO	ENDANGERED	CACTACEAE	PEDIOCACTUS KNOWLTONII
NEW MEXICO	ENDANGERED	CARYOPHYLLACEAE	SILENE PLANKII
NEW MEXICO	ENDANGERED	FABACEAE	ASTRAGALUS CASTETTERI
NEW MEXICO	ENDANGERED	FABACEAE	ASTRAGALUS SILICEUS
NEW MEXICO	ENDANGERED	FABACEAE	PETALOSTEMUM SCARIOSUM
NEW MEXICO	ENDANGERED	PAPAVERACEAE	ARGEMONE PLEIACANTHA SSP. PINNATISECTA
NEW MEXICO	ENDANGERED	POLYGALACEAE	POLYGALA RIMULICOLA
NEW MEXICO	ENDANGERED	POLYGONACEAE	ERIOGONUM GYPSOPHILUM
NEW MEXICO	ENDANGERED	RANUNCULACEAE	AQUILEGIA CHAPLINEI
NEW MEXICO	THREATENED	APIACEAE	ALETES FILIFOLIUS
NEW MEXICO	THREATENED	ASTERACEAE	CHAETOPAPPA HERSHEYI
NEW MEXICO	THREATENED	ASTERACEAE	LAPHAMIA CERNUA
NEW MEXICO	THREATENED	ASTERACEAE	PERITYLE LEMMONII
NEW MEXICO	THREATENED	ASTERACEAE	PERITYLE STAUROPHYLLA
NEW MEXICO	THREATENED	ASTERACEAE	SENECIO CARDAMINE
NEW MEXICO	THREATENED	ASTERACEAE	SENECIO QUAERENS
NEW MEXICO	THREATENED	BRASSICACEAE	DRABA MOGOLLONICA
NEW MEXICO	THREATENED	BRASSICACEAE	LESQUERELLA GOODDINGII
NEW MEXICO	THREATENED	CACTACEAE	CORYPHANTHA SNEEDII VAR. LEEI
NEW MEXICO	THREATENED	CACTACEAE	CORYPHANTHA SNEEDII VAR. SNEEDII
NEW MEXICO	THREATENED	CACTACEAE	PEDIOCACTUS PAPYRACANTHUS
NEW MEXICO	THREATENED	CACTACEAE	SCLEROCACTUS MESAE-VERDAE
NEW MEXICO	THREATENED	CAPPARIDACEAE	CLEOME MULTICAULIS
NEW MEXICO	THREATENED	FABACEAE	ASTRAGALUS ACCUMBENS
NEW MEXICO	THREATENED	FABACEAE	ASTRAGALUS ALTUS
NEW MEXICO	THREATENED	FABACEAE	ASTRAGALUS PUNICEUS VAR. GERTRUDIS
NEW MEXICO	THREATENED	FUMARIACEAE	CORYDALIS CASEANA SSP. CASEANA
NEW MEXICO	THREATENED	HYDROPHYLLACEAE	PHACELIA INTEGRIFOLIA VAR. TEXANA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
NEW MEXICO	THREATENED	LILIACEAE	ALLIUM GOODDINGII
NEW MEXICO	THREATENED	ONAGRACEAE	OENOTHERA ORGANENSIS
NEW MEXICO	THREATENED	PLUMBAGINACEAE	LIMONIUM LIMBATUM
NEW MEXICO	THREATENED	POACEAE	PUCCINELLIA PARISHII
NEW MEXICO	THREATENED	POLYGONACEAE	ERIOGONUM DENSUM
NEW MEXICO	THREATENED	POLYPODIACEAE	NOTHOLAENA LEMMONII
NEW MEXICO	THREATENED	ROSACEAE	ROSA STELLATA
NEW YORK	ENDANGERED	ORCHIDACEAE	ISOTRIA MEDEOLOIDES
NEW YORK	ENDANGERED	POACEAE	CALAMAGROSTIS PERPLEXA
NEW YORK	ENDANGERED	POLYPODIACEAE	PHYLLITIS SCOLOPENDRIUM VAR. AMERICANA
NEW YORK	THREATENED	ASTERACEAE	PRENANTHES BOOTTII
NEW YORK	THREATENED	CISTACEAE	HELIANTHEMUM DUMOSUM
NEW YORK	THREATENED	ORCHIDACEAE	CYPRIPEDIUM ARIETINUM
NEW YORK	THREATENED	ORCHIDACEAE	CYPRIPEDIUM CANDIDUM
NEW YORK	THREATENED	ORCHIDACEAE	LISTERA AURICULATA
NEW YORK	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
NEW YORK	THREATENED	ORCHIDACEAE	PLATANTHERA PERAHOENA
NEW YORK	THREATENED	POACEAE	CALAMAGROSTIS PORTERI
NEW YORK	THREATENED	POACEAE	PANICUM ACULEATUM
NEW YORK	THREATENED	POACEAE	POA PALUDIGENA
NEW YORK	THREATENED	POTAMOGETONACEAE	POTAMOGETON HILLII
NEW YORK	THREATENED	SCHIZAEACEAE	SCHIZAEA PUSILLA
NEW YORK	THREATENED	SCROPHULARIACEAE	AGALINIS ACUTA
NEW YORK	THREATENED	SCROPHULARIACEAE	MICRANTHEMUM MICRANTHEMOIDES
NORTH CAROLINA	ENDANGERED	ALISMATACEAE	SAGITTARIA FASCICULATA
NORTH CAROLINA	ENDANGERED	ARISTOLOCHIACEAE	HEXASTYLIS NANIFLORA
NORTH CAROLINA	ENDANGERED	CISTACEAE	HUDSONIA ERICOIDES SSP. MONTANA
NORTH CAROLINA	ENDANGERED	CRASSULACEAE	SEDUM ROSEA VAR. ROANENSIS
NORTH CAROLINA	ENDANGERED	DIAPENSIACEAE	SHORTIA GALACIFOLIA VAR. BREVISTYLA
NORTH CAROLINA	ENDANGERED	DIAPENSIACEAE	SHORTIA GALACIFOLIA VAR. GALACIFOLIA
NORTH CAROLINA	ENDANGERED	ERICACEAE	KALMIA CUNEATA
NORTH CAROLINA	ENDANGERED	LAMIACEAE	PYCNANTHEMUM CURVIPES
NORTH CAROLINA	ENDANGERED	ORCHIDACEAE	ISOTRIA MEDEOLOIDES
NORTH CAROLINA	ENDANGERED	POACEAE	GLYCERIA NUBIGENA
NORTH CAROLINA	ENDANGERED	POACEAE	PANICUM MUNDUM
NORTH CAROLINA	ENDANGERED	POLYPODIACEAE	GRAMMITIS NIMBATA
NORTH CAROLINA	ENDANGERED	RANUNCULACEAE	THALICTRUM COOLEYI
NORTH CAROLINA	ENDANGERED	ROSACEAE	GEUM GENICULATUM
NORTH CAROLINA	ENDANGERED	ROSACEAE	GEUM RADIATUM
NORTH CAROLINA	ENDANGERED	SCROPHULARIACEAE	LINDERNIA SAXICOLA
NORTH CAROLINA	THREATENED	APIACEAE	OXYPOLIS CANBYI
NORTH CAROLINA	THREATENED	APIACEAE	PTILIMNIUM FLUVIATILE
NORTH CAROLINA	THREATENED	AQUIFOLIACEAE	ILEX AMELANCHIER

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
NORTH CAROLINA	THREATENED	ARISTOLOCHIACEAE	HEXASTYLIS LEWISII
NORTH CAROLINA	THREATENED	ASTERACEAE	ECHINACEA LAEVIGATA
NORTH CAROLINA	THREATENED	ASTERACEAE	EUPATORIUM SALTUENSE
NORTH CAROLINA	THREATENED	ASTERACEAE	HARTWRIGHTIA FLORIDANA
NORTH CAROLINA	THREATENED	ASTERACEAE	HELIANTHUS SCHWEINITZII
NORTH CAROLINA	THREATENED	ASTERACEAE	LIATRIS HELLERI
NORTH CAROLINA	THREATENED	ASTERACEAE	PRENANTHES ROANENSIS
NORTH CAROLINA	THREATENED	ASTERACEAE	RUDBECKIA HELIOPSIDIS
NORTH CAROLINA	THREATENED	ASTERACEAE	SENECIO MILLEFOLIUM
NORTH CAROLINA	THREATENED	ASTERACEAE	SOLIDAGO SPITHAMAEA
NORTH CAROLINA	THREATENED	BRASSICACEAE	CARDAMINE MICRANTHERA
NORTH CAROLINA	THREATENED	CARYOPHYLLACEAE	ARENARIA GODFREYI
NORTH CAROLINA	THREATENED	CRASSULACEAE	SEDUM PUSILLUM
NORTH CAROLINA	THREATENED	CYPERACEAE	CAREX BILTMOREANA
NORTH CAROLINA	THREATENED	CYPERACEAE	CAREX CHAPMANII
NORTH CAROLINA	THREATENED	CYPERACEAE	CAREX MISERA
NORTH CAROLINA	THREATENED	CYPERACEAE	CAREX PURPURIFERA
NORTH CAROLINA	THREATENED	CYPERACEAE	CYMOPHYLLUS FRASERI
NORTH CAROLINA	THREATENED	CYPERACEAE	SCIRPUS FLACCIDIFOLIUS
NORTH CAROLINA	THREATENED	CYPERACEAE	SCIRPUS LONGII
NORTH CAROLINA	THREATENED	DIAPENSIACEAE	PYXIDANTHERA BREVIFOLIA
NORTH CAROLINA	THREATENED	DROSERACEAE	DIONAEA MUSCIPULA
NORTH CAROLINA	THREATENED	ERICACEAE	RHODODENDRON VASEYI
NORTH CAROLINA	THREATENED	ERIOCAULACEAE	LACHNOCAULON BEYRICHIANUM
NORTH CAROLINA	THREATENED	HALORAGACEAE	MYRIOPHYLLUM LAXUM
NORTH CAROLINA	THREATENED	JUNCACEAE	JUNCUS GYMNOCARPUS
NORTH CAROLINA	THREATENED	LAURACEAE	LINDERA MELISSIFOLIA
NORTH CAROLINA	THREATENED	LAURACEAE	LITSEA AESTIVALIS
NORTH CAROLINA	THREATENED	LILIACEAE	LILIUM GRAYII
NORTH CAROLINA	THREATENED	LILIACEAE	TRILLIUM PUSILLUM VAR. PUSILLUM
NORTH CAROLINA	THREATENED	ORCHIDACEAE	PLATANTHERA INTEGRA
NORTH CAROLINA	THREATENED	POACEAE	CALAMAGROSTIS PORTERI
NORTH CAROLINA	THREATENED	POACEAE	CALAMOVILFA BREVIPILIS VAR. BREVIPILIS
NORTH CAROLINA	THREATENED	POACEAE	PANICUM ACULEATUM
NORTH CAROLINA	THREATENED	POACEAE	SPOROBOLUS TERETIFOLIUS
NORTH CAROLINA	THREATENED	POLYPODIACEAE	ASPLENIUM HETERORESILIENS
NORTH CAROLINA	THREATENED	PORTULACACEAE	PORTULACA SMALLII
NORTH CAROLINA	THREATENED	RANUNCULACEAE	CIMICIFUGA RUBIFOLIA
NORTH CAROLINA	THREATENED	RANUNCULACEAE	RANUNCULUS SUBCORDATUS
NORTH CAROLINA	THREATENED	SANTALACEAE	BUCKLEYA DISTICHOPHYLLA
NORTH CAROLINA	THREATENED	SANTALACEAE	NESTRONIA UMBELLULA
NORTH CAROLINA	THREATENED	SARRACENIACEAE	SARRACENIA RUBRA
NORTH CAROLINA	THREATENED	SAXIFRAGACEAE	SAXIFRAGA CAREYANA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
NORTH CAROLINA	THREATENED	SAXIFRAGACEAE	SAXIFRAGA CAROLINIANA
NORTH CAROLINA	THREATENED	SCHISANDRACEAE	SCHISANDRA GLABRA
NORTH DAKOTA	THREATENED	BRASSICACEAE	RORIPPA CALYCINA
NORTH DAKOTA	THREATENED	ORCHIDACEAE	CYPRIPEDIUM CANDIDUM
NORTH DAKOTA	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
OHIO	ENDANGERED	ASTERACEAE	SOLIDAGO SHORTII
OHIO	ENDANGERED	POACEAE	CALAMAGROSTIS INSPERATA
OHIO	ENDANGERED	RANUNCULACEAE	TROLLIUS LAXUS
OHIO	THREATENED	ANACARDIACEAE	RHUS TRILOBATA VAR. ARENARIA
OHIO	THREATENED	APIACEAE	OXYPOLIS CANBYI
OHIO	THREATENED	FABACEAE	APIOS PRICEANA
OHIO	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
OHIO	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
OHIO	THREATENED	POACEAE	MUHLENBERGIA CURTISETOSA
OHIO	THREATENED	POACEAE	POA PALUDIGENA
OHIO	THREATENED	POLEMONIACEAE	POLEMONIUM REPTANS VAR. VILLOSUM
OHIO	THREATENED	POLYPODIACEAE	ASPLENIUM EBENOIDES
OHIO	THREATENED	POLYPODIACEAE	ASPLENIUM KENTUCKIENSE
OHIO	THREATENED	POTAMOGETONACEAE	POTAMOGETON HILLII
OHIO	THREATENED	SAXIFRAGACEAE	SULLIVANTIA OHIONIS
OKLAHOMA	ENDANGERED	BRASSICACEAE	LEAVENWORTHIA AUREA
OKLAHOMA	ENDANGERED	BRASSICACEAE	STREPTANTHUS SQUAMIFORMIS
OKLAHOMA	ENDANGERED	ERIOCAULACEAE	ERIOCAULON KORNICKIANUM
OKLAHOMA	ENDANGERED	FAGACEAE	CASTANEA OZARKENSIS
OKLAHOMA	ENDANGERED	POACEAE	CALAMOVILFA ARCUATA
OKLAHOMA	THREATENED	BETULACEAE	ALNUS MARITIMA
OKLAHOMA	THREATENED	BRASSICACEAE	LESQUERELLA ANGUSTIFOLIA
OKLAHOMA	THREATENED	CYPERACEAE	CAREX LATEBRACTEATA
OKLAHOMA	THREATENED	LAMIACEAE	MONARDA STIPITATOGLANDULOSA
OKLAHOMA	THREATENED	LAMIACEAE	PHYSOSTEGIA MICRANTHA
OKLAHOMA	THREATENED	MALVACEAE	CALLIRHOE PAPAVER VAR. BUSHII
OREGON	ENDANGERED	APIACEAE	LOMATIUM BRADSHAWII
OREGON	ENDANGERED	APIACEAE	LOMATIUM MINUS
OREGON	ENDANGERED	APIACEAE	LOMATIUM SUKSDORFII
OREGON	ENDANGERED	ASTERACEAE	ERIGERON DELICATUS
OREGON	ENDANGERED	ASTERACEAE	HAPLOPAPPUS RADIATUS
OREGON	ENDANGERED	ASTERACEAE	SENECIO PORTERI
OREGON	ENDANGERED	ASTERACEAE	STEPHANOMERIA MALHEURENSIS
OREGON	ENDANGERED	BORAGINACEAE	HACKELIA CRONQUISTII
OREGON	ENDANGERED	BORAGINACEAE	HACKELIA OPHIOBIA
OREGON	ENDANGERED	BORAGINACEAE	PLAGIOBOTHRYS HIRTUS SSP. HIRTUS
OREGON	ENDANGERED	BORAGINACEAE	PLAGIOBOTHRYS LAMPROCARPUS
OREGON	ENDANGERED	BRASSICACEAE	CARDAMINE PATTERSONII

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
OREGON	ENDANGERED	CARYOPHYLLACEAE	SILENE DOUGLASII VAR. ORARIA
OREGON	ENDANGERED	CARYOPHYLLACEAE	SILENE SPALDINGII
OREGON	ENDANGERED	FABACEAE	ASTRAGALUS KENTROPHYTA VAR. DOUGLASII
OREGON	ENDANGERED	FABACEAE	ASTRAGALUS PURSHII VAR. OPHIOGENES
OREGON	ENDANGERED	FABACEAE	ASTRAGALUS ROBBINSII VAR. ALPINIFORMIS
OREGON	ENDANGERED	FABACEAE	ASTRAGALUS STERILIS
OREGON	ENDANGERED	FABACEAE	LUPINUS BURKEI SSP. CAERULEOMONTANUS
OREGON	ENDANGERED	FUMARIACEAE	CORYDALIS AQUAE-GELIDAE
OREGON	ENDANGERED	FUMARIACEAE	DICENTRA FORMOSA SSP. OREGANA
OREGON	ENDANGERED	GENTIANACEAE	GENTIANA BISETAEA
OREGON	ENDANGERED	HYDROPHYLLACEAE	HYDROPHYLLUM CAPITATUM VAR. THOMPSONII
OREGON	ENDANGERED	HYDROPHYLLACEAE	PHACELIA CAPITATA
OREGON	ENDANGERED	IRIDACEAE	IRIS TENUIS
OREGON	ENDANGERED	LILIACEAE	LILIUM OCCIDENTALE
OREGON	ENDANGERED	LILIACEAE	LILIUM WASHINGTONIANUM VAR. MINUS
OREGON	ENDANGERED	MALVACEAE	SIDALCEA CAMPESTRIS
OREGON	ENDANGERED	MALVACEAE	SIDALCEA NELSONIANA
OREGON	ENDANGERED	NYCTAGINACEAE	MIRABILIS MACFARLANEI
OREGON	ENDANGERED	ORCHIDACEAE	PLATANTHERA UNALASCENSIS SSP. MARITIMA
OREGON	ENDANGERED	POLEMONIACEAE	COLLOMIA MACROCALYX
OREGON	ENDANGERED	POLEMONIACEAE	LEPTODACTYLON HAZELAE
OREGON	ENDANGERED	POLEMONIACEAE	PHLOX PECKII
OREGON	ENDANGERED	POLYGONACEAE	ERIOGONUM CHRYSOPS
OREGON	ENDANGERED	PRIMULACEAE	PRIMULA CUSICKIANA
OREGON	ENDANGERED	PRIMULACEAE	STEIRONEMA LAEVIGATUM
OREGON	ENDANGERED	SCROPHULARIACEAE	CASTILLEJA CHLOROTICA
OREGON	ENDANGERED	SCROPHULARIACEAE	CASTILLEJA OWNBEYANA
OREGON	ENDANGERED	SCROPHULARIACEAE	CORDYLANTHUS MARITIMUS SSP. MARITIMUS
OREGON	ENDANGERED	SCROPHULARIACEAE	PENSTEMON GLAUCINUS
OREGON	ENDANGERED	SCROPHULARIACEAE	PENSTEMON SPATULATUS
OREGON	ENDANGERED	SCROPHULARIACEAE	SYNTHYRIS MISSURICA SSP. HIRSUTA
OREGON	THREATENED	APIACEAE	CYMOPTERUS CORRUGATUS
OREGON	THREATENED	APIACEAE	ERYNGIUM PETIOLATUM
OREGON	THREATENED	APIACEAE	LOMATIUM HENDERSONII
OREGON	THREATENED	APIACEAE	LOMATIUM LAEVIGATUM
OREGON	THREATENED	APIACEAE	LOMATIUM OREGANUM
OREGON	THREATENED	APIACEAE	LOMATIUM ROLLINSII
OREGON	THREATENED	APIACEAE	LOMATIUM SERPENTINUM
OREGON	THREATENED	APIACEAE	PERIDERIDIA ERYTHRORHIZA
OREGON	THREATENED	APIACEAE	RHYSOPTERUS PLURIJUGUS
OREGON	THREATENED	APIACEAE	TAUSCHIA HOWELLII
OREGON	THREATENED	ASTERACEAE	ANTENNARIA SUFFRUTESCENS
OREGON	THREATENED	ASTERACEAE	ARNICA AMPLEXICAULIS VAR. PIPERI

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
OREGON	THREATENED	ASTERACEAE	ARNICA VISCOSA
OREGON	THREATENED	ASTERACEAE	ASTER BRICKELLIOIDES
OREGON	THREATENED	ASTERACEAE	ASTER CHILENSIS SSP. HALLII
OREGON	THREATENED	ASTERACEAE	ASTER CURTUS
OREGON	THREATENED	ASTERACEAE	ASTER GORMANII
OREGON	THREATENED	ASTERACEAE	ASTER VIALIS
OREGON	THREATENED	ASTERACEAE	CHAENACTIS NEVII
OREGON	THREATENED	ASTERACEAE	CHRYSOTHAMNUS NAUSEOSUS VAR. NANUS
OREGON	THREATENED	ASTERACEAE	CIRSIUM BREVIFOLIUM
OREGON	THREATENED	ASTERACEAE	CIRSIUM CILIOLATUM
OREGON	THREATENED	ASTERACEAE	CIRSIUM HALLII
OREGON	THREATENED	ASTERACEAE	ERIGERON BLOOMERI VAR. NUDATUS
OREGON	THREATENED	ASTERACEAE	ERIGERON CHRYSOPSIDIS VAR. BREVIFOLIUS
OREGON	THREATENED	ASTERACEAE	ERIGERON HOWELLII
OREGON	THREATENED	ASTERACEAE	ERIGERON OREGANUS
OREGON	THREATENED	ASTERACEAE	HAPLOPAPPUS HALLII
OREGON	THREATENED	ASTERACEAE	HAPLOPAPPUS RACEMOSUS SSP. CONGESTUS
OREGON	THREATENED	ASTERACEAE	HIERACIUM LONGIBERBE
OREGON	THREATENED	ASTERACEAE	LASTHENIA MACRANTHA SSP. PRISCA
OREGON	THREATENED	ASTERACEAE	LASTHENIA MINOR VAR. MARITIMA
OREGON	THREATENED	ASTERACEAE	LUINA SERPENTINA
OREGON	THREATENED	ASTERACEAE	MICROSERIS HOWELLII
OREGON	THREATENED	ASTERACEAE	MICROSERIS LACINIATA SSP. DETLINGII
OREGON	THREATENED	ASTERACEAE	SENECIO HESPERIUS
OREGON	THREATENED	BERBERIDACEAE	VANCOUVERIA CHRYSANTHA
OREGON	THREATENED	BORAGINACEAE	HACKELIA HISPIDA
OREGON	THREATENED	BORAGINACEAE	PLAGIOBOTHRYS HIRTUS SSP. CORALLICARPA
OREGON	THREATENED	BRASSICACEAE	ARABIS ACULEOLATA
OREGON	THREATENED	BRASSICACEAE	ARABIS KOEHLERI VAR. STIPITATA
OREGON	THREATENED	BRASSICACEAE	ARABIS OREGANA
OREGON	THREATENED	BRASSICACEAE	CARDAMINE PENDULIFLORA
OREGON	THREATENED	BRASSICACEAE	DRABA DOUGLASII
OREGON	THREATENED	BRASSICACEAE	DRABA LEMMONII VAR. CYCLOMORPHA
OREGON	THREATENED	BRASSICACEAE	DRABA SPHAEROIDES VAR. CUSICKII
OREGON	THREATENED	BRASSICACEAE	LESQUERELLA KINGII SSP. DIVERSIFOLIA
OREGON	THREATENED	BRASSICACEAE	NORIPPA COLUMBIAE
OREGON	THREATENED	BRASSICACEAE	THELYPODIUM BRACHYCARPUM
OREGON	THREATENED	BRASSICACEAE	THELYPODIUM EUCOSMUM
OREGON	THREATENED	BRASSICACEAE	THELYPODIUM HOWELLII VAR. SPECTABILIS
OREGON	THREATENED	BRASSICACEAE	THLASPI MONTANUM VAR. SISKIYOUENSE
OREGON	THREATENED	CAMPANULACEAE	CAMPANULA ROTUNDIFOLIA VAR. SACAJAWEANA
OREGON	THREATENED	CARYOPHYLLACEAE	ARENARIA FRANKLINII VAR. THOMPSONII
OREGON	THREATENED	CARYOPHYLLACEAE	ARENARIA PALUDICOLA

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STATE	STATUS	FAMILY	SPECIES
OREGON	THREATENED	CARYOPHYLLACEAE	SILENE SCAPOSA VAR. LOBATA
OREGON	THREATENED	CARYOPHYLLACEAE	SILENE SCAPOSA VAR. SCAPOSA
OREGON	THREATENED	CRASSULACEAE	SEDUM LAXUM SSP. HECKNERI
OREGON	THREATENED	ERICACEAE	ARCTOSTAPHYLOS INTRICATA VAR. OBLONGIFOLIA
OREGON	THREATENED	ERICACEAE	PITYOPUS CALIFORNICUS
OREGON	THREATENED	ERICACEAE	VACCINIUM COCCINIUM
OREGON	THREATENED	FABACEAE	ASTRAGALUS ALVORDENSIS
OREGON	THREATENED	FABACEAE	ASTRAGALUS APPLEGATII
OREGON	THREATENED	FABACEAE	ASTRAGALUS MULFORDAE
OREGON	THREATENED	FABACEAE	ASTRAGALUS SOLITARIUS
OREGON	THREATENED	FABACEAE	LUPINUS BIDDLEI
OREGON	THREATENED	FABACEAE	LUPINUS SABINII
OREGON	THREATENED	FABACEAE	SOPHORA LEACHIANA
OREGON	THREATENED	FABACEAE	TRIFOLIUM PLUMOSUM VAR. PLUMOSUM
OREGON	THREATENED	GENTIANACEAE	FRASERA UMPQUAENSIS
OREGON	THREATENED	HYDROPHYLLACEAE	PHACELIA PECKII
OREGON	THREATENED	HYDROPHYLLACEAE	PHACELIA VERNA
OREGON	THREATENED	LAMIACEAE	MONARDELLA PURPUREA
OREGON	THREATENED	LILIACEAE	ALLIUM MADIDUM
OREGON	THREATENED	LILIACEAE	ALLIUM PLEIANTHUM
OREGON	THREATENED	LILIACEAE	ALLIUM ROBINSONII
OREGON	THREATENED	LILIACEAE	CALOCHORTUS GREENEI
OREGON	THREATENED	LILIACEAE	CAMASSIA CUSICKII
OREGON	THREATENED	LILIACEAE	ERYTHRONIUM HOWELLII
OREGON	THREATENED	LILIACEAE	ERYTHRONIUM OREGONUM
OREGON	THREATENED	LILIACEAE	FRITILLARIA ADAMANTINA
OREGON	THREATENED	LILIACEAE	LILIUM VOLLMERI
OREGON	THREATENED	LILIACEAE	LILIUM WIGGINSII
OREGON	THREATENED	LILIACEAE	SCHOENOLIRION BRACTEOSUM
OREGON	THREATENED	LIMNANTHACEAE	LIMNANTHES FLOCCOSA SSP. GRANDIFLORA
OREGON	THREATENED	LIMNANTHACEAE	LIMNANTHES FLOCCOSA SSP. PUMILA
OREGON	THREATENED	LIMNANTHACEAE	LIMNANTHES FLOCCOSA SSP. BELLINGHAMIANA
OREGON	THREATENED	LIMNANTHACEAE	LIMNANTHES GRACILIS VAR. GRACILIS
OREGON	THREATENED	LOASACEAE	MENTZELIA MOLLIS
OREGON	THREATENED	MALVACEAE	SIDALCEA CANDIDA
OREGON	THREATENED	MALVACEAE	SIDALCEA CUSICKII
OREGON	THREATENED	MALVACEAE	SIDALCEA MALVAEFLORA SSP. ELEGANS
OREGON	THREATENED	MALVACEAE	SIDALCEA SETOSA
OREGON	THREATENED	OPHIOGLOSSACEAE	BOTRYCHIUM PUMICOLA
OREGON	THREATENED	ORCHIDACEAE	CYPRIPEDIUM CALIFORNICUM
OREGON	THREATENED	POACEAE	AGROSTIS HOWELLII
OREGON	THREATENED	POLEMONIACEAE	COLLOMIA MAZAMA
OREGON	THREATENED	POLYGONACEAE	ERIOGONUM CUSICKII

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STATE	STATUS	FAMILY	SPECIES
OREGON	THREATENED	POLYGONACEAE	ERIOGONUM NOVONUDUM
OREGON	THREATENED	POLYGONACEAE	ERIOGONUM THYMOIDES
OREGON	THREATENED	POLYGONACEAE	POLYGONUM CASCADENSE
OREGON	THREATENED	PORTULACACEAE	CLAYTONIA BELLIDIFOLIA
OREGON	THREATENED	PORTULACACEAE	LEWISIA COLUMBIANA VAR. WALLOWENSIS
OREGON	THREATENED	PORTULACACEAE	LEWISIA COTYLEDON
OREGON	THREATENED	PORTULACACEAE	LEWISIA OPPOSITIFOLIA
OREGON	THREATENED	PRIMULACEAE	DODECATHEON POETICUM
OREGON	THREATENED	PRIMULACEAE	DOUGLASIA LAEVIGATA
OREGON	THREATENED	RANUNCULACEAE	CIMICIFUGA LACINIATA
OREGON	THREATENED	RANUNCULACEAE	DELPHINIUM LEUCOPHAEUM
OREGON	THREATENED	RANUNCULACEAE	DELPHINIUM PAVONACEUM
OREGON	THREATENED	RANUNCULACEAE	RANUNCULUS RECONDITUS
OREGON	THREATENED	ROSACEAE	FILIPENDULA OCCIDENTALIS
OREGON	THREATENED	ROSACEAE	RUBUS BARTONIANUS
OREGON	THREATENED	SALICACEAE	SALIX FLUVIATILIS
OREGON	THREATENED	SARRACENIACEAE	DARLINGTONIA CALIFORNICA
OREGON	THREATENED	SAXIFRAGACEAE	SAXIFRAGA OCCIDENTALIS VAR. LATIPETIOLATA
OREGON	THREATENED	SAXIFRAGACEAE	SULLIVANTIA OREGANA
OREGON	THREATENED	SCROPHULARIACEAE	CASTILLEJA BREVILOBATA
OREGON	THREATENED	SCROPHULARIACEAE	CASTILLEJA CHRYSANTHA
OREGON	THREATENED	SCROPHULARIACEAE	CASTILLEJA FRATERNA
OREGON	THREATENED	SCROPHULARIACEAE	CASTILLEJA GLANDULIFERA
OREGON	THREATENED	SCROPHULARIACEAE	CASTILLEJA MINIATA SSP. ELATA
OREGON	THREATENED	SCROPHULARIACEAE	CASTILLEJA ORESBIA
OREGON	THREATENED	SCROPHULARIACEAE	CASTILLEJA STEENENSIS
OREGON	THREATENED	SCROPHULARIACEAE	CASTILLEJA XANTHOTRICHA
OREGON	THREATENED	SCROPHULARIACEAE	CORDYLANTHUS MARITIMUS SSP. PALUSTRIS
OREGON	THREATENED	SCROPHULARIACEAE	MIMULUS JUNGERMANNIOIDES
OREGON	THREATENED	SCROPHULARIACEAE	PEDICULARIS HOWELLII
OREGON	THREATENED	SCROPHULARIACEAE	PENSTEMON CINICOLA
OREGON	THREATENED	SCROPHULARIACEAE	PENSTEMON ELEGANTULUS
OREGON	THREATENED	SCROPHULARIACEAE	PENSTEMON PECKII
OREGON	THREATENED	SCROPHULARIACEAE	SYNTHYRIS MISSURICA SSP. STELLATA
OREGON	THREATENED	SCROPHULARIACEAE	SYNTHYRIS SCHIZANTHA
OREGON	THREATENED	SCROPHULARIACEAE	VERONICA SHERWOODII
OREGON	THREATENED	VIOLACEAE	VIOLA LANCEOLATA SSP. OCCIDENTALIS
PENNSYLVANIA	ENDANGERED	CARYOPHYLLACEAE	CERASTIUM ARVENSE VAR. VILLOSISSIMUM
PENNSYLVANIA	ENDANGERED	ORCHIDACEAE	ISOTRIA MEDEOLOIDES
PENNSYLVANIA	ENDANGERED	POTAMOGETONACEAE	POTAMOGETON PORTERI
PENNSYLVANIA	ENDANGERED	RANUNCULACEAE	TROLLIUS LAXUS
PENNSYLVANIA	THREATENED	ASTERACEAE	ECHINACEA LAEVIGATA
PENNSYLVANIA	THREATENED	JUNCACEAE	JUNCUS GYMNOCARPUS

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
PENNSYLVANIA	THREATENED	ORCHIDACEAE	CYPRIPEDIUM CANDIDUM
PENNSYLVANIA	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
PENNSYLVANIA	THREATENED	POACEAE	CALAMAGROSTIS PORTERI
PENNSYLVANIA	THREATENED	POACEAE	MUHLENBERGIA CURTISETOSA
PENNSYLVANIA	THREATENED	POACEAE	POA PALUDIGENA
PENNSYLVANIA	THREATENED	POLYPODIACEAE	ASPLENIUM EBENOIDES
PENNSYLVANIA	THREATENED	POTAMOGETONACEAE	POTAMOGETON HILLII
PENNSYLVANIA	THREATENED	ROSACEAE	PRUNUS ALLEGHANIENSIS
PENNSYLVANIA	THREATENED	SCROPHULARIACEAE	MICRANTHEMUM MICRANTHEMOIDES
RHODE ISLAND	ENDANGERED	ORCHIDACEAE	ISOTRIA MEDEOLOIDES
RHODE ISLAND	THREATENED	ASTERACEAE	EUPATORIUM LEUCOLEPIS VAR. NOVAE-ANGLIAE
RHODE ISLAND	THREATENED	CISTACEAE	HELIANTHEMUM DUMOSUM
RHODE ISLAND	THREATENED	POACEAE	PANICUM ACULEATUM
RHODE ISLAND	THREATENED	SCROPHULARIACEAE	AGALINIS ACUTA
SOUTH CAROLINA	ENDANGERED	ARISTOLOCHIACEAE	HEXASTYLIS NANIFLORA
SOUTH CAROLINA	ENDANGERED	BRASSICACEAE	DRABA APRICA
SOUTH CAROLINA	ENDANGERED	DIAPENSIACEAE	SHORTIA GALACIFOLIA VAR. BREVISTYLA
SOUTH CAROLINA	ENDANGERED	DIAPENSIACEAE	SHORTIA GALACIFOLIA VAR. GALACIFOLIA
SOUTH CAROLINA	ENDANGERED	ERICACEAE	ELLIOTTIA RACEMOSA
SOUTH CAROLINA	ENDANGERED	ERICACEAE	KALMIA CUNEATA
SOUTH CAROLINA	ENDANGERED	LILIACEAE	HYMENOCALLIS CORONARIA
SOUTH CAROLINA	ENDANGERED	SAXIFRAGACEAE	RIBES ECHINELLUM
SOUTH CAROLINA	ENDANGERED	SCROPHULARIACEAE	ANPHIANTHUS PUSILLUS
SOUTH CAROLINA	THREATENED	APIACEAE	PTILIMNIUM FLUVIATILE
SOUTH CAROLINA	THREATENED	APIACEAE	PTILIMNIUM NODOSUM
SOUTH CAROLINA	THREATENED	AQUIFOLIACEAE	ILEX AMELANCHIER
SOUTH CAROLINA	THREATENED	ASTERACEAE	ECHINACEA LAEVIGATA
SOUTH CAROLINA	THREATENED	ASTERACEAE	HELIANTHUS SCHWEINITZII
SOUTH CAROLINA	THREATENED	ASTERACEAE	RUDBECKIA HELIOPSIDIS
SOUTH CAROLINA	THREATENED	ASTERACEAE	SENECIO MILLEFOLIUM
SOUTH CAROLINA	THREATENED	CARYOPHYLLACEAE	ARENARIA GODFREYI
SOUTH CAROLINA	THREATENED	CRASSULACEAE	SEDUM PUSILLUM
SOUTH CAROLINA	THREATENED	CYPERACEAE	CAREX CHAPMANII
SOUTH CAROLINA	THREATENED	CYPERACEAE	CYMOPHYLLUS FRASERI
SOUTH CAROLINA	THREATENED	DIAPENSIACEAE	PYXIDANTHERA BREVIFOLIA
SOUTH CAROLINA	THREATENED	DROSERACEAE	DIONAEA MUSCIPULA
SOUTH CAROLINA	THREATENED	ERIOCAULACEAE	LACHNOCAULON BEYRICHIANUM
SOUTH CAROLINA	THREATENED	FAGACEAE	QUERCUS GEORGIANA
SOUTH CAROLINA	THREATENED	FAGACEAE	QUERCUS OGLETHORPENSIS
SOUTH CAROLINA	THREATENED	HALORAGACEAE	MYRIOPHYLLUM LAXUM
SOUTH CAROLINA	THREATENED	ISOETACEAE	ISOETES MELANOSPORA
SOUTH CAROLINA	THREATENED	JUNCACEAE	JUNCUS GYMNOCARPUS
SOUTH CAROLINA	THREATENED	LAMIACEAE	DICERANDRA ODORATISSIMA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
SOUTH CAROLINA	THREATENED	LAURACEAE	LINDERA MELISSIFOLIA
SOUTH CAROLINA	THREATENED	LAURACEAE	LITSEA AESTIVALIS
SOUTH CAROLINA	THREATENED	LILIACEAE	TRILLIUM PUSILLUM VAR. PUSILLUM
SOUTH CAROLINA	THREATENED	ORCHIDACEAE	PLATANTHERA INTEGRA
SOUTH CAROLINA	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
SOUTH CAROLINA	THREATENED	POACEAE	CALAMOVILFA BREVIPILIS VAR. BREVIPILIS
SOUTH CAROLINA	THREATENED	POACEAE	PANICUM LITHOPHILUM
SOUTH CAROLINA	THREATENED	POACEAE	SPOROBOLUS TERETIFOLIUS
SOUTH CAROLINA	THREATENED	POLYPODIACEAE	ASPLENIUM HETERORESILIENS
SOUTH CAROLINA	THREATENED	PORTULACACEAE	PORTULACA SMALLII
SOUTH CAROLINA	THREATENED	ROSACEAE	AGRIMONIA INCISA
SOUTH CAROLINA	THREATENED	ROSACEAE	WALDSTEINIA LOBATA
SOUTH CAROLINA	THREATENED	SANTALACEAE	NESTRONIA UMBELLULA
SOUTH CAROLINA	THREATENED	SARRACENIACEAE	SARRACENIA RUBRA
SOUTH CAROLINA	THREATENED	SCHISANDRACEAE	SCHISANDRA GLABRA
SOUTH DAKOTA	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
TENNESSEE	ENDANGERED	ASTERACEAE	ECHINACEA TENNESSEENSIS
TENNESSEE	ENDANGERED	ASTERACEAE	HELIANTHUS EGGERTII
TENNESSEE	ENDANGERED	ASTERACEAE	HETEROTHECA RUTHII
TENNESSEE	ENDANGERED	ASTERACEAE	SILPHIUM INTEGRIFOLIUM VAR. GATTINGERI
TENNESSEE	ENDANGERED	BRASSICACEAE	ARABIS PERSTELLATA VAR. AMPLA
TENNESSEE	ENDANGERED	BRASSICACEAE	DRABA INCISA
TENNESSEE	ENDANGERED	BRASSICACEAE	LEAVENWORTHIA EXIGUA VAR. LUTEA
TENNESSEE	ENDANGERED	BRASSICACEAE	LESQUERELLA DENSIPILA
TENNESSEE	ENDANGERED	BRASSICACEAE	LESQUERELLA PERFORATA
TENNESSEE	ENDANGERED	BRASSICACEAE	LESQUERELLA STONENSIS
TENNESSEE	ENDANGERED	CRASSULACEAE	SEDUM NEVII
TENNESSEE	ENDANGERED	CRASSULACEAE	SEDUM ROSEA VAR. ROANENSIS
TENNESSEE	ENDANGERED	EUPHORBIACEAE	CROTON ALABAMENSIS
TENNESSEE	ENDANGERED	FABACEAE	PETALOSTEMUM FOLIOSUM
TENNESSEE	ENDANGERED	LAMIACEAE	CONRADINA VERTICILLATA
TENNESSEE	ENDANGERED	LAMIACEAE	PYCNANTHEMUM CURVIPES
TENNESSEE	ENDANGERED	POACEAE	CALAMOVILFA ARCUATA
TENNESSEE	ENDANGERED	POACEAE	GLYCERIA NUBIGENA
TENNESSEE	ENDANGERED	POLYGONACEAE	ERIOGONUM LONGIFOLIUM VAR. HARPERI
TENNESSEE	ENDANGERED	POLYPODIACEAE	PHYLLITIS SCOLOPENDRIUM VAR. AMERICANA
TENNESSEE	ENDANGERED	RANUNCULACEAE	CLEMATIS ADDISONII
TENNESSEE	ENDANGERED	RANUNCULACEAE	CLEMATIS GATTINGERI
TENNESSEE	ENDANGERED	ROSACEAE	GEUM GENICULATUM
TENNESSEE	ENDANGERED	ROSACEAE	GEUM RADIATUM
TENNESSEE	ENDANGERED	SARRACENIACEAE	SARRACENIA OREOPHILA
TENNESSEE	THREATENED	ASTERACEAE	PRENANTHES ROANENSIS
TENNESSEE	THREATENED	ASTERACEAE	SOLIDAGO SPITHAMAEA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
TENNESSEE	THREATENED	BRASSICACEAE	LEAVENWORTHIA EXIGUA VAR. EXIGUA
TENNESSEE	THREATENED	BRASSICACEAE	LEAVENWORTHIA STYLOSA
TENNESSEE	THREATENED	BRASSICACEAE	LEAVENWORTHIA TORULOSA
TENNESSEE	THREATENED	BRASSICACEAE	LESQUERELLA GLOBOSA
TENNESSEE	THREATENED	CARYOPHYLLACEAE	ARENARIA FONTINALIS
TENNESSEE	THREATENED	CARYOPHYLLACEAE	STELLARIA FONTINALIS
TENNESSEE	THREATENED	CYPERACEAE	CAREX MISERA
TENNESSEE	THREATENED	CYPERACEAE	CAREX PURPURIFERA
TENNESSEE	THREATENED	CYPERACEAE	CYMOPHYLLUS FRASERI
TENNESSEE	THREATENED	ERICACEAE	RHODODENDRON BAKERI
TENNESSEE	THREATENED	FABACEAE	APIOS PRICEANA
TENNESSEE	THREATENED	FABACEAE	ASTRAGALUS TENNESSEENSIS
TENNESSEE	THREATENED	JUNCACEAE	JUNCUS GYMNOCARPUS
TENNESSEE	THREATENED	LAMIACEAE	SCUTELLARIA MONTANA
TENNESSEE	THREATENED	LAMIACEAE	SYNANDRA HISPIDULA
TENNESSEE	THREATENED	LILIACEAE	LILIUM GRAYII
TENNESSEE	THREATENED	ORCHIDACEAE	PLATANTHERA FLAVA
TENNESSEE	THREATENED	ORCHIDACEAE	PLATANTHERA INTEGRA
TENNESSEE	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
TENNESSEE	THREATENED	POACEAE	MUHLENBERGIA TORREYANA
TENNESSEE	THREATENED	POLEMONIACEAE	PHLOX BIFIDA VAR. STELLARIA
TENNESSEE	THREATENED	PORTULACACEAE	TALINUM MENGESII
TENNESSEE	THREATENED	RANUNCULACEAE	CIMICIFUGA RUBIFOLIA
TENNESSEE	THREATENED	SANTALACEAE	BUCKLEYA DISTICHOPHYLLA
TENNESSEE	THREATENED	SAXIFRAGACEAE	SAXIFRAGA CAREYANA
TENNESSEE	THREATENED	SAXIFRAGACEAE	SAXIFRAGA CAROLINIANA
TENNESSEE	THREATENED	SCHISANDRACEAE	SCHISANDRA GLABRA
TENNESSEE	THREATENED	SCROPHULARIACEAE	AUREOLARIA PATULA
TENNESSEE	THREATENED	VIOLACEAE	VIOLA EGGLESTONII
TEXAS	ENDANGERED	ASCLEPIADACEAE	MATELEA EDWARDSENSIS
TEXAS	ENDANGERED	ASCLEPIADACEAE	MATELEA TEXENSIS
TEXAS	ENDANGERED	ASTERACEAE	AMBROSIA CHEIRANTHIFOLIA
TEXAS	ENDANGERED	ASTERACEAE	BRICKELLIA VIEJENSIS
TEXAS	ENDANGERED	ASTERACEAE	COREOPSIS INTERMEDIA
TEXAS	ENDANGERED	ASTERACEAE	COREOPSIS TRIPTERIS VAR. SUBRHOMBOIDEA
TEXAS	ENDANGERED	ASTERACEAE	DYSSODIA TEPHROLEUCA
TEXAS	ENDANGERED	ASTERACEAE	ERIGERON GEISERI VAR. CALCICOLA
TEXAS	ENDANGERED	ASTERACEAE	GRINDELIA OOLEPIS
TEXAS	ENDANGERED	ASTERACEAE	HELIANTHUS PARADOXUS
TEXAS	ENDANGERED	ASTERACEAE	MACHAERANTHERA AUREA
TEXAS	ENDANGERED	ASTERACEAE	PERITYLE BISETOSA VAR. BISETOSA
TEXAS	ENDANGERED	ASTERACEAE	PERITYLE BISETOSA VAR. SCALARIS
TEXAS	ENDANGERED	ASTERACEAE	PERITYLE CINEREA

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STATE	STATUS	FAMILY	SPECIES
TEXAS	ENDANGERED	ASTERACEAE	PERITYLE LINDHEIMERI VAR. HALIMIFOLIA
TEXAS	ENDANGERED	ASTERACEAE	PERITYLE PARRYI
TEXAS	ENDANGERED	ASTERACEAE	PERITYLE VITREOMONTANA
TEXAS	ENDANGERED	ASTERACEAE	SOLIDAGO LINDHEIMERIANA
TEXAS	ENDANGERED	ASTERACEAE	VIGUIERA LUDENS
TEXAS	ENDANGERED	BRASSICACEAE	LEAVENWORTHIA AUREA
TEXAS	ENDANGERED	BRASSICACEAE	LESQUERELLA VALIDA
TEXAS	ENDANGERED	BRASSICACEAE	SELENIA JONESII
TEXAS	ENDANGERED	BRASSICACEAE	STREPTANTHUS SPARSIFLORUS
TEXAS	ENDANGERED	BRASSICACEAE	THELYPODIUM TEXANUM
TEXAS	ENDANGERED	CACTACEAE	ANCISTROCACTUS TOBUSCHII
TEXAS	ENDANGERED	CACTACEAE	CORYPHANTHA MINIMA
TEXAS	ENDANGERED	CACTACEAE	CORYPHANTHA RAMILLOSA
TEXAS	ENDANGERED	CACTACEAE	CORYPHANTHA STROBILIFORMIS VAR. LUKISPINA
TEXAS	ENDANGERED	CACTACEAE	ECHINOCEREUS CHLORANTHUS VAR. NEOCAPILLUS
TEXAS	ENDANGERED	CACTACEAE	ECHINOCEREUS LLOYDII
TEXAS	ENDANGERED	CACTACEAE	ECHINOCEREUS REICHENBACHII VAR. ALBERTII
TEXAS	ENDANGERED	CACTACEAE	ECHINOCEREUS VIRIDIFLORUS VAR. DAVISII
TEXAS	ENDANGERED	CACTACEAE	NEOLLOYDIA GAUTII
TEXAS	ENDANGERED	CACTACEAE	NEOLLOYDIA MARIPOSENSIS
TEXAS	ENDANGERED	CARYOPHYLLACEAE	CERASTIUM CLAWSONII
TEXAS	ENDANGERED	CARYOPHYLLACEAE	PARONYCHIA CONGESTA
TEXAS	ENDANGERED	CARYOPHYLLACEAE	PARONYCHIA MACCARTII
TEXAS	ENDANGERED	CARYOPHYLLACEAE	SILENE PLANKII
TEXAS	ENDANGERED	CHENOPODIACEAE	ATRIPLEX KLEBERGORUM
TEXAS	ENDANGERED	CHENOPODIACEAE	SUAEDA DURIPES
TEXAS	ENDANGERED	CRASSULACEAE	SEDUM TEXANUM
TEXAS	ENDANGERED	CYPERACEAE	ELEOCHARIS CYLINDRICA
TEXAS	ENDANGERED	ERIOCAULACEAE	ERIOCAULON KORNICKIANUM
TEXAS	ENDANGERED	EUPHORBIACEAE	ANDRACHNE ARIDA
TEXAS	ENDANGERED	EUPHORBIACEAE	ARGYTHAMNIA APHOROIDES
TEXAS	ENDANGERED	EUPHORBIACEAE	ARGYTHAMNIA ARGYRAEA
TEXAS	ENDANGERED	EUPHORBIACEAE	EUPHORBIA FENDLERI VAR. TRILIGULATA
TEXAS	ENDANGERED	EUPHORBIACEAE	EUPHORBIA GOLONDRINA
TEXAS	ENDANGERED	EUPHORBIACEAE	MANIHOT WALKERAE
TEXAS	ENDANGERED	EUPHORBIACEAE	PHYLLANTHUS ERICOIDES
TEXAS	ENDANGERED	FABACEAE	ACACIA EMORYANA
TEXAS	ENDANGERED	FABACEAE	BRONGNIARTIA MINUTIFOLIA
TEXAS	ENDANGERED	FABACEAE	CALLIANDRA BIFLORA
TEXAS	ENDANGERED	FABACEAE	GENISTIDIUM DUMOSUM
TEXAS	ENDANGERED	FABACEAE	HOFFMANNSEGGIA TENELLA
TEXAS	ENDANGERED	FABACEAE	PETALOSTEMUM REVERCHONII
TEXAS	ENDANGERED	FABACEAE	PETALOSTEMUM SABINALE

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
TEXAS	ENDANGERED	FAGACEAE	QUERCUS GRACILIFORMIS
TEXAS	ENDANGERED	FAGACEAE	QUERCUS HINCKLEYI
TEXAS	ENDANGERED	FAGACEAE	QUERCUS TARDIFOLIA
TEXAS	ENDANGERED	FRANKENIACEAE	FRANKENIA JOHNSTONII
TEXAS	ENDANGERED	GENTIANACEAE	BARTONIA TEXANA
TEXAS	ENDANGERED	HYDROPHYLLACEAE	PHACELIA PALLIDA
TEXAS	ENDANGERED	ISOETACEAE	ISOETES LITHOPHYLLA
TEXAS	ENDANGERED	LAMIACEAE	BRAZORIA PULCHERRIMA
TEXAS	ENDANGERED	LAMIACEAE	PHYSOSTEGIA CORRELLII
TEXAS	ENDANGERED	LILIACEAE	POLIANTHES RUNYONII
TEXAS	ENDANGERED	MALVACEAE	CALLIRHOE SCABRIUSCULA
TEXAS	ENDANGERED	MALVACEAE	GAYA VIOLACEA
TEXAS	ENDANGERED	MALVACEAE	HIBISCUS DASYCALYX
TEXAS	ENDANGERED	POACEAE	MUHLENBERGIA VILLOSA
TEXAS	ENDANGERED	POACEAE	POA INVOLUTA
TEXAS	ENDANGERED	POACEAE	ZIZANIA TEXANA
TEXAS	ENDANGERED	POLEMONIACEAE	PHLOX NIVALIS SSP. TEXENSIS
TEXAS	ENDANGERED	POLEMONIACEAE	POLEMONIUM PAUCIFLORUM SSP. HINCKLEYI
TEXAS	ENDANGERED	POLYGALACEAE	POLYGALA MARAVILLASENSIS
TEXAS	ENDANGERED	POLYGALACEAE	POLYGALA RIMULICOLA
TEXAS	ENDANGERED	POLYGONACEAE	ERIOGONUM NEALLEYI
TEXAS	ENDANGERED	POLYGONACEAE	ERIOGONUM SUFFRUTICOSUM
TEXAS	ENDANGERED	POLYGONACEAE	POLYGONELLA PARKSII
TEXAS	ENDANGERED	POLYGONACEAE	POLYGONUM TEXENSE
TEXAS	ENDANGERED	POTAMOGETONACEAE	POTAMOGETON CLYSTOCARPUS
TEXAS	ENDANGERED	RANUNCULACEAE	ANEMONE EDWARDSIANA VAR. EDWARDSIANA
TEXAS	ENDANGERED	RANUNCULACEAE	ANEMONE EDWARDSIANA VAR. PETRAEA
TEXAS	ENDANGERED	RANUNCULACEAE	AQUILEGIA CHAPLINEI
TEXAS	ENDANGERED	RANUNCULACEAE	AQUILEGIA HINCKLEYANA
TEXAS	ENDANGERED	RANUNCULACEAE	RANUNCULUS FASCICULARIS VAR. CUNEIFORMIS
TEXAS	ENDANGERED	RHAMNACEAE	COLUBRINA STRICTA
TEXAS	ENDANGERED	RHAMNACEAE	CONDALIA HOOKERI VAR. EDWARDSIANA
TEXAS	ENDANGERED	RUTACEAE	ZANTHOXYLUM PARVUM
TEXAS	ENDANGERED	SALICACEAE	POPULUS HINCKLEYANA
TEXAS	ENDANGERED	SCROPHULARIACEAE	CASTILLEJA CILIATA
TEXAS	ENDANGERED	STYRACACEAE	STYRAX PLATANIFOLIA VAR. STELLATA
TEXAS	ENDANGERED	STYRACACEAE	STYRAX TEXANA
TEXAS	ENDANGERED	URTICACEAE	URTICA CHAMAEDRYOIDES VAR. RUNYONII
TEXAS	THREATENED	ACANTHACEAE	DYSCHORISTE CRENULATA
TEXAS	THREATENED	ACANTHACEAE	JUSTICIA RUNYONII
TEXAS	THREATENED	ACANTHACEAE	JUSTICIA WARNOCKII
TEXAS	THREATENED	ACANTHACEAE	JUSTICIA WRIGHTII
TEXAS	THREATENED	ACANTHACEAE	RUELLIA DRUMMONDIANA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
TEXAS	THREATENED	ACANTHACEAE	STENANDRIUM FASCICULARIS
TEXAS	THREATENED	ACERACEAE	ACER GRANDIDENTATUM VAR. SINUOSUM
TEXAS	THREATENED	APIACEAE	ALETES FILIFOLIUS
TEXAS	THREATENED	APIACEAE	EURYTAENIA HINCKLEYI
TEXAS	THREATENED	APOCYNACEAE	AMSONIA GLABERRIMA
TEXAS	THREATENED	APOCYNACEAE	AMSONIA REPENS
TEXAS	THREATENED	APOCYNACEAE	AMSONIA THARPII
TEXAS	THREATENED	ASCLEPIADACEAE	MATELEA BREVICORONATA
TEXAS	THREATENED	ASTERACEAE	ASTER SCABRICAULIS
TEXAS	THREATENED	ASTERACEAE	ASTRANTHIUM ROBUSTUM
TEXAS	THREATENED	ASTERACEAE	BAHIA BIGELOVII
TEXAS	THREATENED	ASTERACEAE	BRICKELLIA BRACHYPHYLLA VAR. HINCKLEYI
TEXAS	THREATENED	ASTERACEAE	BRICKELLIA BRACHYPHYLLA VAR. TERLINGUENSIS
TEXAS	THREATENED	ASTERACEAE	BRICKELLIA DENTATA
TEXAS	THREATENED	ASTERACEAE	BRICKELLIA LEPTOPHYLLA
TEXAS	THREATENED	ASTERACEAE	BRICKELLIA SHINERI
TEXAS	THREATENED	ASTERACEAE	CHAETOPAPPA HERSHEYI
TEXAS	THREATENED	ASTERACEAE	CIRSIUM TURNERI
TEXAS	THREATENED	ASTERACEAE	ERIGERON BIGELOVII
TEXAS	THREATENED	ASTERACEAE	HELIANTHUS PRAECOX SSP. HIRTUS
TEXAS	THREATENED	ASTERACEAE	LIATRIS CYMOSA
TEXAS	THREATENED	ASTERACEAE	LIATRIS TENUIS
TEXAS	THREATENED	ASTERACEAE	PERITYLE WARNOCKII
TEXAS	THREATENED	ASTERACEAE	POROPHYLLUM GREGGII
TEXAS	THREATENED	ASTERACEAE	SENECIO WARNOCKII
TEXAS	THREATENED	ASTERACEAE	SOLIDAGO MOLLIS VAR. ANGUSTATA
TEXAS	THREATENED	BERBERIDACEAE	BERBERIS SWASEYI
TEXAS	THREATENED	BETULACEAE	OSTRYA CHISOSENSIS
TEXAS	THREATENED	BORAGINACEAE	CRYPTANTHA CRASSIPES
TEXAS	THREATENED	BORAGINACEAE	ONOSMODIUM HELLERI
TEXAS	THREATENED	BRASSICACEAE	ARABIS PETIOLARIS
TEXAS	THREATENED	BRASSICACEAE	LESQUERELLA ANGUSTIFOLIA
TEXAS	THREATENED	BRASSICACEAE	LESQUERELLA MCVAUGHIANA
TEXAS	THREATENED	BRASSICACEAE	LESQUERELLA THAMNOPHILA
TEXAS	THREATENED	BRASSICACEAE	STREPTANTHUS BRACTEATUS
TEXAS	THREATENED	BRASSICACEAE	STREPTANTHUS CARINATUS
TEXAS	THREATENED	BRASSICACEAE	STREPTANTHUS CUTLERI
TEXAS	THREATENED	CACTACEAE	CORYPHANTHA DASYACANTHA VAR. VARICOLOR
TEXAS	THREATENED	CACTACEAE	CORYPHANTHA DUNCANII
TEXAS	THREATENED	CACTACEAE	CORYPHANTHA HESTERI
TEXAS	THREATENED	CACTACEAE	CORYPHANTHA SNEEDII VAR. SNEEDII
TEXAS	THREATENED	CACTACEAE	CORYPHANTHA SULCATA VAR. NICKELSIAE
TEXAS	THREATENED	CACTACEAE	ECHINOCEREUS REICHENBACHII VAR. CHISOSENSIS

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
TEXAS	THREATENED	CACTACEAE	ECHINOCEREUS REICHENBACHII VAR. FITCHII
TEXAS	THREATENED	CACTACEAE	ECHINOCEREUS VIRIDIFLORUS VAR. CORRELLII
TEXAS	THREATENED	CACTACEAE	EPITHELANTHA BOKEI
TEXAS	THREATENED	CACTACEAE	NEOLLOYDIA WARNOCKII
TEXAS	THREATENED	CACTACEAE	OPUNTIA ARENARIA
TEXAS	THREATENED	CACTACEAE	OPUNTIA IMBRICATA VAR. ARGENTEA
TEXAS	THREATENED	CACTACEAE	THELOCACTUS BICOLOR VAR. FLAVIDISPINUS
TEXAS	THREATENED	CAMPANULACEAE	CAMPANULA REVERCHONII
TEXAS	THREATENED	CAPPARIDACEAE	CLEOME MULTICAULIS
TEXAS	THREATENED	CAPRIFOLIACEAE	SYMPHORICARPOS GUADALUPENSIS
TEXAS	THREATENED	CARYOPHYLLACEAE	PARONYCHIA CHORIZANTHOIDES
TEXAS	THREATENED	CARYOPHYLLACEAE	PARONYCHIA DRUMMONDII SSP. PARVIFLORA
TEXAS	THREATENED	CARYOPHYLLACEAE	PARONYCHIA NUDATA
TEXAS	THREATENED	CARYOPHYLLACEAE	PARONYCHIA VIRGINICA VAR. PARKSII
TEXAS	THREATENED	CARYOPHYLLACEAE	PARONYCHIA WILKINSONII
TEXAS	THREATENED	COCHLOSPERMACEAE	AMOREUXIA WRIGHTII
TEXAS	THREATENED	COMMELINACEAE	TRADESCANTIA EDWARDSIANA
TEXAS	THREATENED	COMMELINACEAE	TRADESCANTIA WRIGHTII
TEXAS	THREATENED	CONVOLVULACEAE	IPOMOEA CARDIOPHYLLA
TEXAS	THREATENED	CRASSULACEAE	SEDUM ROBERTSIANUM
TEXAS	THREATENED	CUCURBITACEAE	CUCURBITA TEXANA
TEXAS	THREATENED	CYPERACEAE	CYPERUS ONEROSUS
TEXAS	THREATENED	CYPERACEAE	ELEOCHARIS AUSTROTEXANA
TEXAS	THREATENED	EUPHORBIACEAE	EUPHORBIA INNOCUA
TEXAS	THREATENED	EUPHORBIACEAE	EUPHORBIA JEJUNA
TEXAS	THREATENED	EUPHORBIACEAE	EUPHORBIA PERENNANS
TEXAS	THREATENED	EUPHORBIACEAE	EUPHORBIA ROEMERIANA
TEXAS	THREATENED	EUPHORBIACEAE	EUPHORBIA STRICTIOR
TEXAS	THREATENED	EUPHORBIACEAE	TRAGIA NIGRICANS
TEXAS	THREATENED	FABACEAE	AMORPHA TEXANA
TEXAS	THREATENED	FABACEAE	ASTRAGALUS MOLLISSIMUS VAR. MARCIDUS
TEXAS	THREATENED	FABACEAE	CAESALPINIA BRACHYCARPA
TEXAS	THREATENED	FABACEAE	CAESALPINIA DRUMMONDII
TEXAS	THREATENED	FABACEAE	COURSETIA AXILLARIS
TEXAS	THREATENED	FABACEAE	DESMODIUM LINDHEIMERI
TEXAS	THREATENED	FABACEAE	SOPHORA GYPSOPHILA VAR. GUADALUPENSIS
TEXAS	THREATENED	HYDROPHYLLACEAE	NAMA XYLOPODUM
TEXAS	THREATENED	HYDROPHYLLACEAE	PHACELIA INTEGRIFOLIA VAR. TEXANA
TEXAS	THREATENED	LAMIACEAE	HEDEOMA APICULATUM
TEXAS	THREATENED	LAMIACEAE	PHYSOSTEGIA MICRANTHA
TEXAS	THREATENED	LAMIACEAE	SALVIA PENSTEMONOIDES
TEXAS	THREATENED	LILIACEAE	AGAVE CHISOENSIS
TEXAS	THREATENED	LILIACEAE	ALLIUM PERDULCE VAR. SPERRYI

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
TEXAS	THREATENED	LILIACEAE	ANTHERICUM CHANDLERI
TEXAS	THREATENED	LILIACEAE	POLIANTHES MACULOSA
TEXAS	THREATENED	LILIACEAE	TRILLIUM TEXANUM
TEXAS	THREATENED	LOGANIACEAE	SPIGELIA TEXANA
TEXAS	THREATENED	LYTHRACEAE	HEIMIA LONGIPES
TEXAS	THREATENED	LYTHRACEAE	LYTHRUM OVALIFOLIUM
TEXAS	THREATENED	MALVACEAE	ABUTILON MARSHII
TEXAS	THREATENED	MELASTOMATACEAE	RHEXIA SALICIFOLIA
TEXAS	THREATENED	NYCTAGINACEAE	ACLEISANTHES CRASSIFOLIA
TEXAS	THREATENED	ORCHIDACEAE	HEXALECTRIS GRANDIFLORA
TEXAS	THREATENED	ORCHIDACEAE	HEXALECTRIS NITIDA
TEXAS	THREATENED	ORCHIDACEAE	HEXALECTRIS REVOLUTA
TEXAS	THREATENED	ORCHIDACEAE	PLATANTHERA FLAVA
TEXAS	THREATENED	ORCHIDACEAE	PLATANTHERA INTEGRA
TEXAS	THREATENED	PEDALIACEAE	PROBOSCIDEA SABULOSA
TEXAS	THREATENED	PLUMBAGINACEAE	LIMONIUM LIMBATUM
TEXAS	THREATENED	POACEAE	BOTHRIOCHLOA EXARISTATA
TEXAS	THREATENED	POACEAE	BROMUS TEXENSIS
TEXAS	THREATENED	POACEAE	CHLORIS TEXENSIS
TEXAS	THREATENED	POACEAE	FESTUCA LIGULATA
TEXAS	THREATENED	POACEAE	WILLKOMMIA TEXANA
TEXAS	THREATENED	POLYGONACEAE	ERIOGONUM CORRELLII
TEXAS	THREATENED	POLYGONACEAE	POLYGONUM STRIATULUM
TEXAS	THREATENED	POLYGONACEAE	RUMEX SPIRALIS
TEXAS	THREATENED	POLYPODIACEAE	NOTHOLAENA SCHAFFNERI VAR. NEALLEYI
TEXAS	THREATENED	RANUNCULACEAE	THALICTRUM DEBILE
TEXAS	THREATENED	ROSACEAE	CRATAEGUS BERBERIFOLIA
TEXAS	THREATENED	ROSACEAE	CRATAEGUS STENOSEPALA
TEXAS	THREATENED	ROSACEAE	CRATAEGUS SUTHERLANDENSIS
TEXAS	THREATENED	ROSACEAE	CRATAEGUS WARNERI
TEXAS	THREATENED	ROSACEAE	PRUNUS HAVARDII
TEXAS	THREATENED	ROSACEAE	PRUNUS MINUTIFLORA
TEXAS	THREATENED	ROSACEAE	PRUNUS MURRAYANA
TEXAS	THREATENED	ROSACEAE	PRUNUS TEXANA
TEXAS	THREATENED	ROSACEAE	ROSA STELLATA
TEXAS	THREATENED	ROSACEAE	RUBUS DUPLARIS
TEXAS	THREATENED	RUBIACEAE	GALIUM CORRELLII
TEXAS	THREATENED	SAXIFRAGACEAE	PHILADELPHUS ERNESTII
TEXAS	THREATENED	SAXIFRAGACEAE	PHILADELPHUS TEXENSIS VAR. TEXENSIS
TEXAS	THREATENED	SCROPHULARIACEAE	CASTILLEJA ELONGATA
TEXAS	THREATENED	SOLANACEAE	LYCIUM BERBERIOIDES
TEXAS	THREATENED	SOLANACEAE	LYCIUM TEXANUM
TEXAS	THREATENED	STYRACACEAE	STYRAX YOUNGAE

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
TEXAS	THREATENED	VALERIANACEAE	VALERIANA TEXANA
UTAH	ENDANGERED	APIACEAE	CYMOPTERUS DUCHESNENSIS
UTAH	ENDANGERED	APIACEAE	CYMOPTERUS MINIMUS
UTAH	ENDANGERED	APOCYNACEAE	CYCLADENIA JONESII
UTAH	ENDANGERED	ASTERACEAE	ERIGERON FLAGELLARIS VAR. TRILOBATUS
UTAH	ENDANGERED	ASTERACEAE	ERIGERON KACHINENSIS
UTAH	ENDANGERED	ASTERACEAE	ERIGERON MAGUIREI
UTAH	ENDANGERED	ASTERACEAE	ERIGERON RELIGIOSUS
UTAH	ENDANGERED	ASTERACEAE	ERIGERON SIONIS
UTAH	ENDANGERED	ASTERACEAE	TOWNSENDIA APRICA
UTAH	ENDANGERED	ASTERACEAE	VIGUIERA SOLICEPS
UTAH	ENDANGERED	BORAGINACEAE	CRYPTANTHA BREVIFLORA
UTAH	ENDANGERED	BORAGINACEAE	CRYPTANTHA GRAHAMII
UTAH	ENDANGERED	BORAGINACEAE	CRYPTANTHA JOHNSTONII
UTAH	ENDANGERED	BORAGINACEAE	CRYPTANTHA JONESIANA
UTAH	ENDANGERED	BORAGINACEAE	CRYPTANTHA OCHROLEUCA
UTAH	ENDANGERED	BRASSICACEAE	GLAUCOCARPUM SUFFRUTESCENS
UTAH	ENDANGERED	BRASSICACEAE	LEPIDIUM BARNEBYANUM
UTAH	ENDANGERED	CACTACEAE	ECHINOCEREUS ENGELMANNII VAR. PURPUREUS
UTAH	ENDANGERED	CACTACEAE	SCLEROCACTUS GLAUCUS
UTAH	ENDANGERED	FABACEAE	ASTRAGALUS CRONQUISTII
UTAH	ENDANGERED	FABACEAE	ASTRAGALUS DETRITALIS
UTAH	ENDANGERED	FABACEAE	ASTRAGALUS HAMILTONII
UTAH	ENDANGERED	FABACEAE	ASTRAGALUS HARRISONII
UTAH	ENDANGERED	FABACEAE	ASTRAGALUS LOANUS
UTAH	ENDANGERED	FABACEAE	ASTRAGALUS LUTOSUS
UTAH	ENDANGERED	FABACEAE	ASTRAGALUS MALACOIDES
UTAH	ENDANGERED	FABACEAE	ASTRAGALUS MINTHORNIAE VAR. GRACILIOR
UTAH	ENDANGERED	FABACEAE	ASTRAGALUS PARDALINUS
UTAH	ENDANGERED	FABACEAE	ASTRAGALUS SAURINUS
UTAH	ENDANGERED	FABACEAE	ASTRAGALUS SERPENS
UTAH	ENDANGERED	FABACEAE	OXYTROPIS OBNAPIFORMIS
UTAH	ENDANGERED	GENTIANACEAE	FRASERA GYPSICOLA
UTAH	ENDANGERED	HYDROPHYLLACEAE	PHACELIA ARGILLACEA
UTAH	ENDANGERED	HYDROPHYLLACEAE	PHACELIA MAMMILLARENSIS
UTAH	ENDANGERED	LILIACEAE	ALLIUM PASSEYI
UTAH	ENDANGERED	ONAGRACEAE	CAMISSONIA MEGALANTHA
UTAH	ENDANGERED	PAPAVERACEAE	ARCTOMECON HUMILIS
UTAH	ENDANGERED	POLEMONIACEAE	GILIA CAESPITOSA
UTAH	ENDANGERED	POLYGONACEAE	ERIOGONUM AMMOPHILUM
UTAH	ENDANGERED	POLYGONACEAE	ERIOGONUM ARETIOIDES
UTAH	ENDANGERED	POLYGONACEAE	ERIOGONUM CORYMBOSUM VAR. DAVIDSII
UTAH	ENDANGERED	POLYGONACEAE	ERIOGONUM CRONQUISTII

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
UTAH	ENDANGERED	POLYGONACEAE	ERIOGONUM EPHEDROIDES
UTAH	ENDANGERED	POLYGONACEAE	ERIOGONUM HUMIVAGANS
UTAH	ENDANGERED	POLYGONACEAE	ERIOGONUM HYLOPHILUM
UTAH	ENDANGERED	POLYGONACEAE	ERIOGONUM INTERMONTANUM
UTAH	ENDANGERED	POLYGONACEAE	ERIOGONUM LANCIFOLIUN
UTAH	ENDANGERED	POLYGONACEAE	ERIOGONUM LOGANUM
UTAH	ENDANGERED	POLYGONACEAE	ERIOGONUM PELINOPHILUM
UTAH	ENDANGERED	POLYGONACEAE	ERIOGONUM ZIONIS VAR. ZIONIS
UTAH	ENDANGERED	SCROPHULARIACEAE	CASTILLEJA AQUARIENSIS
UTAH	ENDANGERED	SCROPHULARIACEAE	CASTILLEJA REVEALII
UTAH	ENDANGERED	SCROPHULARIACEAE	PENSTEMON CONCINNUS
UTAH	ENDANGERED	SCROPHULARIACEAE	PENSTEMON DECURVUS
UTAH	ENDANGERED	SCROPHULARIACEAE	PENSTEMON GRAHAMII
UTAH	ENDANGERED	SCROPHULARIACEAE	PENSTEMON NANUS
UTAH	THREATENED	APIACEAE	CYMOPTERUS BASALTICUS
UTAH	THREATENED	APIACEAE	CYMOPTERUS COULTERI
UTAH	THREATENED	APIACEAE	CYMOPTERUS NEWBERRYI
UTAH	THREATENED	APIACEAE	CYMOPTERUS ROSEI
UTAH	THREATENED	APIACEAE	LOMATIUM MINIMUM
UTAH	THREATENED	ASCLEPIADACEAE	ASCLEPIAS CUTLERI
UTAH	THREATENED	ASCLEPIADACEAE	ASCLEPIAS RUTHIAE
UTAH	THREATENED	ASTERACEAE	ERIGERON ABAJOENSIS
UTAH	THREATENED	ASTERACEAE	ERIGERON CRONQUISTII
UTAH	THREATENED	ASTERACEAE	ERIGERON GARRETTII
UTAH	THREATENED	ASTERACEAE	ERIGERON MANCUS
UTAH	THREATENED	ASTERACEAE	HAPLOPAPPUS SCOPULORUM
UTAH	THREATENED	ASTERACEAE	HYMENOPAPPUS FILIFOLIUS VAR. TOMENTOSUS
UTAH	THREATENED	ASTERACEAE	MACHAERANTHERA GRINDELIOIDES VAR. DEPRESSA
UTAH	THREATENED	ASTERACEAE	PARTHENIUM LIGULATUM
UTAH	THREATENED	ASTERACEAE	SENECIO DIMORPHOPHYLLUS VAR. INTERMEDIUS
UTAH	THREATENED	BORAGINACEAE	CRYPTANTHA BARNEBYI
UTAH	THREATENED	BORAGINACEAE	CRYPTANTHA COMPACTA
UTAH	THREATENED	BORAGINACEAE	CRYPTANTHA ELATA
UTAH	THREATENED	BORAGINACEAE	CRYPTANTHA SEMIGLABRA
UTAH	THREATENED	BORAGINACEAE	CRYPTANTHA STRICTA
UTAH	THREATENED	BORAGINACEAE	MERTENSIA VIRIDIS VAR. CANA
UTAH	THREATENED	BORAGINACEAE	MERTENSIA VIRIDIS VAR. DILATATA
UTAH	THREATENED	BRASSICACEAE	ARABIS DEMISSA VAR. LANGUIDA
UTAH	THREATENED	BRASSICACEAE	ARABIS DEMISSA VAR. RUSSEOLA
UTAH	THREATENED	BRASSICACEAE	ARABIS SHOCKLEYI
UTAH	THREATENED	BRASSICACEAE	DRABA SOBOLIFERA
UTAH	THREATENED	BRASSICACEAE	DRABA SUBALPINA
UTAH	THREATENED	BRASSICACEAE	DRABA ZIONENSIS

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
UTAH	THREATENED	BRASSICACEAE	LESQUERELLA GARRETTII
UTAH	THREATENED	BRASSICACEAE	LESQUERELLA RUBICUNDULA
UTAH	THREATENED	BRASSICACEAE	PARRYA NUDICAULIS
UTAH	THREATENED	CACTACEAE	OPUNTIA WHIPPLEI VAR. MULTIGENICULATA
UTAH	THREATENED	CACTACEAE	SCLEROCACTUS PUBISPINUS
UTAH	THREATENED	CACTACEAE	SCLEROCACTUS SPINOSIOR
UTAH	THREATENED	CACTACEAE	SCLEROCACTUS WRIGHTIAE
UTAH	THREATENED	CARYOPHYLLACEAE	ARENARIA STENOMERES
UTAH	THREATENED	CARYOPHYLLACEAE	SILENE PETERSONII
UTAH	THREATENED	EUPHORBIACEAE	EUPHORBIA NEPHRADENIA
UTAH	THREATENED	FABACEAE	ASTRAGALUS AMPULLARIUS
UTAH	THREATENED	FABACEAE	ASTRAGALUS CHLOODES
UTAH	THREATENED	FABACEAE	ASTRAGALUS CONVALLARIUS VAR. FINITIMUS
UTAH	THREATENED	FABACEAE	ASTRAGALUS COTTAMII
UTAH	THREATENED	FABACEAE	ASTRAGALUS DESPERATUS VAR. CONSPECTUS
UTAH	THREATENED	FABACEAE	ASTRAGALUS DUCHESNENSIS
UTAH	THREATENED	FABACEAE	ASTRAGALUS ENSIFORMIS
UTAH	THREATENED	FABACEAE	ASTRAGALUS LANCEARIUS
UTAH	THREATENED	FABACEAE	ASTRAGALUS NIDULARIUS
UTAH	THREATENED	FABACEAE	ASTRAGALUS OOPHORUS VAR. LONCHOCALYX
UTAH	THREATENED	FABACEAE	ASTRAGALUS RAFAELENSIS
UTAH	THREATENED	FABACEAE	ASTRAGALUS STRIATIFLORUS
UTAH	THREATENED	FABACEAE	ASTRAGALUS WETHERILLII
UTAH	THREATENED	FABACEAE	DALEA THOMPSONAE
UTAH	THREATENED	FABACEAE	LUPINUS MARIANUS
UTAH	THREATENED	FABACEAE	PARRYA RYDBERGII
UTAH	THREATENED	FABACEAE	PETERIA THOMPSONIAE
UTAH	THREATENED	FABACEAE	PSORALEA EPIPSILA
UTAH	THREATENED	FUMARIACEAE	CORYDALIS CASEANA SSP. CASEANA
UTAH	THREATENED	GERANIACEAE	GERANIUM MARGINALE
UTAH	THREATENED	HYDROPHYLLACEAE	NAMA RETRORSUM
UTAH	THREATENED	HYDROPHYLLACEAE	PHACELIA ANELSONII
UTAH	THREATENED	HYDROPHYLLACEAE	PHACELIA CEPHALOTES
UTAH	THREATENED	HYDROPHYLLACEAE	PHACELIA CONSTANCEI
UTAH	THREATENED	HYDROPHYLLACEAE	PHACELIA DEMISSA VAR. HETEROTRICHA
UTAH	THREATENED	HYDROPHYLLACEAE	PHACELIA HOWELLIANA
UTAH	THREATENED	HYDROPHYLLACEAE	PHACELIA INDECORA
UTAH	THREATENED	HYDROPHYLLACEAE	PHACELIA RAFAELENSIS
UTAH	THREATENED	HYDROPHYLLACEAE	PHACELIA UTAHENSIS
UTAH	THREATENED	ONAGRACEAE	CAMISSONIA PARRYI
UTAH	THREATENED	ONAGRACEAE	EPILOBIUM NEVADENSE
UTAH	THREATENED	POACEAE	PUCCINELLIA PARISHII
UTAH	THREATENED	POLEMONIACEAE	GILIA MCVICKERAE

List A

STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
UTAH	THREATENED	POLEMONIACEAE	PHLOX CLUTEANA
UTAH	THREATENED	POLEMONIACEAE	PHLOX GLADIFORMIS
UTAH	THREATENED	POLEMONIACEAE	PHLOX GRAHAMII
UTAH	THREATENED	POLEMONIACEAE	PHLOX JONESII
UTAH	THREATENED	POLYGONACEAE	ERIOGONUM CLAVELLATUM
UTAH	THREATENED	POLYGONACEAE	ERIOGONUM FREMICUM
UTAH	THREATENED	POLYGONACEAE	ERIOGONUM JAMESII VAR. RUBICOLA
UTAH	THREATENED	POLYGONACEAE	ERIOGONUM NANUM
UTAH	THREATENED	POLYGONACEAE	ERIOGONUM OSTLUNDII
UTAH	THREATENED	POLYGONACEAE	ERIOGONUM PANGUICENSE VAR. ALPESTRE
UTAH	THREATENED	POLYGONACEAE	ERIOGONUM SAURINUM
UTAH	THREATENED	POLYGONACEAE	ERIOGONUM SMITHII
UTAH	THREATENED	POLYGONACEAE	ERIOGONUM THOMPSONAE VAR. ALBIFLORUM
UTAH	THREATENED	POLYGONACEAE	ERIOGONUM THOMPSONAE VAR. THOMPSONAE
UTAH	THREATENED	POLYGONACEAE	ERIOGONUM VIRIDULUM
UTAH	THREATENED	PORTULACACEAE	LEWISIA MAGUIREI
UTAH	THREATENED	PRIMULACEAE	PRIMULA MAGUIREI
UTAH	THREATENED	PRIMULACEAE	PRIMULA SPECUICOLA
UTAH	THREATENED	SCROPHULARIACEAE	CASTILLEJA PARVULA VAR. PARVULA
UTAH	THREATENED	SCROPHULARIACEAE	CASTILLEJA SCABRIDA
UTAH	THREATENED	SCROPHULARIACEAE	PENSTEMON ABIETINUS
UTAH	THREATENED	SCROPHULARIACEAE	PENSTEMON ACAULIS
UTAH	THREATENED	SCROPHULARIACEAE	PENSTEMON CAESPITOSUS VAR. SUFFRUTICOSUS
UTAH	THREATENED	SCROPHULARIACEAE	PENSTEMON COMPACTUS
UTAH	THREATENED	SCROPHULARIACEAE	PENSTEMON LEIOPHYLLUS
UTAH	THREATENED	SCROPHULARIACEAE	PENSTEMON PARVUS
UTAH	THREATENED	SCROPHULARIACEAE	PENSTEMON UINTAHENSIS
UTAH	THREATENED	SCROPHULARIACEAE	PENSTEMON WARDII
UTAH	THREATENED	VIOLACEAE	VIOLA CHARLESTONENSIS
VERMONT	ENDANGERED	CYPERACEAE	SCIRPUS ANCISTROCHAETUS
VERMONT	ENDANGERED	FABACEAE	ASTRAGALUS ROBBINSII VAR. JESUPI
VERMONT	ENDANGERED	ORCHIDACEAE	ISOTRIA MEDEOLOIDES
VERMONT	ENDANGERED	POACEAE	CALAMAGROSTIS INEXPANSA VAR. NOVAE-ANGLIAE
VERMONT	THREATENED	ASTERACEAE	PRENANTHES BOOTTII
VERMONT	THREATENED	CYPERACEAE	SCIRPUS LONGII
VERMONT	THREATENED	ORCHIDACEAE	CYPRIPEDIUM ARIETINUM
VERMONT	THREATENED	POTAMOGETONACEAE	POTAMOGETON HILLII
VIRGINIA	ENDANGERED	ARISTOLOCHIACEAE	HEXASTYLIS NANIFLORA
VIRGINIA	ENDANGERED	CISTACEAE	LECHEA MARITIMA VAR. VIRGINICA
VIRGINIA	ENDANGERED	DIAPENSIACEAE	SHORTIA GALACIFOLIA VAR. GALACIFOLIA
VIRGINIA	ENDANGERED	LILIACEAE	HYPOXIS LONGII
VIRGINIA	ENDANGERED	LILIACEAE	TRILLIUM PUSILLUM VAR. VIRGINIANUM
VIRGINIA	ENDANGERED	MALVACEAE	ILIAMNA REMOTA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
VIRGINIA	ENDANGERED	ORCHIDACEAE	ISOTRIA MEDEOLOIDES
VIRGINIA	ENDANGERED	POACEAE	PANICUM MUNDUM
VIRGINIA	ENDANGERED	RANUNCULACEAE	CLEMATIS ADDISONII
VIRGINIA	ENDANGERED	RANUNCULACEAE	CLEMATIS VITICAULIS
VIRGINIA	ENDANGERED	SCROPHULARIACEAE	BACOPA STRAGULA
VIRGINIA	THREATENED	ACANTHACEAE	JUSTICIA MORTUIFLUMINIS
VIRGINIA	THREATENED	APIACEAE	OXYPOLIS CANBYI
VIRGINIA	THREATENED	AQUIFOLIACEAE	ILEX AMELANCHIER
VIRGINIA	THREATENED	ARISTOLOCHIACEAE	HEXASTYLIS LEWISII
VIRGINIA	THREATENED	ASTERACEAE	ECHINACEA LAEVIGATA
VIRGINIA	THREATENED	ASTERACEAE	EUPATORIUM SALTUENSE
VIRGINIA	THREATENED	ASTERACEAE	RUDBECKIA HELIOPSIDIS
VIRGINIA	THREATENED	BRASSICACEAE	CARDAMINE LONGII
VIRGINIA	THREATENED	CYPERACEAE	CAREX BILTMOREANA
VIRGINIA	THREATENED	CYPERACEAE	CAREX CHAPMANII
VIRGINIA	THREATENED	CYPERACEAE	CYMOPHYLLUS FRASERI
VIRGINIA	THREATENED	CYPERACEAE	SCIRPUS FLACCIDIFOLIUS
VIRGINIA	THREATENED	ERICACEAE	RHODODENDRON BAKERI
VIRGINIA	THREATENED	ISOETACEAE	ISOETES VIRGINICA
VIRGINIA	THREATENED	JUNCACEAE	JUNCUS CAESARIENSIS
VIRGINIA	THREATENED	LAMIACEAE	PYCNANTHEMUM MONOTRICHUM
VIRGINIA	THREATENED	LAMIACEAE	SYNANDRA HISPIDULA
VIRGINIA	THREATENED	LILIACEAE	LILIUM GRAYII
VIRGINIA	THREATENED	POACEAE	CALAMAGROSTIS PORTERI
VIRGINIA	THREATENED	POACEAE	CALAMOVILFA BREVIPILIS VAR. BREVIPILIS
VIRGINIA	THREATENED	POACEAE	CALAMOVILFA BREVIPILIS VAR. CALVIPES
VIRGINIA	THREATENED	POACEAE	PANICUM ACULEATUM
VIRGINIA	THREATENED	POLYPODIACEAE	ASPLENIUM EBENOIDES
VIRGINIA	THREATENED	POLYPODIACEAE	ASPLENIUM KENTUCKIENSE
VIRGINIA	THREATENED	RANUNCULACEAE	ANEMONE MINIMA
VIRGINIA	THREATENED	RANUNCULACEAE	CIMICIFUGA RUBIFOLIA
VIRGINIA	THREATENED	SANTALACEAE	BUCKLEYA DISTICHOPHYLLA
VIRGINIA	THREATENED	SANTALACEAE	NESTRONIA UMBELLULA
VIRGINIA	THREATENED	SAXIFRAGACEAE	HEUCHERA HISPIDA
VIRGINIA	THREATENED	SAXIFRAGACEAE	SAXIFRAGA CAREYANA
VIRGINIA	THREATENED	SAXIFRAGACEAE	SAXIFRAGA CAROLINIANA
VIRGINIA	THREATENED	SCROPHULARIACEAE	MICRANTHEMUM MICRANTHEMOIDES
WASHINGTON	ENDANGERED	APIACEAE	LOMATIUM SUKSDORFII
WASHINGTON	ENDANGERED	APIACEAE	LOMATIUM TUBEROSUM
WASHINGTON	ENDANGERED	APIACEAE	TAUSCHIA HOOVERI
WASHINGTON	ENDANGERED	ASTERACEAE	ERIGERON BASALTICUS
WASHINGTON	ENDANGERED	BORAGINACEAE	HACKELIA VENUSTA
WASHINGTON	ENDANGERED	CARYOPHYLLACEAE	SILENE SPALDINGII

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
WASHINGTON	ENDANGERED	FABACEAE	ASTRAGALUS KENTROPHYTA VAR. DOUGLASII
WASHINGTON	ENDANGERED	FABACEAE	ASTRAGALUS MISELLUS VAR. PAUPER
WASHINGTON	ENDANGERED	FABACEAE	ASTRAGALUS SINUATUS
WASHINGTON	ENDANGERED	FABACEAE	TRIFOLIUM THOMPSONII
WASHINGTON	ENDANGERED	HYDROPHYLLACEAE	HYDROPHYLLUM CAPITATUM VAR. THOMPSONII
WASHINGTON	ENDANGERED	LILIACEAE	ALLIUM DICTUON
WASHINGTON	ENDANGERED	POACLAE	POA PACHYPHOLIS
WASHINGTON	ENDANGERED	PORTULACACEAE	LEWISIA TWEEDYI
WASHINGTON	ENDANGERED	ROSACEAE	PETROPHYTUM CINERASCENS
WASHINGTON	ENDANGERED	SAXIFRAGACEAE	PARNASSIA KOTZEBUEI VAR. PUMILA
WASHINGTON	THREATENED	APIACEAE	ERYNGIUM PETIOLATUM
WASHINGTON	THREATENED	APIACEAE	LOMATIUM CUSPIDATUM
WASHINGTON	THREATENED	APIACEAE	LOMATIUM LAEVIGATUM
WASHINGTON	THREATENED	APIACEAE	LOMATIUM SERPENTINUM
WASHINGTON	THREATENED	APIACEAE	LOMATIUM THOMPSONII
WASHINGTON	THREATENED	APIACEAE	TAUSCHIA STRICKLANDII
WASHINGTON	THREATENED	ASTERACEAE	ARNICA AMPLEXICAULIS VAR. PIPERI
WASHINGTON	THREATENED	ASTERACEAE	ASTER CHILENSIS SSP. HALLII
WASHINGTON	THREATENED	ASTERACEAE	ASTER CURTUS
WASHINGTON	THREATENED	ASTERACEAE	ASTER GLAUCESCENS
WASHINGTON	THREATENED	ASTERACEAE	ASTER JESSICAE
WASHINGTON	THREATENED	ASTERACEAE	BALSAMORHIZA ROSEA
WASHINGTON	THREATENED	ASTERACEAE	CHAENACTIS RAMOSA
WASHINGTON	THREATENED	ASTERACEAE	CHAENACTIS THOMPSONII
WASHINGTON	THREATENED	ASTERACEAE	CHRYSOTHAMNUS NAUSEOSUS VAR. NANUS
WASHINGTON	THREATENED	ASTERACEAE	CIRSIUM BREVIFOLIUM
WASHINGTON	THREATENED	ASTERACEAE	ERIGERON FLETTII
WASHINGTON	THREATENED	ASTERACEAE	ERIGERON LEIBERGII
WASHINGTON	THREATENED	ASTERACEAE	ERIGERON PIPERIANUS
WASHINGTON	THREATENED	ASTERACEAE	HAPLOPAPPUS HALLII
WASHINGTON	THREATENED	ASTERACEAE	HAPLOPAPPUS LIATRIFORMIS
WASHINGTON	THREATENED	ASTERACEAE	HIERACIUM LONGIBERBE
WASHINGTON	THREATENED	ASTERACEAE	LASTHENIA MINOR VAR. MARITIMA
WASHINGTON	THREATENED	ASTERACEAE	SENECIO NEOWEBSTERI
WASHINGTON	THREATENED	BORAGINACEAE	CRYPTANTHA THOMPSONII
WASHINGTON	THREATENED	BORAGINACEAE	HACKELIA HISPIDA
WASHINGTON	THREATENED	BRASSICACEAE	DRABA DOUGLASII
WASHINGTON	THREATENED	BRASSICACEAE	DRABA VENTOSA VAR. RUAXES
WASHINGTON	THREATENED	BRASSICACEAE	RORIPPA COLUMBIAE
WASHINGTON	THREATENED	CAMPANULACEAE	CAMPANULA PIPERI
WASHINGTON	THREATENED	CARYOPHYLLACEAE	ARENARIA PALUDICOLA
WASHINGTON	THREATENED	CARYOPHYLLACEAE	SILENE SEELYI
WASHINGTON	THREATENED	FABACEAE	ASTRAGALUS COTTONII

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
WASHINGTON	THREATENED	FABACEAE	ASTRAGALUS MULFORDAE
WASHINGTON	THREATENED	FABACEAE	LUPINUS SABINII
WASHINGTON	THREATENED	FABACEAE	TRIFOLIUM PLUMOSUM VAR. PLUMOSUM
WASHINGTON	THREATENED	LILIACEAE	ALLIUM ROBINSONII
WASHINGTON	THREATENED	LILIACEAE	CALOCHORTUS NITIDUS
WASHINGTON	THREATENED	LILIACEAE	ERYTHRONIUM OREGONUM
WASHINGTON	THREATENED	MALVACEAE	SIDALCEA OREGANA VAR. CALVA
WASHINGTON	THREATENED	POACEAE	CALAMAGROSTIS CRASSIGLUMIS
WASHINGTON	THREATENED	POACEAE	CALAMAGROSTIS TWEEDYI
WASHINGTON	THREATENED	POACEAE	POA CURTIFOLIA
WASHINGTON	THREATENED	POLEMONIACEAE	POLEMONIUM PECTINATUM
WASHINGTON	THREATENED	POLYGONACEAE	ERIOGONUM THYMOIDES
WASHINGTON	THREATENED	POLYGONACEAE	ERIOGONUM UMBELLATUM VAR. HYPOLEIUM
WASHINGTON	THREATENED	POLYPODIACEAE	POLYSTICHUM KRUCKEBERGII
WASHINGTON	THREATENED	PORTULACACEAE	CLAYTONIA LANCEOLATA VAR. CHRYSANTHA
WASHINGTON	THREATENED	PORTULACACEAE	CLAYTONIA MEGARHIZA VAR. NIVALIS
WASHINGTON	THREATENED	PORTULACACEAE	TALINUM OKANOGANENSE
WASHINGTON	THREATENED	PRIMULACEAE	DODECATHEON POETICUM
WASHINGTON	THREATENED	PRIMULACEAE	DOUGLASIA LAEVIGATA
WASHINGTON	THREATENED	RANUNCULACEAE	CIMICIFUGA LACINIATA
WASHINGTON	THREATENED	RANUNCULACEAE	CLEMATIS OCCIDENTALIS VAR. DISSECTA
WASHINGTON	THREATENED	RANUNCULACEAE	DELPHINIUM MULTIPLEX
WASHINGTON	THREATENED	RANUNCULACEAE	DELPHINIUM NUTTALLIANUM VAR. LINEAPETALUM
WASHINGTON	THREATENED	RANUNCULACEAE	DELPHINIUN VIRIDESCENS
WASHINGTON	THREATENED	RANUNCULACEAE	DELPHINIUM XANTHOLEUCUM
WASHINGTON	THREATENED	RANUNCULACEAE	RANUNCULUS RECONDITUS
WASHINGTON	THREATENED	ROSACEAE	PETROPHYTUM HENDERSONII
WASHINGTON	THREATENED	ROSACEAE	RUBUS NIGERRIMUS
WASHINGTON	THREATENED	SALICACEAE	SALIX FLUVIATILIS
WASHINGTON	THREATENED	SAXIFRAGACEAE	SULLIVANTIA OREGANA
WASHINGTON	THREATENED	SCROPHULARIACEAE	CASTILLEJA CRYPTANTHA
WASHINGTON	THREATENED	SCROPHULARIACEAE	CASTILLEJA PARVIFLORA VAR. OLYMPICA
WASHINGTON	THREATENED	SCROPHULARIACEAE	MIMULUS JUNGERMANNIOIDES
WASHINGTON	THREATENED	SCROPHULARIACEAE	PEDICULARIS RAINIERENSIS
WASHINGTON	THREATENED	SCROPHULARIACEAE	PENSTEMON WASHINGTONENSIS
WASHINGTON	THREATENED	SCROPHULARIACEAE	SYNTHYRIS PINNATIFIDA VAR. LANUGINOSA
WASHINGTON	THREATENED	SCROPHULARIACEAE	SYNTHYRIS SCHIZANTHA
WASHINGTON	THREATENED	VALERIANACEAE	VALERIANA COLUMBIANA
WASHINGTON	THREATENED	VIOLACEAE	VIOLA FLETTII
WEST VIRGINIA	THREATENED	APIACEAE	OXYPOLIS CANBYI
WEST VIRGINIA	THREATENED	APIACEAE	PTILIMNIUM FLUVIATILE
WEST VIRGINIA	THREATENED	CYPERACEAE	CYMOPHYLLUS FRASERI
WEST VIRGINIA	THREATENED	LAMIACEAE	SCUTELLARIA OVATA SSP. PSEUDOARGUTA

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STATE LISTS OF ENDANGERED AND THREATENED SPECIES OF THE CONTINENTAL UNITED STATES

STATE	STATUS	FAMILY	SPECIES
WEST VIRGINIA	THREATENED	LAMIACEAE	SYNANDRA HISPIDULA
WEST VIRGINIA	THREATENED	ORCHIDACEAE	PLATANTHERA PERAMOENA
WEST VIRGINIA	THREATENED	POACEAE	CALAMAGROSTIS PORTERI
WEST VIRGINIA	THREATENED	POLYPODIACEAE	ASPLENIUM EBENOIDES
WEST VIRGINIA	THREATENED	RANUNCULACEAE	ANEMONE MINIMA
WEST VIRGINIA	THREATENED	ROSACEAE	PRUNUS ALLEGHANIENSIS
WEST VIRGINIA	THREATENED	SAXIFRAGACEAE	HEUCHERA HISPIDA
WISCONSIN	ENDANGERED	ASTERACEAE	GNAPHALIUM OBTUSIFOLIUM VAR. SAXICOLA
WISCONSIN	ENDANGERED	FABACEAE	LESPEDEZA LEPTOSTACHYA
WISCONSIN	ENDANGERED	POLYPODIACEAE	WOODSIA ABBEAE
WISCONSIN	THREATENED	FABACEAE	OXYTROPIS CAMPESTRIS VAR. CHARTACEA
WISCONSIN	THREATENED	IRIDACEAE	IRIS LACUSTRIS
WISCONSIN	THREATENED	ORCHIDACEAE	CYPRIPEDIUM ARIETINUM
WISCONSIN	THREATENED	ORCHIDACEAE	LISTERA AURICULATA
WISCONSIN	THREATENED	ORCHIDACEAE	PLATANTHERA FLAVA
WISCONSIN	THREATENED	ORCHIDACEAE	PLATANTHERA LEUCOPHAEA
WISCONSIN	THREATENED	POACEAE	POA PALUDIGENA
WISCONSIN	THREATENED	POLYPODIACEAE	GYMNOCARPIUM HETEROSPORUM
WISCONSIN	THREATENED	RANUNCULACEAE	ACONITUM NOVEBORACENSE VAR. GUASICILIATUM
WISCONSIN	THREATENED	SAXIFRAGACEAE	SULLIVANTIA OHIONIS
WYOMING	ENDANGERED	BRASSICACEAE	LESQUERELLA FREMONTII
WYOMING	ENDANGERED	FABACEAE	ASTRAGALUS PROIMANTHUS
WYOMING	ENDANGERED	ONAGRACEAE	GAURA NEOMEXICANA SSP. COLORADENSIS
WYOMING	THREATENED	ASTERACEAE	ARTEMISIA PORTERI
WYOMING	THREATENED	ASTERACEAE	ERIGERON ALLOCOTUS
WYOMING	THREATENED	ASTERACEAE	TANACETUM SIMPLEX
WYOMING	THREATENED	ASTERACEAE	TOWNSENDIA SPATHULATA
WYOMING	THREATENED	BORAGINACEAE	CRYPTANTHA STRICTA
WYOMING	THREATENED	BORAGINACEAE	MERTENSIA VIRIDIS VAR. DILATATA
WYOMING	THREATENED	BRASSICACEAE	ARABIS DEMISSA VAR. LANGUIDA
WYOMING	THREATENED	BRASSICACEAE	ARABIS DEMISSA VAR. RUSSEOLA
WYOMING	THREATENED	BRASSICACEAE	DRABA NIVALIS VAR. BREVICULA
WYOMING	THREATENED	BRASSICACEAE	LESQUERELLA CARINATA
WYOMING	THREATENED	BRASSICACEAE	PHYSARIA CONDENSATA
WYOMING	THREATENED	CYPERACEAE	CAREX MICROPTERA VAR. CRASSINERVIA
WYOMING	THREATENED	POACEAE	AGROSTIS ROSSIAE
WYOMING	THREATENED	POACEAE	ORYZOPSIS HYMENOIDES VAR. CONTRACTA
WYOMING	THREATENED	PORTULACACEAE	CLAYTONIA BELLIDIFOLIA
WYOMING	THREATENED	RANUNCULACEAE	AQUILEGIA LARAMIENSIS
WYOMING	THREATENED	SCROPHULARIACEAE	PENSTEMON CARYI
WYOMING	THREATENED	SCROPHULARIACEAE	PENSTEMON PAYSONIORUM

List A

Smithsonian Institution Modifications as of May 21, 1975

State Additions

State	Status	Family	Species
Alabama	Threatened	Orchidaceae	Platanthera integra
Colorado	Endangered	Cactaceae	Pediocactus knowltonii
Colorado	Threatened	Cactaceae	Sclerocactus spinosior
Connecticut	Threatened	Orchidaceae	Cypripedium arietinum
Delaware	Threatened	Orchidaceae	Platanthera flava
Georgia	Threatened	Orchidaceae	Platanthera integra
Illinois	Threatened	Orchidaceae	Cypripedium candidum
Indiana	Threatened	Orchidaceae	Cypripedium candidum
Iowa	Threatened	Orchidaceae	Cypripedium candidum
Iowa	Threatened	Orchidaceae	Platanthera flava
Iowa	Threatened	Orchidaceae	Platanthera leucophaea
Louisiana	Threatened	Orchidaceae	Platanthera integra
Maine	Endangered	Orchidaceae	Isotria medeoloides
Maine	Threatened	Cyperaceae	Scirpus longii
Maine	Threatened	Orchidaceae	Cypripedium arietinum
Maine	Threatened	Orchidaceae	Platanthera flava
Massachusetts	Threatened	Orchidaceae	Platanthera flava
Michigan	Threatened	Orchidaceae	Cypripedium candidum
Michigan	Threatened	Orchidaceae	Platanthera flava
Minnesota	Threatened	Orchidaceae	Cypripedium candidum
Minnesota	Threatened	Orchidaceae	Platanthera flava
Mississippi	Threatened	Orchidaceae	Platanthera integra
Nebraska	Threatened	Orchidaceae	Cypripedium candidum
Nevada	Threatened	Lamiaceae	Salvia funerea

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Smithsonian Modifications - State Additions

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New Hampshire	Threatened	Orchidaceae	Cypripedium arietinum
New Hampshire	Threatened	Orchidaceae	Platanthera flava
New Jersey	Threatened	Orchidaceae	Platanthera flava
New York	Endangered	Cyperaceae	Scirpus ancistrochaetus
New York	Threatened	Cyperaceae	Scirpus longii
New York	Threatened	Orchidaceae	Platanthera flava
North Carolina	Threatened	Orchidaceae	Platanthera flava
North Carolina	Threatened	Orchidaceae	Platanthera peramoena
Ohio	Threatened	Orchidaceae	Cypripedium candidum
Ohio	Threatened	Orchidaceae	Platanthera flava
Pennsylvania	Endangered	Cyperaceae	Scirpus ancistrochaetus
Rhode Island	Threatened	Orchidaceae	Platanthera flava
South Carolina	Threatened	Arecaceae	Rhapidophyllum hystrix
South Carolina	Threatened	Orchidaceae	Platanthera flava
South Dakota	Threatened	Orchidaceae	Cypripedium candidum
Vermont	Threatened	Orchidaceae	Listera auriculata
Vermont	Threatened	Orchidaceae	Platanthera flava
Virginia	Endangered	Cyperaceae	Scirpus ancistrochaetus
Virginia	Threatened	Orchidaceae	Platanthera flava
Virginia	Threatened	Orchidaceae	Platanthera peramoena
Washington	Endangered	Orchidaceae	Platanthera unalascensis ssp. maritima
West Virginia	Threatened	Orchidaceae	Platanthera flava
Wisconsin	Threatened	Orchidaceae	Cypripedium candidum

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State Deletions

Arkansas	Threatened	Scrophulariaceae	Penstemon multicaulis
Illinois	Threatened	Lauraceae	Lindera melissifolia
Illinois	Threatened	Saxifragaceae	Sullivantia ohionis
Minnesota	Threatened	Saxifragaceae	Sullivantia ohionis
North Carolina	Threatened	Asteraceae	Hartwrightia floridana
North Carolina	Threatened	Cyperaceae	Scirpus longii
Texas	Threatened	Convolvulaceae	Ipomoea cardiophylla
Vermont	Threatened	Cyperaceae	Scirpus longii
Virginia	Endangered	Diapensiaceae	Shortia galacifolia var. galacifolia
Wisconsin	Threatened	Saxifragaceae	Sullivantia ohionis

Name Changes

Alabama	Endangered	Asclepiadaceae	Cyclodon alabamense
	change to:		Matelea alabamensis
Indiana	Threatened	Saxifragaceae	Sullivantia ohionis
	change to:		Sullivantia sullivantii
Kentucky	Threatened	Saxifragaceae	Sullivantia ohionis
	change to:		Sullivantia sullivantii
Ohio	Threatened	Saxifragaceae	Sullivantia ohionis
	change to:		Sullivantia sullivantii
Utah	Threatened	Fabaceae	Parrya rydbergii
	change to:	Brassicaceae	

List B

LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
AMARANTHACEAE	ACHYRANTHES MUTICA	ENDANGERED
AMARANTHACEAE	ACHYRANTHES SPLENDENS VAR. REFLEXA	ENDANGERED
AMARANTHACEAE	ACHYRANTHES SPLENDENS VAR. ROTUNDATA	ENDANGERED
AMARANTHACEAE	ACHYRANTHES SPLENDENS VAR. SPLENDENS	ENDANGERED
AMARANTHACEAE	AERVA SERICEA	EXTINCT
AMARANTHACEAE	CHARPENTIERA DENSIFLORA	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM HUMILE VAR. HUMILE	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM HUMILE VAR. PARVIFOLIUM	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM HUMILE VAR. SUBRHOMBOIDEUM	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. DECIPIENS	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. DUBIUM	EXTINCT
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. FORBESII	EXTINCT
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. HELLERI	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. KOLEKOLENSE	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. LANAIENSE	EXTINCT
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. LANCEOLATUM	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. LATIFOLIUM	EXTINCT
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. LEPTOPODUM	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. LONGESPICATUM	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. MACROPHYLLUM	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. MAUIENSE	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. OLOKELEANUM	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. PULCHELLOIDES	EXTINCT
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. PULCHELLUM	EXTINCT
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. SUBCORDATUM	EXTINCT
AMARANTHACEAE	NOTOTRICHIUM SANDWICENSE VAR. SYRINGIFOLIUM	EXTINCT
AMARANTHACEAE	NOTOTRICHIUM VIRIDE VAR. OBLONGIFOLIUM	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM VIRIDE VAR. SUBTRUNCATUM	ENDANGERED
AMARANTHACEAE	NOTOTRICHIUM VIRIDE VAR. VIRIDE	ENDANGERED
APIACEAE	PEUCEDANUM KAUAIENSE	ENDANGERED
APIACEAE	PEUCEDANUM SANDWICENSE VAR. SANDWICENSE	ENDANGERED
APIACEAE	SANICULA PURPUREA	ENDANGERED
APOCYNACEAE	OCHROSIA COMPTA	ENDANGERED
APOCYNACEAE	PTERALYXIA CAUMIANA	EXTINCT (1933)
APOCYNACEAE	PTERALYXIA KAUAIENSIS	ENDANGERED
APOCYNACEAE	RAUVOLFIA HELLERI	ENDANGERED
APOCYNACEAE	RAUVOLFIA MAUIENSIS	ENDANGERED
APOCYNACEAE	RAUVOLFIA MOLOKAIENSIS VAR. PARVIFOLIA	EXTINCT
APOCYNACEAE	RAUVOLFIA REMOTIFLORA	ENDANGERED
APOCYNACEAE	RAUVOLFIA SANDWICENSIS VAR. SANDWICENSIS	THREATENED
APOCYNACEAE	RAUVOLFIA SANDWICENSIS VAR. SUBACUMINATA	THREATENED
ARALIACEAE	CHEIRODENDRON HELLERI VAR. HELLERI	ENDANGERED
ARALIACEAE	CHEIRODENDRON HELLERI VAR. MICROCARPUM	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
ARALIACEAE	CHEIRODENDRON HELLERI VAR. SODALIUM	ENDANGERED
ARALIACEAE	CHEIRODENDRON TRIGYNUM VAR. HOCKII	ENDANGERED
ARALIACEAE	CHEIRODENDRON TRIGYNUM VAR. SUBCORDATUM	ENDANGERED
ARALIACEAE	MUNROIDENDRON RACEMOSUM VAR. MACDANIELSII	EXTINCT
ARALIACEAE	MUNROIDENDRON RACEMOSUM VAR. RACEMOSUM	ENDANGERED
ARALIACEAE	REYNOLDSIA DEGENERI	ENDANGERED
ARALIACEAE	REYNOLDSIA HILLEBRANDII	ENDANGERED
ARALIACEAE	REYNOLDSIA HUEHUENSIS VAR. BREVIPES	ENDANGERED
ARALIACEAE	REYNOLDSIA HUEHUENSIS VAR. HUEHUENSIS	ENDANGERED
ARALIACEAE	REYNOLDSIA HUEHUENSIS VAR. INTERMEDIA	ENDANGERED
ARALIACEAE	REYNOLDSIA MAUIENSIS VAR. MACROCARPA	ENDANGERED
ARALIACEAE	REYNOLDSIA MAUIENSIS VAR. MAUIENSIS	ENDANGERED
ARALIACEAE	REYNOLDSIA SANDWICENSIS VAR. INTERCEDENS	ENDANGERED
ARALIACEAE	REYNOLDSIA SANDWICENSIS VAR. MOLOKAIENSIS	EXTINCT
ARALIACEAE	REYNOLDSIA VENUSTA VAR. LANAIENSIS	ENDANGERED
ARALIACEAE	REYNOLDSIA VENUSTA VAR. VENUSTA	ENDANGERED
ARALIACEAE	TETRAMOLOPIUS KAVAIENSIS VAR. KOLOANA	THREATENED
ARALIACEAE	TETRAPLASANDRA BISATTENUATA	ENDANGERED
ARALIACEAE	TETRAPLASANDRA GYMNOCARPA VAR. PUPUKEENSIS	ENDANGERED
ARALIACEAE	TETRAPLASANDRA HAWAIIENSIS VAR. HAWAIIENSIS	THREATENED
ARALIACEAE	TETRAPLASANDRA HAWAIIENSIS VAR. MICROCARPA	ENDANGERED
ARALIACEAE	TETRAPLASANDRA KAALAE VAR. MULTIPLEX	ENDANGERED
ARALIACEAE	TETRAPLASANDRA KAHANANA	ENDANGERED
ARALIACEAE	TETRAPLASANDRA KAVAIENSIS VAR. DIPYRENA	ENDANGERED
ARALIACEAE	TETRAPLASANDRA KAVAIENSIS VAR. GRANDIS	ENDANGERED
ARALIACEAE	TETRAPLASANDRA KAVAIENSIS VAR. INTERCEDENS	ENDANGERED
ARALIACEAE	TETRAPLASANDRA KAVAIENSIS VAR. NAHIKUENSIS	ENDANGERED
ARALIACEAE	TETRAPLASANDRA KAVAIENSIS VAR. OCCIDUA	ENDANGERED
ARALIACEAE	TETRAPLASANDRA KOHALAE	ENDANGERED
ARALIACEAE	TETRAPLASANDRA LANAIENSIS	EXTINCT (1917)
ARALIACEAE	TETRAPLASANDRA LIHUENSIS VAR. GRACILIPES	THREATENED
ARALIACEAE	TETRAPLASANDRA LYDGATEI VAR. BRACHYPODA	EXTINCT
ARALIACEAE	TETRAPLASANDRA LYDGATEI VAR. CORIACEA	EXTINCT
ARALIACEAE	TETRAPLASANDRA LYDGATEI VAR. FORBESII	EXTINCT
ARALIACEAE	TETRAPLASANDRA LYDGATEI VAR. LEPTORHACHIS	ENDANGERED
ARALIACEAE	TETRAPLASANDRA LYDGATEI VAR. LYDGATEI	EXTINCT
ARALIACEAE	TETRAPLASANDRA MEIANDRA VAR. BISOBTUSA	THREATENED
ARALIACEAE	TETRAPLASANDRA MEIANDRA VAR. BRYANII	ENDANGERED
ARALIACEAE	TETRAPLASANDRA MEIANDRA VAR. DEGENERI	ENDANGERED
ARALIACEAE	TETRAPLASANDRA MEIANDRA VAR. HILLEBRANDII	ENDANGERED
ARALIACEAE	TETRAPLASANDRA MEIANDRA VAR. HILOENSIS	THREATENED
ARALIACEAE	TETRAPLASANDRA MEIANDRA VAR. LEPTOMERA	ENDANGERED
ARALIACEAE	TETRAPLASANDRA MEIANDRA VAR. MAKALEHANA	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
ARALIACEAE	TETRAPLASANDRA METANDRA VAR. RHYNCHOCAMPOIDES	THREATENED
ARALIACEAE	TETRAPLASANDRA METANDRA VAR. SIMULANS	THREATENED
ARALIACEAE	TETRAPLASANDRA MUNROI	EXTINCT (1922)
ARALIACEAE	TETRAPLASANDRA OAHUENSIS VAR. ERADIATA	EXTINCT
ARALIACEAE	TETRAPLASANDRA OAHUENSIS VAR. FAURIEI	THREATENED
ARALIACEAE	TETRAPLASANDRA OAHUENSIS VAR. HAILIENSIS	THREATENED
ARALIACEAE	TETRAPLASANDRA OAHUENSIS VAR. LONGIPES	THREATENED
ARALIACEAE	TETRAPLASANDRA OAHUENSIS VAR. PSEUDORHACHIS	THREATENED
ARALIACEAE	TETRAPLASANDRA PUPUKEENSIS VAR. NITIDA	THREATENED
ARALIACEAE	TETRAPLASANDRA PUPUKEENSIS VAR. PUPUKEENSIS	ENDANGERED
ARALIACEAE	TETRAPLASANDRA PUPUKEENSIS VAR. VENOSA	THREATENED
ARALIACEAE	TETRAPLASANDRA TURRANS	THREATENED
ARALIACEAE	TETRAPLASANDRA WAIALEALAE VAR. URCEOLATA	THREATENED
ARALIACEAE	TETRAPLASANDRA WAIANENSIS VAR. PALEHUANA	ENDANGERED
ARALIACEAE	TETRAPLASANDRA WAIANENSIS VAR. WAIANENSIS	THREATENED
ARALIACEAE	TETRAPLASANDRA WAIMEAE VAR. ANGUSTIOR	THREATENED
ARECACEAE	PRITCHARDIA AYLMER-ROBINSONII	ENDANGERED
ARECACEAE	PRITCHARDIA ELLIPTICA	ENDANGERED
ARECACEAE	PRITCHARDIA ERIOPHORA	ENDANGERED
ARECACEAE	PRITCHARDIA GAUDICHAUDII	ENDANGERED
ARECACEAE	PRITCHARDIA HILLEBRANDII	ENDANGERED
ARECACEAE	PRITCHARDIA KAALAE VAR. KAALAE	ENDANGERED
ARECACEAE	PRITCHARDIA KAALAE VAR. MINIMA	ENDANGERED
ARECACEAE	PRITCHARDIA KAHANAE	ENDANGERED
ARECACEAE	PRITCHARDIA LANAIENSIS	ENDANGERED
ARECACEAE	PRITCHARDIA MUNROII	ENDANGERED
ARECACEAE	PRITCHARDIA REMOTA	ENDANGERED
ASTERACEAE	ARGYROXIPHIUM KAUENSE	ENDANGERED
ASTERACEAE	ARGYROXIPHIUM VIRESCENS VAR. VIRESCENS	EXTINCT (1915)
ASTERACEAE	ARTEMISIA SP.	ENDANGERED
ASTERACEAE	ASTER SANDWICENSIS	EXTINCT
ASTERACEAE	BIDENS ASPLENIOIDES	EXTINCT
ASTERACEAE	BIDENS CAMYLOTHECA	THREATENED
ASTERACEAE	BIDENS CERVICATA	ENDANGERED
ASTERACEAE	BIDENS COARTATA	ENDANGERED
ASTERACEAE	BIDENS CONJUNCTATA	ENDANGERED
ASTERACEAE	BIDENS CUNEATA	ENDANGERED
ASTERACEAE	BIDENS DEGENERI VAR. APIOIDES	ENDANGERED
ASTERACEAE	BIDENS DEGENERI VAR. DEGENERI	ENDANGERED
ASTERACEAE	BIDENS DISTANS	EXTINCT
ASTERACEAE	BIDENS FORBESII	ENDANGERED
ASTERACEAE	BIDENS GRACILOIDES	ENDANGERED
ASTERACEAE	BIDENS HAWAIIENSIS	EXTINCT

LIST B

LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
ASTERACEAE	BIDENS MACROCARPA VAR. OVATIFOLIA	EXTINCT
ASTERACEAE	BIDENS MAGNADISCA	ENDANGERED
ASTERACEAE	BIDENS MAUIENSIS VAR. CUNEATOIDES	ENDANGERED
ASTERACEAE	BIDENS MAUIENSIS VAR. FORBESIANA	ENDANGERED
ASTERACEAE	BIDENS MAUIENSIS VAR. LANAIENSIS	ENDANGERED
ASTERACEAE	BIDENS MAUIENSIS VAR. MEDIA	ENDANGERED
ASTERACEAE	BIDENS MENZIESII VAR. LEPTOCOMTA	ENDANGERED
ASTERACEAE	BIDENS MICRANTHA VAR. CAUCA	EXTINCT
ASTERACEAE	BIDENS MICRANTHA VAR. KAALAEA	ENDANGERED
ASTERACEAE	BIDENS MICRANTHA VAR. LACINIATA	THREATENED
ASTERACEAE	BIDENS NAPALIENSIS	ENDANGERED
ASTERACEAE	BIDENS NEMATOCERA	EXTINCT
ASTERACEAE	BIDENS OBTUSILOBA	ENDANGERED
ASTERACEAE	BIDENS POPULIFOLIA	ENDANGERED
ASTERACEAE	BIDENS PULCHELLA	EXTINCT
ASTERACEAE	BIDENS SALICOIDES	ENDANGERED
ASTERACEAE	BIDENS SANDWICENSIS VAR. SETOSA	ENDANGERED
ASTERACEAE	BIDENS SKOTTSBERGII VAR. CONGLUTINATA	ENDANGERED
ASTERACEAE	BIDENS SKOTTSBERGII VAR. SKOTTSBERGII	ENDANGERED
ASTERACEAE	BIDENS STOKESII	EXTINCT (1912)
ASTERACEAE	BIDENS VALIDA	EXTINCT (1909)
ASTERACEAE	BIDENS WAIMEANA	EXTINCT (1895)
ASTERACEAE	BIDENS WIEBKEI	ENDANGERED
ASTERACEAE	DUBAUTIA ARBOREA	EXTINCT (1911)
ASTERACEAE	DUBAUTIA HILLEBRANDII	ENDANGERED
ASTERACEAE	DUBAUTIA KNUDSENII VAR. DEGENERI	THREATENED
ASTERACEAE	DUBAUTIA KNUDSENII VAR. KNUDSENII	ENDANGERED
ASTERACEAE	DUBAUTIA LAEVIGATA VAR. PARVIFOLIA	THREATENED
ASTERACEAE	DUBAUTIA LATIFOLIA VAR. LATIFOLIA	ENDANGERED
ASTERACEAE	DUBAUTIA LAXA VAR. BLAKEI	THREATENED
ASTERACEAE	DUBAUTIA LAXA VAR. WAIANENSIS	ENDANGERED
ASTERACEAE	DUBAUTIA LONCHOPHYLLA	ENDANGERED
ASTERACEAE	DUBAUTIA MAGNIFOLIA	EXTINCT (1911)
ASTERACEAE	DUBAUTIA MICROCEPHALA VAR. FORBESII	THREATENED
ASTERACEAE	DUBAUTIA MICROCEPHALA VAR. MICROCEPHALA	ENDANGERED
ASTERACEAE	DUBAUTIA MOLOKAIENSIS	ENDANGERED
ASTERACEAE	DUBAUTIA MONTANA VAR. LONGIFOLIA	ENDANGERED
ASTERACEAE	DUBAUTIA MONTANA VAR. ROBUSTIOR	ENDANGERED
ASTERACEAE	DUBAUTIA PLANTAGINEA VAR. ACRIDENTATA	ENDANGERED
ASTERACEAE	DUBAUTIA PLANTAGINEA VAR. PLANTAGINEA	ENDANGERED
ASTERACEAE	DUBAUTIA PLATYPHYLLA VAR. LEPTOPHYLLA	ENDANGERED
ASTERACEAE	DUBAUTIA RETICULATA	ENDANGERED
ASTERACEAE	DUBAUTIA ROCKII	EXTINCT (1910)

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
ASTERACEAE	DUBAUTIA SHERFFIANA	ENDANGERED
ASTERACEAE	DUBAUTIA STRUTHIOLOIDES	EXTINCT (1869)
ASTERACEAE	DUBAUTIA TERNIFOLIA	ENDANGERED
ASTERACEAE	DUBAUTIA THRYSIFLORA VAR. THRYSIFLORA	ENDANGERED
ASTERACEAE	DUBAUTIA THRYSIFOLIA VAR. CERNUA	THREATENED
ASTERACEAE	DUBAUTIA WAIALEALE VAR. MEGAPHYLLA	THREATENED
ASTERACEAE	GNAPHALIUM SANDWICENSE VAR. FLAGELLARE	ENDANGERED
ASTERACEAE	GNAPHALIUM SANDWICENSE VAR. MOLOKAIENSE	ENDANGERED
ASTERACEAE	HESPEROMANNIA ARBORESCENS SSP. ARBORESCENS	EXTINCT (1953)
ASTERACEAE	HESPEROMANNIA ARBORESCENS SSP. BUSHIANA	ENDANGERED
ASTERACEAE	HESPEROMANNIA ARBORESCENS SSP. SWEZEYI	ENDANGERED
ASTERACEAE	HESPEROMANNIA ARBUSCULA SSP. ARBUSCULA	EXTINCT
ASTERACEAE	HESPEROMANNIA ARBUSCULA SSP. OAHUENSIS	ENDANGERED
ASTERACEAE	HESPEROMANNIA LYDGATEI	ENDANGERED
ASTERACEAE	LIPOCHAETA ALATA VAR. ALATA	ENDANGERED
ASTERACEAE	LIPOCHAETA BRYANII	EXTINCT (1931)
ASTERACEAE	LIPOCHAETA DEGENERI	ENDANGERED
ASTERACEAE	LIPOCHAETA DELTOIDEA	THREATENED
ASTERACEAE	LIPOCHAETA DUBIA	THREATENED
ASTERACEAE	LIPOCHAETA EXIGUA	ENDANGERED
ASTERACEAE	LIPOCHAETA FAUREI	ENDANGERED
ASTERACEAE	LIPOCHAETA FLEXUOSA	EXTINCT (1910)
ASTERACEAE	LIPOCHAETA FORBESII VAR. FORBESII	ENDANGERED
ASTERACEAE	LIPOCHAETA HETEROPHYLLA VAR. HETEROPHYLLA	THREATENED
ASTERACEAE	LIPOCHAETA HETEROPHYLLA VAR. MALVACEA	THREATENED
ASTERACEAE	LIPOCHAETA HETEROPHYLLA VAR. MOLOKAIENSIS	THREATENED
ASTERACEAE	LIPOCHAETA INTEGRIFOLIA VAR. ARGENTEA	THREATENED
ASTERACEAE	LIPOCHAETA INTEGRIFOLIA VAR. GRACILIS	EXTINCT
ASTERACEAE	LIPOCHAETA INTEGRIFOLIA VAR. MAJOR	ENDANGERED
ASTERACEAE	LIPOCHAETA INTEGRIFOLIA VAR. MEGACEPHALA	ENDANGERED
ASTERACEAE	LIPOCHAETA INTERMEDIA	THREATENED
ASTERACEAE	LIPOCHAETA KAHOOLAWENSIS	EXTINCT (1855)
ASTERACEAE	LIPOCHAETA LAVARUM VAR. CONFERTA	THREATENED
ASTERACEAE	LIPOCHAETA LAVARUM VAR. HILLEBRANDIANA	THREATENED
ASTERACEAE	LIPOCHAETA LAVARUM VAR. LONGIFOLIA	ENDANGERED
ASTERACEAE	LIPOCHAETA LAVARUM VAR. MANELEANA	THREATENED
ASTERACEAE	LIPOCHAETA LAVARUM VAR. OVATA	THREATENED
ASTERACEAE	LIPOCHAETA LAVARUM VAR. SALICIFOLIA	EXTINCT
ASTERACEAE	LIPOCHAETA LAVARUM VAR. SKOTTSBERGII	EXTINCT
ASTERACEAE	LIPOCHAETA LAVARUM VAR. STEARNSII	THREATENED
ASTERACEAE	LIPOCHAETA LOBATA VAR. ALBESCENS	EXTINCT
ASTERACEAE	LIPOCHAETA LOBATA VAR. APREVALLIANA	EXTINCT
ASTERACEAE	LIPOCHAETA LOBATA VAR. GROSSEDENTATA	THREATENED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
ASTERACEAE	LIPOCHAETA LOBATA VAR. HASTULATA	ENDANGERED
ASTERACEAE	LIPOCHAETA LOBATA VAR. HASTULATOIDES	THREATENED
ASTERACEAE	LIPOCHAETA LOBATA VAR. LEPTOPHYLLA	ENDANGERED
ASTERACEAE	LIPOCHAETA LOBATA VAR. LOBATA	ENDANGERED
ASTERACEAE	LIPOCHAETA LOBATA VAR. MAKENENSIS	THREATENED
ASTERACEAE	LIPOCHAETA LOBATA VAR. MAUNALOENSIS	EXTINCT
ASTERACEAE	LIPOCHAETA MICRANTHA	THREATENED
ASTERACEAE	LIPOCHAETA MINUSCULA	THREATENED
ASTERACEAE	LIPOCHAETA PERDITA	EXTINCT (1779)
ASTERACEAE	LIPOCHAETA PROFUSA VAR. PROFUSA	EXTINCT
ASTERACEAE	LIPOCHAETA PROFUSA VAR. ROBUSTIOR	ENDANGERED
ASTERACEAE	LIPOCHAETA REMYI	ENDANGERED
ASTERACEAE	LIPOCHAETA ROCKII VAR. DISSECTA	EXTINCT
ASTERACEAE	LIPOCHAETA ROCKII VAR. ROCKII	ENDANGERED
ASTERACEAE	LIPOCHAETA ROCKII VAR. SUBOVATA	ENDANGERED
ASTERACEAE	LIPOCHAETA SUBCORDATA VAR. MEMBRANACEA	EXTINCT
ASTERACEAE	LIPOCHAETA SUBCORDATA VAR. POPULIFOLIA	ENDANGERED
ASTERACEAE	LIPOCHAETA SUCCULENTA VAR. ANGUSTATA	ENDANGERED
ASTERACEAE	LIPOCHAETA SUCCULENTA VAR. SUCCULENTA	EXTINCT
ASTERACEAE	LIPOCHAETA SUCCULENTA VAR. TRIFIDA	ENDANGERED
ASTERACEAE	LIPOCHAETA TENUIFOLIA	THREATENED
ASTERACEAE	LIPOCHAETA TENUIS VAR. SELLINGII	THREATENED
ASTERACEAE	LIPOCHAETA TENUIS VAR. TENUIS	THREATENED
ASTERACEAE	LIPOCHAETA VENOSA	ENDANGERED
ASTERACEAE	LIPOCHAETA WAIMEANENSIS	THREATENED
ASTERACEAE	REMYA KAUAIENSIS VAR. KAUAIENSIS	EXTINCT (1952)
ASTERACEAE	REMYA KAUAIENSIS VAR. MAGNIFICA	EXTINCT
ASTERACEAE	REMYA MAUIENSIS	ENDANGERED
ASTERACEAE	SENECIO SANDWICENSIS	EXTINCT (1816)
ASTERACEAE	TETRAMOLOPIUM ARBUSCULUM	EXTINCT (1840)
ASTERACEAE	TETRAMOLOPIUM ARENARIUM VAR. ARENARIUM	EXTINCT (1850-1871)
ASTERACEAE	TETRAMOLOPIUM ARENARIUM VAR. CONFERTUM	EXTINCT (1872)
ASTERACEAE	TETRAMOLOPIUM ARENARIUM VAR. DENTATUM	EXTINCT
ASTERACEAE	TETRAMOLOPIUM CAPILLARE	EXTINCT (1910)
ASTERACEAE	TETRAMOLOPIUM CONSANGUINEUM VAR. CONSANGUINEUM	EXTINCT (1840)
ASTERACEAE	TETRAMOLOPIUM CONSANGUINEUM VAR. LEPTOPHYLLUM	EXTINCT (1840)
ASTERACEAE	TETRAMOLOPIUM CONYZOIDES VAR. CONYZOIDES	EXTINCT (1919)
ASTERACEAE	TETRAMOLOPIUM CONYZOIDES VAR. DENTATUM	EXTINCT
ASTERACEAE	TETRAMOLOPIUM FILIFORME	EXTINCT (1869)
ASTERACEAE	TETRAMOLOPIUM HUMILE VAR. SUBLAEVE	EXTINCT
ASTERACEAE	TETRAMOLOPIUM LEPIDOTUM VAR. LEPIDOTUM	ENDANGERED
ASTERACEAE	TETRAMOLOPIUM LEPIDOTUM VAR. LUXURIANS	ENDANGERED
ASTERACEAE	TETRAMOLOPIUM POLYPHYLLUM	ENDANGERED

LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
ASTERACEAE	TETRAMOLOPIUM REMYI	EXTINCT (1921)
ASTERACEAE	TETRAMOLOPIUM ROCKII	EXTINCT (1966)
ASTERACEAE	TETRAMOLOPIUM TENERRIMUM	EXTINCT (1816)
ASTERACEAE	WILKESIA HOBDYI	ENDANGERED
BRASSICACEAE	CARDAMINE KONAENSIS	ENDANGERED
BRASSICACEAE	LEPIDIUM ARBUSCULUM	EXTINCT
BRASSICACEAE	LEPIDIUM BIDENTATUM VAR. Ō-WAIHIENSE	ENDANGERED
BRASSICACEAE	LEPIDIUM BIDENTATUM VAR. REMYI	EXTINCT (1851-1855)
BRASSICACEAE	LEPIDIUM SERRA	ENDANGERED
CAMPANULACEAE	BRIGHAMIA CITRINA VAR. CITRINA	ENDANGERED
CAMPANULACEAE	BRIGHAMIA CITRINA VAR. NAPALIENSIS	ENDANGERED
CAMPANULACEAE	BRIGHAMIA INSIGNIS	ENDANGERED
CAMPANULACEAE	BRIGHAMIA REMYI	EXTINCT (1851-1855)
CAMPANULACEAE	BRIGHAMIA ROCKII	ENDANGERED
CAMPANULACEAE	CLERMONTIA DREPANOMORPHA	ENDANGERED
CAMPANULACEAE	CLERMONTIA HALEAKALENSIS	EXTINCT (1910)
CAMPANULACEAE	CLERMONTIA HAWAIIENSIS VAR. HAWAIIENSIS	ENDANGERED
CAMPANULACEAE	CLERMONTIA LINDSEYANA	ENDANGERED
CAMPANULACEAE	CLERMONTIA LOYANA	ENDANGERED
CAMPANULACEAE	CLERMONTIA MUNROI	ENDANGERED
CAMPANULACEAE	CLERMONTIA PELEANA	ENDANGERED
CAMPANULACEAE	CLERMONTIA PYRULARIA	EXTINCT (1966)
CAMPANULACEAE	CYANEA ANGUSTIFOLIA VAR. LANAIENSIS	THREATENED
CAMPANULACEAE	CYANEA ANGUSTIFOLIA VAR. RACEMOSA	THREATENED
CAMPANULACEAE	CYANEA ARBOREA	EXTINCT (1919)
CAMPANULACEAE	CYANEA ASPLENIIFOLIA	EXTINCT (1919)
CAMPANULACEAE	CYANEA BALDWINII	ENDANGERED
CAMPANULACEAE	CYANEA BRYANII	ENDANGERED
CAMPANULACEAE	CYANEA CARLSONII	EXTINCT (1966)
CAMPANULACEAE	CYANEA CHOCKII	ENDANGERED
CAMPANULACEAE	CYANEA COMATA	EXTINCT (1850-1871)
CAMPANULACEAE	CYANEA GIBSONII	EXTINCT (1920)
CAMPANULACEAE	CYANEA GIFFARDII	EXTINCT (1919)
CAMPANULACEAE	CYANEA GRIMESIANA	ENDANGERED
CAMPANULACEAE	CYANEA GRIMESIANA VAR. HIRSUTIFOLIA	ENDANGERED
CAMPANULACEAE	CYANEA GRIMESIANA VAR. LYDGATEI	EXTINCT
CAMPANULACEAE	CYANEA GRIMESIANA VAR. MAUIENSIS	THREATENED
CAMPANULACEAE	CYANEA GRIMESIANA VAR. MUNROI	ENDANGERED
CAMPANULACEAE	CYANEA KUNTHIANA	EXTINCT
CAMPANULACEAE	CYANEA LEPTOSTEGIA VAR. LEPTOSTEGIA	ENDANGERED
CAMPANULACEAE	CYANEA LEPTOSTEGIA VAR. VELUTINA	THREATENED
CAMPANULACEAE	CYANEA LINEARIFOLIA	EXTINCT (1915)
CAMPANULACEAE	CYANEA MARKSII	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
CAMPANULACEAE	CYANEA MCELDOWNEI	ENDANGERED
CAMPANULACEAE	CYANEA PYCNOCARPA	EXTINCT (1930)
CAMPANULACEAE	CYANEA REGINA	EXTINCT (1960)
CAMPANULACEAE	CYANEA SCABRA VAR. VARIABILIS	ENDANGERED
CAMPANULACEAE	CYANEA SHIPMANII	ENDANGERED
CAMPANULACEAE	CYANEA SOLANACEA	ENDANGERED
CAMPANULACEAE	CYANEA SOLENOCALYX VAR. SOLENOCALYX	ENDANGERED
CAMPANULACEAE	CYANEA SUBMURICATA	THREATENED
CAMPANULACEAE	CYANEA SUPERBA	ENDANGERED
CAMPANULACEAE	CYANEA SUPERBA VAR. VELUTINA	THREATENED
CAMPANULACEAE	CYANEA TRITOMANTHA VAR. LYDGATEI	ENDANGERED
CAMPANULACEAE	CYANEA TRITOMANTHA VAR. TRITOMANTHA	ENDANGERED
CAMPANULACEAE	DELISSEA FALLAX	EXTINCT (1860)
CAMPANULACEAE	DELISSEA LACINIATA	EXTINCT (1850-1871)
CAMPANULACEAE	DELISSEA LACINIATA VAR. PARVIFOLIA	EXTINCT
CAMPANULACEAE	DELISSEA NIIHAUENSIS	EXTINCT (1865)
CAMPANULACEAE	DELISSEA PARVIFLORA	EXTINCT (1850-1871)
CAMPANULACEAE	DELISSEA RHYTIDOSPERMA	ENDANGERED
CAMPANULACEAE	DELISSEA RIVULARIS	THREATENED
CAMPANULACEAE	DELISSEA SINUATA VAR. LANAIENSIS	ENDANGERED
CAMPANULACEAE	DELISSEA SINUATA VAR. SINUATA	ENDANGERED
CAMPANULACEAE	DELISSEA SUBCORDATA VAR. OBTUSIFOLIA	ENDANGERED
CAMPANULACEAE	DELISSEA SUBCORDATA VAR. SUBCORDATA	EXTINCT (1966)
CAMPANULACEAE	DELISSEA UNDULATA VAR. ARGUTIDENTATA	ENDANGERED
CAMPANULACEAE	DELISSEA UNDULATA VAR. UNDULATA	EXTINCT
CAMPANULACEAE	LOBELIA DUNBARII	ENDANGERED
CAMPANULACEAE	LOBELIA GAUDICHAUDII VAR. KOOLAUENSIS	ENDANGERED
CAMPANULACEAE	LOBELIA HILLEBRANDII VAR. MONOSTACHYA	THREATENED
CAMPANULACEAE	LOBELIA HYPOLEUCA VAR. ROCKII	ENDANGERED
CAMPANULACEAE	LOBELIA NIIHAUENSIS VAR. FORBESII	ENDANGERED
CAMPANULACEAE	LOBELIA NIIHAUENSIS VAR. MERIDIANA	EXTINCT
CAMPANULACEAE	LOBELIA NIIHAUENSIS VAR. NIIHAUENSIS	ENDANGERED
CAMPANULACEAE	LOBELIA OAHUENSIS	ENDANGERED
CAMPANULACEAE	LOBELIA REMYI	EXTINCT (1851-1855)
CAMPANULACEAE	LOBELIA TORTUOSA	ENDANGERED
CAMPANULACEAE	ROLLANDIA ANGUSTIFOLIA VAR. OCHRACEA	THREATENED
CAMPANULACEAE	ROLLANDIA CALYCINA VAR. CALYCINA	THREATENED
CAMPANULACEAE	ROLLANDIA CALYCINA VAR. KAALAE	THREATENED
CAMPANULACEAE	ROLLANDIA CRISPA VAR. CRISPA	ENDANGERED
CAMPANULACEAE	ROLLANDIA DEGENERIANA	THREATENED
CAMPANULACEAE	ROLLANDIA HUMBOLDTIANA	ENDANGERED
CAMPANULACEAE	ROLLANDIA LANCEOLATA VAR. LANCEOLATA	THREATENED
CAMPANULACEAE	ROLLANDIA LANCEOLATA VAR. VIRIDIFLORA	THREATENED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
CAMPANULACEAE	ROLLANDIA PARVIFOLIA	EXTINCT
CAMPANULACEAE	ROLLANDIA PINNATIFIDA	ENDANGERED
CAMPANULACEAE	ROLLANDIA PURPURELLIFOLIA	ENDANGERED
CAMPANULACEAE	ROLLANDIA SESSILIFOLIA	ENDANGERED
CAMPANULACEAE	ROLLANDIA ST. JOHNII	ENDANGERED
CAMPANULACEAE	ROLLANDIA WAIANAEENSIS	THREATENED
CAPPARIDACEAE	CAPPARIS SANDWICHIANA VAR. SANDWICHIANA	ENDANGERED
CAPPARIDACEAE	CLEOME SANDWICENSIS	EXTINCT
CARYOPHYLLACEAE	ALSINODENDRON OBOVATUM	ENDANGERED
CARYOPHYLLACEAE	ALSINODENDRON TRINERVE	ENDANGERED
CARYOPHYLLACEAE	SCHIEDEA ADAMANTIS	ENDANGERED
CARYOPHYLLACEAE	SCHIEDEA AMPLEXICAULIS	EXTINCT (1855)
CARYOPHYLLACEAE	SCHIEDEA GLOBOSA VAR. GLOBOSA	ENDANGERED
CARYOPHYLLACEAE	SCHIEDEA GLOBOSA VAR. GRAMINIFOLIA	ENDANGERED
CARYOPHYLLACEAE	SCHIEDEA HAWAIIENSIS	EXTINCT (1860'S)
CARYOPHYLLACEAE	SCHIEDEA HOOKERI VAR. HOOKERI	EXTINCT
CARYOPHYLLACEAE	SCHIEDEA KAALAE VAR. ACUTIFOLIA	THREATENED
CARYOPHYLLACEAE	SCHIEDEA KAALAE VAR. KAALAE	ENDANGERED
CARYOPHYLLACEAE	SCHIEDEA KEALIAE	ENDANGERED
CARYOPHYLLACEAE	SCHIEDEA LIGUSTRINA VAR. NEMATOPODA	THREATENED
CARYOPHYLLACEAE	SCHIEDEA MANNII	THREATENED
CARYOPHYLLACEAE	SCHIEDEA MEMBRANACEA	THREATENED
CARYOPHYLLACEAE	SCHIEDEA MENZIESII VAR. MENZIESII	THREATENED
CARYOPHYLLACEAE	SCHIEDEA MENZIESII VAR. SPERGULACEA	ENDANGERED
CARYOPHYLLACEAE	SCHIEDEA PUBESCENS VAR. LANAIENSIS	ENDANGERED
CARYOPHYLLACEAE	SCHIEDEA SALICARIA	ENDANGERED
CARYOPHYLLACEAE	SILENE ALEXANDRI	ENDANGERED
CARYOPHYLLACEAE	SILENE CRYPTOPETALA	THREATENED
CARYOPHYLLACEAE	SILENE DEGENERI	THREATENED
CARYOPHYLLACEAE	SILENE HAWAIIENSIS VAR. HAWAIIENSIS	THREATENED
CARYOPHYLLACEAE	SILENE HAWAIIENSIS VAR. KAUPOANA	THREATENED
CARYOPHYLLACEAE	SILENE LANCEOLATA VAR. ANGUSTIFOLIA	THREATENED
CARYOPHYLLACEAE	SILENE LANCEOLATA VAR. FORBESII	ENDANGERED
CARYOPHYLLACEAE	SILENE LANCEOLATA VAR. HILLEBRANDII	THREATENED
CARYOPHYLLACEAE	SILENE LANCEOLATA VAR. LANCEOLATA	THREATENED
CHENOPODIACEAE	CHENOPODIUM OAHUENSE VAR. DISCOSPERMAUM	THREATENED
CONVOLVULACEAE	BONAMIA MENZIESII	ENDANGERED
CONVOLVULACEAE	IPOMOEA CAIRICA VAR. LINEARILOBA	THREATENED
CUCURBITACEAE	SICYOS ATOLLENSIS	THREATENED
CUCURBITACEAE	SICYOS CAUMII	THREATENED
CUCURBITACEAE	SICYOS LAMOUREUXII	THREATENED
CUCURBITACEAE	SICYOS LAYSANENSIS	THREATENED
CUCURBITACEAE	SICYOS MAXIMOWICZII	THREATENED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
CUCURBITACEAE	SICYOS NIHOAENSIS	THREATENED
CUCURBITACEAE	SICYOS NIIHAUENSIS	THREATENED
CUCURBITACEAE	SICYOS SEMITONSUS	THREATENED
CYPERACEAE	GAHNIA LANAIENSIS	ENDANGERED
EPACRIDACEAE	STYPHELIA TAMEIAMEIAE VAR. HEXAMERA	ENDANGERED
EUPHORBIACEAE	ANTIDESMA CRENATUM	ENDANGERED
EUPHORBIACEAE	CLAOXYLON SANDWICENSE VAR. SANDWICENSE	ENDANGERED
EUPHORBIACEAE	DRYPETES PHYLLANTHOIDES	ENDANGERED
EUPHORBIACEAE	EUPHORBIA ARNOTTIANA VAR. ARNOTTIANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA ARNOTTIANA VAR. INTEGRIFOLIA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA ATROCOCCA VAR. ATROCOCCA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA ATROCOCCA VAR. KILAUEANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA ATROCOCCA VAR. KOKEEANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA CELASTROIDES VAR. HALAWANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA CELASTROIDES VAR. HAUPUANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA CELASTROIDES VAR. HUMBERTII	EXTINCT
EUPHORBIACEAE	EUPHORBIA CELASTROIDES VAR. KAENAKA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA CELASTROIDES VAR. KEALIANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA CELASTROIDES VAR. KOHALANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA CELASTROIDES VAR. MOOMOMIANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA CELASTROIDES VAR. NEMATOPODA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA CELASTROIDES VAR. NIUENSIS	EXTINCT
EUPHORBIACEAE	EUPHORBIA CELASTROIDES VAR. SAXICOLA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA CELASTROIDES VAR. STOKESII	ENDANGERED
EUPHORBIACEAE	EUPHORBIA CELASTROIDES VAR. WAIKOLUENSII	ENDANGERED
EUPHORBIACEAE	EUPHORBIA DEGENERI VAR. MOLOKAIENSIS	ENDANGERED
EUPHORBIACEAE	EUPHORBIA DEPPEANA	EXTINCT (1835)
EUPHORBIACEAE	EUPHORBIA HAELEELEANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA HALEMANUI	ENDANGERED
EUPHORBIACEAE	EUPHORBIA HILLEBRANDII VAR. PALIKEANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA HILLEBRANDII VAR. WAIMANOANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA MULTIFORMIS VAR. HALEAKALANA	EXTINCT
EUPHORBIACEAE	EUPHORBIA MULTIFORMIS VAR. KAALANA	EXTINCT
EUPHORBIACEAE	EUPHORBIA MULTIFORMIS VAR. KAPULEIENSIS	ENDANGERED
EUPHORBIACEAE	EUPHORBIA MULTIFORMIS VAR. MULTIFORMIS	EXTINCT
EUPHORBIACEAE	EUPHORBIA MULTIFORMIS VAR. PERDITA	EXTINCT
EUPHORBIACEAE	EUPHORBIA MULTIFORMIS VAR. SPARSIFORMIS	ENDANGERED
EUPHORBIACEAE	EUPHORBIA MULTIFORMIS VAR. TOMENTELLA	EXTINCT
EUPHORBIACEAE	EUPHORBIA OLOWALUANA VAR. OLOWALUANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA REMYI VAR. HANALEIENSIS	EXTINCT
EUPHORBIACEAE	EUPHORBIA REMYI VAR. KAHILIANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA REMYI VAR. KAUAIENSIS	ENDANGERED
EUPHORBIACEAE	EUPHORBIA REMYI VAR. LEPTOPODA	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
EUPHORBIACEAE	EUPHORBIA REMYI VAR. LYDGATEI	ENDANGERED
EUPHORBIACEAE	EUPHORBIA REMYI VAR. MOLESTA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA REMYI VAR. OLOKELENSIS	ENDANGERED
EUPHORBIACEAE	EUPHORBIA REMYI VAR. PTEROPODA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA REMYI VAR. REMYI	EXTINCT
EUPHORBIACEAE	EUPHORBIA REMYI VAR. WAHIAWANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA REMYI VAR. WAIMEANA	ENDANGERED
EUPHORBIACEAE	EUPHORBIA REMYI VAR. WILKESII	EXTINCT
EUPHORBIACEAE	EUPHORBIA SKOTTSBERGII VAR. AUDENS	ENDANGERED
EUPHORBIACEAE	EUPHORBIA SKOTTSBERGII VAR. KALAELOANA	EXTINCT
EUPHORBIACEAE	EUPHORBIA SKOTTSBERGII VAR. SKOTTSBERGII	EXTINCT
EUPHORBIACEAE	EUPHORBIA SKOTTSBERGII VAR. VACINIOIDES	ENDANGERED
EUPHORBIACEAE	PHYLLANTHUS SANDWICENSIS VAR. DEGENERI	ENDANGERED
FABACEAE	ACACIA KOAIA	ENDANGERED
FABACEAE	CANAVALIA CENTRALIS	ENDANGERED
FABACEAE	CANAVALIA FORBESII	ENDANGERED
FABACEAE	CANAVALIA HALEAKALAENSIS	ENDANGERED
FABACEAE	CANAVALIA IAOENSIS	ENDANGERED
FABACEAE	CANAVALIA KAUAIENSIS	ENDANGERED
FABACEAE	CANAVALIA KAUENSIS	ENDANGERED
FABACEAE	CANAVALIA LANAIENSIS	ENDANGERED
FABACEAE	CANAVALIA MAKAHAENSIS	ENDANGERED
FABACEAE	CANAVALIA MOLOKAIENSIS	ENDANGERED
FABACEAE	CANAVALIA MUNROI	ENDANGERED
FABACEAE	CANAVALIA NAPALIENSIS	ENDANGERED
FABACEAE	CANAVALIA NUALOLOENSIS	ENDANGERED
FABACEAE	CANAVALIA PENINSULARIS	ENDANGERED
FABACEAE	CANAVALIA PUBESCENS	ENDANGERED
FABACEAE	CANAVALIA ROCKII	ENDANGERED
FABACEAE	CANAVALIA SANGUINEA	ENDANGERED
FABACEAE	CANAVALIA STENOPHYLLA	ENDANGERED
FABACEAE	MEZONEVRON KAVAIENSE	ENDANGERED
FABACEAE	SESBANIA TOMENTOSA VAR. TOMENTOSA	ENDANGERED
FABACEAE	SOPHORA CHRYSOPHYLLA VAR. CIRCULARIS	ENDANGERED
FABACEAE	SOPHORA CHRYSOPHYLLA VAR. ELLIPTICA	ENDANGERED
FABACEAE	SOPHORA CHRYSOPHYLLA VAR. GLABRATA	EXTINCT
FABACEAE	SOPHORA CHRYSOPHYLLA VAR. GRISEA	ENDANGERED
FABACEAE	SOPHORA CHRYSOPHYLLA VAR. KANAIOENSIS	ENDANGERED
FABACEAE	SOPHORA CHRYSOPHYLLA VAR. KAUENSIS	ENDANGERED
FABACEAE	SOPHORA CHRYSOPHYLLA VAR. LANAIENSIS	EXTINCT
FABACEAE	SOPHORA CHRYSOPHYLLA VAR. MAKUAENSIS	ENDANGERED
FABACEAE	SOPHORA CHRYSOPHYLLA VAR. UNIFOLIATA	EXTINCT
FABACEAE	VICIA MENZIESII	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
FABACEAE	VIGNA OWAHUENSIS	ENDANGERED
FABACEAE	VIGNA SANDWICENSIS VAR. HETEROPHYLLA	ENDANGERED
FABACEAE	VIGNA SANDWICENSIS VAR. SANDWICENSIS	ENDANGERED
FLAGELLARIACEAE	JOINVILLEA ASCENDENS SSP. ASCENDENS	ENDANGERED
GERANIACEAE	GERANIUM ARBOREUM	ENDANGERED
GERANIACEAE	GERANIUM CUNEATUM VAR. HOLOLEUCUM	ENDANGERED
GERANIACEAE	GERANIUM MULTIFLORUM VAR. MULTIFLORUM	EXTINCT (1935)
GERANIACEAE	GERANIUM MULTIFLORUM VAR. OVATIFOLIUM	ENDANGERED
GERANIACEAE	GERANIUM MULTIFLORUM VAR. SUPERBUM	ENDANGERED
GESNERIACEAE	CYRTANDRA ALATA	ENDANGERED
GESNERIACEAE	CYRTANDRA ALNEA	ENDANGERED
GESNERIACEAE	CYRTANDRA AMBIGUA	ENDANGERED
GESNERIACEAE	CYRTANDRA AXILLIFLORA	ENDANGERED
GESNERIACEAE	CYRTANDRA BASIPARTITA	ENDANGERED
GESNERIACEAE	CYRTANDRA BEGONIFOLIA	EXTINCT (1870)
GESNERIACEAE	CYRTANDRA BISERRATA	THREATENED
GESNERIACEAE	CYRTANDRA BREVICORNUTA	ENDANGERED
GESNERIACEAE	CYRTANDRA BRYANII	ENDANGERED
GESNERIACEAE	CYRTANDRA CAMPANIFORMIS	ENDANGERED
GESNERIACEAE	CYRTANDRA CARINATA	EXTINCT
GESNERIACEAE	CYRTANDRA CAUDATISEPALA	ENDANGERED
GESNERIACEAE	CYRTANDRA CHARTACEA	ENDANGERED
GESNERIACEAE	CYRTANDRA CHRISTOPHERSENII	THREATENED
GESNERIACEAE	CYRTANDRA COLLARIFERA	EXTINCT
GESNERIACEAE	CYRTANDRA CONRADTII	ENDANGERED
GESNERIACEAE	CYRTANDRA CORDIFOLIA VAR. BREVIPILITA	EXTINCT
GESNERIACEAE	CYRTANDRA CORDIFOLIA VAR. GYNOGLABRA	THREATENED
GESNERIACEAE	CYRTANDRA CRASSIOR	ENDANGERED
GESNERIACEAE	CYRTANDRA CRENATA	ENDANGERED
GESNERIACEAE	CYRTANDRA CUPULIFORMIS	ENDANGERED
GESNERIACEAE	CYRTANDRA DENTATA	ENDANGERED
GESNERIACEAE	CYRTANDRA ELLIPTICIFOLIA	ENDANGERED
GESNERIACEAE	CYRTANDRA ELLIPTISEPALA	ENDANGERED
GESNERIACEAE	CYRTANDRA FERRICOLORATA	ENDANGERED
GESNERIACEAE	CYRTANDRA FERRUGINOSA	EXTINCT
GESNERIACEAE	CYRTANDRA FILIPES	THREATENED
GESNERIACEAE	CYRTANDRA FORBESII	ENDANGERED
GESNERIACEAE	CYRTANDRA FOSBERGII	ENDANGERED
GESNERIACEAE	CYRTANDRA FREDERICKII	ENDANGERED
GESNERIACEAE	CYRTANDRA FUSIFORMIS	ENDANGERED
GESNERIACEAE	CYRTANDRA GARBERI	EXTINCT
GESNERIACEAE	CYRTANDRA GEORGIANA	THREATENED
GESNERIACEAE	CYRTANDRA GIFFARDII	THREATENED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
GESNERIACEAE	CYRTANDRA GLAUCA	ENDANGERED
GESNERIACEAE	CYRTANDRA GRACILIS	EXTINCT (1870)
GESNERIACEAE	CYRTANDRA GRAYANA VAR. LANAIENSIS	THREATENED
GESNERIACEAE	CYRTANDRA GROSSECRENATA	EXTINCT (1864)
GESNERIACEAE	CYRTANDRA HALAWENSIS	THREATENED
GESNERIACEAE	CYRTANDRA HAWAIENSIS	ENDANGERED
GESNERIACEAE	CYRTANDRA HIRSUTULA	ENDANGERED
GESNERIACEAE	CYRTANDRA HOBDYI	ENDANGERED
GESNERIACEAE	CYRTANDRA HONOLULENSIS	EXTINCT (1870)
GESNERIACEAE	CYRTANDRA HOSAKAE	THREATENED
GESNERIACEAE	CYRTANDRA INFRAPALLIDA	ENDANGERED
GESNERIACEAE	CYRTANDRA INTONSA	ENDANGERED
GESNERIACEAE	CYRTANDRA INTRAPILOSA	ENDANGERED
GESNERIACEAE	CYRTANDRA INTRAVILLOSA	THREATENED
GESNERIACEAE	CYRTANDRA KAALAE	ENDANGERED
GESNERIACEAE	CYRTANDRA KAHANENSIS	ENDANGERED
GESNERIACEAE	CYRTANDRA KAHUKUENSIS	ENDANGERED
GESNERIACEAE	CYRTANDRA KALUANUIENSIS	ENDANGERED
GESNERIACEAE	CYRTANDRA KANEOHEENSIS	ENDANGERED
GESNERIACEAE	CYRTANDRA KAUAIENSIS	EXTINCT
GESNERIACEAE	CYRTANDRA KAULANTHA	THREATENED
GESNERIACEAE	CYRTANDRA KOOLAUENSIS	ENDANGERED
GESNERIACEAE	CYRTANDRA LAEVIS	ENDANGERED
GESNERIACEAE	CYRTANDRA LAXIFLORA	EXTINCT (1869)
GESNERIACEAE	CYRTANDRA LESSONIANA VAR. ANGUSTIFOLIA	EXTINCT
GESNERIACEAE	CYRTANDRA LESSONIANA VAR. INTRAPUBENS	ENDANGERED
GESNERIACEAE	CYRTANDRA LIMOSIFLORA	THREATENED
GESNERIACEAE	CYRTANDRA LINEARIS	EXTINCT
GESNERIACEAE	CYRTANDRA LONGICALYX	ENDANGERED
GESNERIACEAE	CYRTANDRA LONGIFOLIA	ENDANGERED
GESNERIACEAE	CYRTANDRA LONGIFOLIA VAR. PARALLELA	ENDANGERED
GESNERIACEAE	CYRTANDRA LONGILOBA	ENDANGERED
GESNERIACEAE	CYRTANDRA LYSIOSEPALA VAR. GRAYI	THREATENED
GESNERIACEAE	CYRTANDRA LYSIOSEPALA VAR. HALEAKALENSIS	THREATENED
GESNERIACEAE	CYRTANDRA LYSIOSEPALA VAR. LYSIOSEPALA	ENDANGERED
GESNERIACEAE	CYRTANDRA MACRANTHA	ENDANGERED
GESNERIACEAE	CYRTANDRA MALACOPHYLLA VAR. MALACOPHYLLA	THREATENED
GESNERIACEAE	CYRTANDRA MANNII	EXTINCT
GESNERIACEAE	CYRTANDRA MENZIESII	ENDANGERED
GESNERIACEAE	CYRTANDRA METASTIGMATA	ENDANGERED
GESNERIACEAE	CYRTANDRA MUNROI	THREATENED
GESNERIACEAE	CYRTANDRA NIUENSIS	ENDANGERED
GESNERIACEAE	CYRTANDRA NUBINCOLENS	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
GESNERIACEAE	CYRTANDRA OENOBARBA VAR. HERBACEA	THREATENED
GESNERIACEAE	CYRTANDRA OENOBARBA VAR. OENOBARBA	ENDANGERED
GESNERIACEAE	CYRTANDRA OENOBARBA VAR. PETIOLARIS	THREATENED
GESNERIACEAE	CYRTANDRA OLIVACEA	ENDANGERED
GESNERIACEAE	CYRTANDRA PALOLOENSIS	ENDANGERED
GESNERIACEAE	CYRTANDRA PALUDOSA VAR. HAUPUENSIS	THREATENED
GESNERIACEAE	CYRTANDRA PARTITA	EXTINCT
GESNERIACEAE	CYRTANDRA PEARSALLII	ENDANGERED
GESNERIACEAE	CYRTANDRA PERSTAMINODICA	ENDANGERED
GESNERIACEAE	CYRTANDRA PICKERINGII VAR. PICKERINGII	EXTINCT (1841)
GESNERIACEAE	CYRTANDRA PICKERINGII VAR. WAIHAE	ENDANGERED
GESNERIACEAE	CYRTANDRA PILIGYNA	EXTINCT
GESNERIACEAE	CYRTANDRA PLATYPHYLLA VAR. HILOENSIS	THREATENED
GESNERIACEAE	CYRTANDRA PLURIFOLIA	ENDANGERED
GESNERIACEAE	CYRTANDRA POLYANTHA	ENDANGERED
GESNERIACEAE	CYRTANDRA PRUINOSA	ENDANGERED
GESNERIACEAE	CYRTANDRA PUBENS	ENDANGERED
GESNERIACEAE	CYRTANDRA RAMOSISSIMA	THREATENED
GESNERIACEAE	CYRTANDRA ROCKII	ENDANGERED
GESNERIACEAE	CYRTANDRA SANDWICENSIS	ENDANGERED
GESNERIACEAE	CYRTANDRA SCABRELLA	EXTINCT
GESNERIACEAE	CYRTANDRA SKOTTSBERGII	EXTINCT
GESNERIACEAE	CYRTANDRA SUBCORDATA	ENDANGERED
GESNERIACEAE	CYRTANDRA SUBINTEGRA	EXTINCT
GESNERIACEAE	CYRTANDRA SUBRECTA	ENDANGERED
GESNERIACEAE	CYRTANDRA SUBUNBELLATA VAR. INTONSA	ENDANGERED
GESNERIACEAE	CYRTANDRA TERNATA	ENDANGERED
GESNERIACEAE	CYRTANDRA TRIFLORA	EXTINCT (1819)
GESNERIACEAE	CYRTANDRA TURBINIFORMIS	ENDANGERED
GESNERIACEAE	CYRTANDRA VAVIOTA	ENDANGERED
GESNERIACEAE	CYRTANDRA VILLICALYX VAR. PUBENTIGYNA	ENDANGERED
GESNERIACEAE	CYRTANDRA VILLOSA	ENDANGERED
GESNERIACEAE	CYRTANDRA VILLOSIFLORA	ENDANGERED
GESNERIACEAE	CYRTANDRA WAIANUENSIS	EXTINCT
GESNERIACEAE	CYRTANDRA WAIOLANI VAR. CAPITATA	EXTINCT (1870)
GESNERIACEAE	CYRTANDRA WAIOLANI VAR. WAIOLANI	ENDANGERED
GESNERIACEAE	CYRTANDRA WAIOMAOENSIS	ENDANGERED
GOODENIACEAE	SCAEVOLA CORIACEA	ENDANGERED
GOODENIACEAE	SCAEVOLA GAUDICHAUDII	ENDANGERED
GOODENIACEAE	SCAEVOLA KILAUEAE VAR. KILAUEAE	ENDANGERED
GOODENIACEAE	SCAEVOLA SKOTTSBERGII	THREATENED
HALORAGACEAE	GUNNERA KAALENSIS	ENDANGERED
HALORAGACEAE	GUNNERA MAKAHAENSIS	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
HYMENOPHYLLACEAE	TRICHOMANES DRAYTONIANUM	ENDANGERED
JUNCACEAE	LUZULA HAWAIIENSIS VAR. OAHUENSIS	ENDANGERED
LAMIACEAE	HAPLOSTACHYS BRYANII VAR. BRYANII	EXTINCT (1916)
LAMIACEAE	HAPLOSTACHYS BRYANII VAR. MICRODONTA	EXTINCT (1916)
LAMIACEAE	HAPLOSTACHYS BRYANII VAR. ROBUSTA	EXTINCT (1918)
LAMIACEAE	HAPLOSTACHYS HAPLOSTACHYA VAR. ANGUSTIFOLIA	EXTINCT (1910)
LAMIACEAE	HAPLOSTACHYS HAPLOSTACHYA VAR. LEPTOSTACHYA	EXTINCT (1840)
LAMIACEAE	HAPLOSTACHYS HAPLOSTACHYS VAR. HAPLOSTACHYS	EXTINCT (1868-1871)
LAMIACEAE	HAPLOSTACHYS LINEARIFOLIA VAR. LINEARIFOLIA	EXTINCT
LAMIACEAE	HAPLOSTACHYS LINEARIFOLIA VAR. ROSMARINIFOLIA	EXTINCT
LAMIACEAE	HAPLOSTACHYS MUNROI	EXTINCT (1935)
LAMIACEAE	HAPLOSTACHYS TRUNCATA	EXTINCT (1851-1855)
LAMIACEAE	PHYLLOSTEGIA BREVIDENS VAR. AMBIGUA	EXTINCT
LAMIACEAE	PHYLLOSTEGIA BREVIDENS VAR. DEGENERI	THREATENED
LAMIACEAE	PHYLLOSTEGIA BREVIDENS VAR. HETERODOXA	THREATENED
LAMIACEAE	PHYLLOSTEGIA BREVIDENS VAR. HIRSUTULA	EXTINCT
LAMIACEAE	PHYLLOSTEGIA BREVIDENS VAR. LONGIPES	EXTINCT
LAMIACEAE	PHYLLOSTEGIA BREVIDENS VAR. PUBESCENS	EXTINCT
LAMIACEAE	PHYLLOSTEGIA FLORIBUNDA VAR. FORBESII	ENDANGERED
LAMIACEAE	PHYLLOSTEGIA GLABRA VAR. LANAIENSIS	EXTINCT
LAMIACEAE	PHYLLOSTEGIA HELLERI VAR. IMMINUTA	ENDANGERED
LAMIACEAE	PHYLLOSTEGIA HILLEBRANDII	THREATENED
LAMIACEAE	PHYLLOSTEGIA HIRSUTA VAR. HIRSUTA	THREATENED
LAMIACEAE	PHYLLOSTEGIA HIRSUTA VAR. LAXIOR	THREATENED
LAMIACEAE	PHYLLOSTEGIA KNUDSENII	ENDANGERED
LAMIACEAE	PHYLLOSTEGIA MOLLIS VAR. FAGERLINDII	ENDANGERED
LAMIACEAE	PHYLLOSTEGIA MOLLIS VAR. HOCHREUTINERI	ENDANGERED
LAMIACEAE	PHYLLOSTEGIA MOLLIS VAR. LYDGATEI	EXTINCT
LAMIACEAE	PHYLLOSTEGIA MOLLIS VAR. MICRANTHA	ENDANGERED
LAMIACEAE	PHYLLOSTEGIA PARVIFLORA VAR. CANESCENS	EXTINCT
LAMIACEAE	PHYLLOSTEGIA PARVIFLORA VAR. GLABRIUSCULA	EXTINCT
LAMIACEAE	PHYLLOSTEGIA PARVIFLORA VAR. HONOLULENSIS	EXTINCT
LAMIACEAE	PHYLLOSTEGIA VARIABILIS	ENDANGERED
LAMIACEAE	PHYLLOSTEGIA YANAGUCHII	THREATENED
LAMIACEAE	STENOGYNE AFFINIS VAR. AFFINIS	ENDANGERED
LAMIACEAE	STENOGYNE AFFINIS VAR. DEGENERI	ENDANGERED
LAMIACEAE	STENOGYNE ANGUSTIFOLIA VAR. ANGUSTIFOLIA	EXTINCT (1850-1871)
LAMIACEAE	STENOGYNE ANGUSTIFOLIA VAR. HILLEBRANDII	THREATENED
LAMIACEAE	STENOGYNE ANGUSTIFOLIA VAR. MAUIENSIS	EXTINCT (1850-1871)
LAMIACEAE	STENOGYNE ANGUSTIFOLIA VAR. MEEBOLDII	ENDANGERED
LAMIACEAE	STENOGYNE ANGUSTIFOLIA VAR. SPATHULATA	EXTINCT (1851-1855)
LAMIACEAE	STENOGYNE CALAMINTHOIDES VAR. OXYODONTA	THREATENED
LAMIACEAE	STENOGYNE CINEREA	EXTINCT (1860'S)

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
LAMIACEAE	STENOGYNE CRENATA VAR. CRENATA	ENDANGERED
LAMIACEAE	STENOGYNE CRENATA VAR. MURICATA	ENDANGERED
LAMIACEAE	STENOGYNE DIFFUSA VAR. DIFFUSA	EXTINCT
LAMIACEAE	STENOGYNE DIFFUSA VAR. GLABRA	ENDANGERED
LAMIACEAE	STENOGYNE GLABRA	EXTINCT (1860'S)
LAMIACEAE	STENOGYNE HALEKALAE	ENDANGERED
LAMIACEAE	STENOGYNE MACRANTHA VAR. GRAYI	EXTINCT
LAMIACEAE	STENOGYNE MACRANTHA VAR. LATIFOLIA	EXTINCT
LAMIACEAE	STENOGYNE MACRANTHA VAR. MACRANTHA	ENDANGERED
LAMIACEAE	STENOGYNE MICROPHYLLA	EXTINCT (1872)
LAMIACEAE	STENOGYNE OXYGONA	THREATENED
LAMIACEAE	STENOGYNE PURPUREA VAR. FORBESII	THREATENED
LAMIACEAE	STENOGYNE ROTUNDIFOLIA VAR. OBLONGA	ENDANGERED
LAMIACEAE	STENOGYNE RUGOSA VAR. SUBULATA	THREATENED
LAMIACEAE	STENOGYNE SALICIFOLIA	THREATENED
LAMIACEAE	STENOGYNE SCANDENS	EXTINCT
LAMIACEAE	STENOGYNE SCROPHULARIOIDES VAR. BIFLORA	EXTINCT (1850-1871)
LAMIACEAE	STENOGYNE SCROPHULARIOIDES VAR. NELSONII	EXTINCT (1778-1779)
LAMIACEAE	STENOGYNE SCROPHULARIOIDES VAR. REMYI	EXTINCT (1851-1855)
LAMIACEAE	STENOGYNE SCROPHULARIOIDES VAR. SCROPHULARIOIDES	EXTINCT (1871)
LAMIACEAE	STENOGYNE SCROPHULARIOIDES VAR. SKOTTSBERGII	ENDANGERED (1911)
LAMIACEAE	STENOGYNE SESSILIS VAR. HEXANTHA	ENDANGERED
LAMIACEAE	STENOGYNE SESSILIS VAR. LANIENSIS	ENDANGERED
LAMIACEAE	STENOGYNE SESSILIS VAR. WILKESII	EXTINCT
LAMIACEAE	STENOGYNE SHERFFII	ENDANGERED
LAMIACEAE	STENOGYNE SORORIA	EXTINCT
LAMIACEAE	STENOGYNE VAGANS	EXTINCT (1850-1871)
LAMIACEAE	STENOGYNE VIRIDIS	EXTINCT (1870)
LAURACEAE	CRYPTOCARYA OAHUENSIS	ENDANGERED
LILIACEAE	ASTELIA VERATHOIDES VAR. GRACILIS	THREATENED
LILIACEAE	ASTELIA VERATROIDES VAR. VERATROIDES	ENDANGERED
LILIACEAE	ASTELIA VERATROIDES SSP. MACROSPERMA	ENDANGERED
LILIACEAE	DRACAENA AUREA	ENDANGERED
LILIACEAE	DRACAENA HAWAIIENSIS	ENDANGERED
LILIACEAE	DRACAENA (PLEOMELE FORBESII)	ENDANGERED
LILIACEAE	SMILAX MELASTOMIFOLIA VAR. MELASTOMIFOLIA	EXTINCT
LOGANIACEAE	LABORDIA BAILLONII	EXTINCT (1851-1855)
LOGANIACEAE	LABORDIA CYRTANDRAE VAR. NAHIKUANA	THREATENED
LOGANIACEAE	LABORDIA DECURRENS VAR. DECURRENS	EXTINCT (1864-1865)
LOGANIACEAE	LABORDIA FAGRAEOIDEA VAR. FAGRAEOIDEA	ENDANGERED
LOGANIACEAE	LABORDIA FAGRAEOIDEA VAR. LONGISEPALA	ENDANGERED
LOGANIACEAE	LABORDIA FAGRAEOIDEA VAR. SAINT-JOHNIANA	THREATENED
LOGANIACEAE	LABORDIA FAGRAEOIDEA VAR. WAIANAEANA	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
LOGANIACEAE	LABORDIA GLABRA VAR. GLABRA	EXTINCT
LOGANIACEAE	LABORDIA GLABRA VAR. LATISEPALA	ENDANGERED
LOGANIACEAE	LABORDIA GLABRA VAR. ORIENTALIS	ENDANGERED
LOGANIACEAE	LABORDIA HEDYOSMIFOLIA VAR. KILAUEANA	ENDANGERED
LOGANIACEAE	LABORDIA HEDYOSMIFOLIA VAR. MAGNIFOLIA	ENDANGERED
LOGANIACEAE	LABORDIA HEDYOSMIFOLIA VAR. ROBUSTA	ENDANGERED
LOGANIACEAE	LABORDIA HEDYOSMIFOLIA VAR. ROCKII	ENDANGERED
LOGANIACEAE	LABORDIA HEDYOSMIFOLIA VAR. SKOTTSBERGII	ENDANGERED
LOGANIACEAE	LABORDIA HIRTELLA VAR. IMBRICATA	ENDANGERED
LOGANIACEAE	LABORDIA HIRTELLA VAR. LAEVIS	ENDANGERED
LOGANIACEAE	LABORDIA HIRTELLA VAR. LAEVISEPALA	ENDANGERED
LOGANIACEAE	LABORDIA HIRTELLA VAR. MICROCALYX	EXTINCT
LOGANIACEAE	LABORDIA HIRTELLA VAR. MICROPHYLLA	EXTINCT
LOGANIACEAE	LABORDIA KAALAE VAR. BRACHYPODA	ENDANGERED
LOGANIACEAE	LABORDIA KAALAE VAR. FOSBERGII	ENDANGERED
LOGANIACEAE	LABORDIA KAALAE VAR. KAUAIENSIS	ENDANGERED
LOGANIACEAE	LABORDIA KAALAE VAR. MENDAX	ENDANGERED
LOGANIACEAE	LABORDIA LYDGATEI	THREATENED
LOGANIACEAE	LABORDIA MEMBRANACEA VAR. EXIGUA	ENDANGERED
LOGANIACEAE	LABORDIA MEMBRANACEA VAR. MEMBRANACEA	ENDANGERED
LOGANIACEAE	LABORDIA MOLOKAIANA VAR. MOLOKAIANA	ENDANGERED
LOGANIACEAE	LABORDIA MOLOKAIANA VAR. MUNROI	ENDANGERED
LOGANIACEAE	LABORDIA MOLOKAIANA VAR. SETOSA	ENDANGERED
LOGANIACEAE	LABORDIA OLYMPIANA	ENDANGERED
LOGANIACEAE	LABORDIA PALLIDA VAR. HISPIDULA	ENDANGERED
LOGANIACEAE	LABORDIA PALLIDA VAR. PALLIDA	ENDANGERED
LOGANIACEAE	LABORDIA PEDUNCULATA	EXTINCT
LOGANIACEAE	LABORDIA TINIFOLIA VAR. EUPHORBIOIDEA	THREATENED
LOGANIACEAE	LABORDIA TINIFOLIA VAR. FORBESII	ENDANGERED
LOGANIACEAE	LABORDIA TINIFOLIA VAR. HONOLULUENSIS	EXTINCT
LOGANIACEAE	LABORDIA TINIFOLIA VAR. LANAIENSIS	THREATENED
LOGANIACEAE	LABORDIA TINIFOLIA VAR. MICROGYNA	ENDANGERED
LOGANIACEAE	LABORDIA TINIFOLIA VAR. PARVIFOLIA	EXTINCT
LOGANIACEAE	LABORDIA TINIFOLIA VAR. TENUIFOLIA	ENDANGERED
LOGANIACEAE	LABORDIA TRIFLORA	EXTINCT (1870)
LOGANIACEAE	LABORDIA WAWRANA	THREATENED
LYCOPODIACEAE	LYCOPODIUM HALEAKALAE	THREATENED
LYCOPODIACEAE	LYCOPODIUM MANNII	EXTINCT (1940)
LYCOPODIACEAE	LYCOPODIUM NUTANS	THREATENED
MALVACEAE	ABUTILON EREMITOPETALUM	EXTINCT
MALVACEAE	ABUTILON MENZIESII	EXTINCT
MALVACEAE	ABUTILON SANDWICENSE VAR. SANDWICENSE	ENDANGERED
MALVACEAE	GOSSYPIUM TOMENTOSUM	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
MALVACEAE	HIBISCADELPHUS BOMBYCINUS	EXTINCT (1868)
MALVACEAE	HIBISCADELPHUS DISTANS	ENDANGERED
MALVACEAE	HIBISCADELPHUS GIFFARDIANUS	ENDANGERED
MALVACEAE	HIBISCADELPHUS HUALALAIENSIS	ENDANGERED
MALVACEAE	HIBISCADELPHUS WILDERIANUS	EXTINCT (1912)
MALVACEAE	HIBISCUS BRACKENRIDGEI VAR. BRACKENRIDGEI	ENDANGERED
MALVACEAE	HIBISCUS BRACKENRIDGEI VAR. MOKULEIANUS	ENDANGERED
MALVACEAE	HIBISCUS BRACKENRIDGEI VAR. (FROM HAWAII)	ENDANGERED
MALVACEAE	HIBISCUS CLAYI	ENDANGERED
MALVACEAE	HIBISCUS IMMACULATUS	ENDANGERED
MALVACEAE	HIBISCUS KAHILII	ENDANGERED
MALVACEAE	HIBISCUS KOKIO VAR. KOKIO	ENDANGERED
MALVACEAE	HIBISCUS KOKIO VAR. PUKOOHIS	ENDANGERED
MALVACEAE	HIBISCUS NEWHOUSEI	ENDANGERED
MALVACEAE	HIBISCUS ROEATAE	ENDANGERED
MALVACEAE	HIBISCUS SAINT-JOHNIANUS	ENDANGERED
MALVACEAE	HIBISCUS WAIMEAE	ENDANGERED
MALVACEAE	KOKIA COOKEI	EXTINCT (1933)
MALVACEAE	KOKIA DRYNARIOIDES	ENDANGERED
MALVACEAE	KOKIA KAUAIENSIS	ENDANGERED
MALVACEAE	KOKIA LANCEOLATA	EXTINCT (1860'S)
MARSILEACEAE	MARSILEA VILLOSA	ENDANGERED
MENISPERMACEAE	COCCULUS INTEGER	THREATENED
MENISPERMACEAE	COCCULUS LONCHOPHYLLUS	THREATENED
MENISPERMACEAE	COCCULUS VIRGATUS	THREATENED
MYRSINACEAE	MYRSINE FERNSEEI	ENDANGERED
MYRSINACEAE	MYRSINE LANAIENSIS VAR. OAHUENSIS	ENDANGERED
MYRSINACEAE	MYRSINE LINEARIFOLIA VAR. LINEARIFOLIA	ENDANGERED
MYRSINACEAE	MYRSINE MEZII	ENDANGERED
MYRSINACEAE	MYRSINE PETIOLATA	THREATENED
MYRSINACEAE	MYRSINE ST-JOHNII	ENDANGERED
MYRTACEAE	EUGENIA MOLOKAIANA	EXTINCT
MYRTACEAE	METROSIDEROS COLLINA VAR. NEWELLII	ENDANGERED
OPHIOGLOSSACEAE	BOTRYCHIUM SUBBIFOLIATUM	EXTINCT (1935)
OPHIOGLOSSACEAE	BOTRYCHIUM SUBBIFOLIATUM	EXTINCT (1930)
OPHIOGLOSSACEAE	OPHIOGLOSSUM CONCINNUM	ENDANGERED
ORCHIDACEAE	HABENARIA HOLOCHILA	THREATENED
PAPAVERACEAE	ARGEMONE GLAUCA VAR. INERMIS	ENDANGERED
PIPERACEAE	PEPEROMIA COOKIANA VAR. MINUTILIMBA	THREATENED
PIPERACEAE	PEPEROMIA CORNIFOLIA	ENDANGERED
PIPERACEAE	PEPEROMIA DEGENERI	ENDANGERED
PIPERACEAE	PEPEROMIA EXPALLESCENS VAR. BREVIPILOSA	THREATENED
PIPERACEAE	PEPEROMIA FAURIEI	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
PIPERACEAE	PEPEROMIA FORBESII	ENDANGERED
PIPERACEAE	PEPEROMIA HAUPUENSIS	THREATENED
PIPERACEAE	PEPEROMIA HELLERI VAR. KNUDSENII	THREATENED
PIPERACEAE	PEPEROMIA KULAENSIS	ENDANGERED
PIPERACEAE	PEPEROMIA LILIIFOLIA VAR. OBTUSATA	THREATENED
PIPERACEAE	PEPEROMIA MAUNAKEANA	ENDANGERED
PIPERACEAE	PEPEROMIA OAHUENSIS VAR. ST.-JOHNII	ENDANGERED
PIPERACEAE	PEPEROMIA RIGIDILIMBA	THREATENED
PIPERACEAE	PEPEROMIA SUBPETIOLATA	THREATENED
PIPERACEAE	PEPEROMIA TRELEASEI	ENDANGERED
PIPERACEAE	PEPEROMIA WAIKAMOIANA	THREATENED
PITTOSPORACEAE	PITTOSPORUM ACUMINATUM VAR. LEPTOPODUM	ENDANGERED
PITTOSPORACEAE	PITTOSPORUM ACUMINATUM VAR. MAGNIFOLIUM	ENDANGERED
PITTOSPORACEAE	PITTOSPORUM ACUMINATUM VAR. WAIMEANUM	ENDANGERED
PITTOSPORACEAE	PITTOSPORUM AMPLECTENS	THREATENED
PITTOSPORACEAE	PITTOSPORUM ARGENTIFOLIUM VAR. ARGENTIFOLIUM	THREATENED
PITTOSPORACEAE	PITTOSPORUM ARGENTIFOLIUM VAR. SESSILE	ENDANGERED
PITTOSPORACEAE	PITTOSPORUM CAULIFLORUM VAR. CAULIFLORUM	EXTINCT
PITTOSPORACEAE	PITTOSPORUM CAULIFLORUM VAR. CLADANTHOIDES	ENDANGERED
PITTOSPORACEAE	PITTOSPORUM CAULIFLORUM VAR. PEDICELLATUM	ENDANGERED
PITTOSPORACEAE	PITTOSPORUM CLADANTHUM VAR. GRACILIPES	THREATENED
PITTOSPORACEAE	PITTOSPORUM CONFERTIFLORUM VAR. LONGIPES	THREATENED
PITTOSPORACEAE	PITTOSPORUM CONFERTIFLORUM VAR. MICROPHYLLUM	THREATENED
PITTOSPORACEAE	PITTOSPORUM GLABRUM VAR. GLOMERATUM	EXTINCT
PITTOSPORACEAE	PITTOSPORUM GLABRUM VAR. INTERMEDIUM	ENDANGERED
PITTOSPORACEAE	PITTOSPORUM GLABRUM VAR. TINIFOLIUM	THREATENED
PITTOSPORACEAE	PITTOSPORUM HALOPHILOIDES	THREATENED
PITTOSPORACEAE	PITTOSPORUM HALOPHILUM	THREATENED
PITTOSPORACEAE	PITTOSPORUM HELLERI	ENDANGERED
PITTOSPORACEAE	PITTOSPORUM HOSMERI VAR. HOSMERI	ENDANGERED
PITTOSPORACEAE	PITTOSPORUM HOSMERI VAR. SAINT-JOHNII	EXTINCT
PITTOSPORACEAE	PITTOSPORUM INSIGNE VAR. MICRANTHUM	ENDANGERED
PITTOSPORACEAE	PITTOSPORUM KAHANANUM	THREATENED
PITTOSPORACEAE	PITTOSPORUM KAUAIENSE VAR. REPENS	EXTINCT
PITTOSPORACEAE	PITTOSPORUM TERMINALIOIDES VAR. LANAIENSE	ENDANGERED
PITTOSPORACEAE	PITTOSPORUM TERMINALIOIDES VAR. MACROPUS	THREATENED
PITTOSPORACEAE	PITTOSPORUM TERMINALIOIDES VAR. MAUIENSE	ENDANGERED
PLANTAGINACEAE	PLANTAGO PRINCEPS VAR. ACAULIS	THREATENED
PLANTAGINACEAE	PLANTAGO PRINCEPS VAR. DENTICULATA	THREATENED
PLANTAGINACEAE	PLANTAGO PRINCEPS VAR. ELATA	ENDANGERED
PLANTAGINACEAE	PLANTAGO PRINCEPS VAR. LAXIFOLIA	ENDANGERED
PLANTAGINACEAE	PLANTAGO PRINCEPS VAR. PRINCEPS	ENDANGERED
PLANTAGINACEAE	PLANTAGO PRINCEPS VAR. QUELENIANA	THREATENED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
POACEAE	CENCHRUS AGRIMONIOIDES VAR. AGRIMONIOIDES	ENDANGERED
POACEAE	CENCHRUS AGRIMONIOIDES VAR. LAYSANENSIS	ENDANGERED
POACEAE	CENCHRUS PEDUNCULATUS	ENDANGERED
POACEAE	DISSOCHONDRUS BIFLORUS	ENDANGERED
POACEAE	ERAGROSTIS FOSBERGII	ENDANGERED
POACEAE	ERAGROSTIS MAUIENSIS	ENDANGERED
POACEAE	ERAGROSTIS NIIHAUENSIS	THREATENED
POACEAE	ERAGROSTIS PAUPERA	EXTINCT (1937)
POACEAE	ISCHAEMUM BYRONE	ENDANGERED
POACEAE	PANICUM ALAKAIENSE	ENDANGERED
POACEAE	PANICUM CARTERI	EXTINCT
POACEAE	PANICUM FAURIEI	ENDANGERED
POACEAE	PANICUM LAMIATILE	ENDANGERED
POACEAE	PANICUM LUSTRIALE	ENDANGERED
POACEAE	PANICUM NIIHAUENSE	THREATENED
POACEAE	POA SANDVICENSIS	ENDANGERED
POLYPODIACEAE	ADENOPHORUS PERIENS	ENDANGERED
POLYPODIACEAE	ASPLENIUM FRAGILE VAR. INSULARIS	ENDANGERED
POLYPODIACEAE	ASPLENIUM LEUCOSTEGIOIDES	EXTINCT (1879)
POLYPODIACEAE	CTENITIS SQUAMIGERA	EXTINCT (1949)
POLYPODIACEAE	DIELLIA ERECTA	ENDANGERED
POLYPODIACEAE	DIELLIA FALCATA	ENDANGERED
POLYPODIACEAE	DIELLIA LACINIATA	THREATENED
POLYPODIACEAE	DIELLIA MANNII	EXTINCT (1900)
POLYPODIACEAE	DIELLIA UNISORA	THREATENED
POLYPODIACEAE	DIPLAZIUM MOLOKAIENSE	ENDANGERED
POLYPODIACEAE	PTERIS LIDGATII	ENDANGERED
POLYPODIACEAE	SCHIZOSTEGE LYDGATEI	ENDANGERED
PORTULACACEAE	PORTULACA HAWAIIENSIS	ENDANGERED
PORTULACACEAE	PORTULACA SCLEROCARPA	ENDANGERED
PRIMULACEAE	LYSIMACHIA FILIFOLIA	THREATENED
PRIMULACEAE	LYSIMACHIA HILLEBRANDII VAR. HILLEBRANDII	ENDANGERED
PRIMULACEAE	LYSIMACHIA KALALAUENSIS	ENDANGERED
PRIMULACEAE	LYSIMACHIA OVATA	THREATENED
PRIMULACEAE	LYSIMACHIA SP.	ENDANGERED
RHAMNACEAE	ALPHITONIA PONDEROSA	ENDANGERED
RHAMNACEAE	COLUBRINA OPPOSITIFOLIA	ENDANGERED
RHAMNACEAE	GOUANIA BISHOPII	EXTINCT (1875)
RHAMNACEAE	GOUANIA CUCULLATA	EXTINCT (1851-1855)
RHAMNACEAE	GOUANIA FAURIEI	ENDANGERED
RHAMNACEAE	GOUANIA GAGNEI	ENDANGERED
RHAMNACEAE	GOUANIA HAWAIIENSIS	EXTINCT (1853)
RHAMNACEAE	GOUANIA HILLEBRANDI	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
RHAMNACEAE	GOUANIA LYDGATEI	EXTINCT (1865)
RHAMNACEAE	GOUANIA MANNII	EXTINCT (1863-1865)
RHAMNACEAE	GOUANIA MEYENII	EXTINCT (1841)
RHAMNACEAE	GOUANIA OLIVERI	EXTINCT (1861)
RHAMNACEAE	GOUANIA PILATA	EXTINCT (1880)
RHAMNACEAE	GOUANIA REMYI	EXTINCT (1851-1855)
RHAMNACEAE	GOUANIA SANDWICHIANA	EXTINCT (1851-1855)
RHAMNACEAE	GOUANIA THINOPHILA	EXTINCT (1841)
RHAMNACEAE	GOUANIA VITIFOLIA	EXTINCT (1932)
ROSACEAE	ACAENA EXIGUA VAR. EXIGUA	THREATENED
ROSACEAE	ACAENA EXIGUA VAR. GLABERRIMA	ENDANGERED
ROSACEAE	ACAENA EXIGUA VAR. GLABRIUSCULA	THREATENED
ROSACEAE	ACAENA EXIGUA VAR. SUBTUSSTRIGULOSA	THREATENED
RUBIACEAE	BOBEA SANDWICENSIS	ENDANGERED
RUBIACEAE	BOBEA TIMONIOIDES	ENDANGERED
RUBIACEAE	COPROSMA FAUREI VAR. LANAIENSIS	ENDANGERED
RUBIACEAE	COPROSMA MONTANA VAR. ORBICULARIS	ENDANGERED
RUBIACEAE	COPROSMA OCHRACEA VAR. KAALAE	ENDANGERED
RUBIACEAE	COPROSMA PUBENS VAR. SESSILIFLORA	ENDANGERED
RUBIACEAE	COPROSMA SERRATA	ENDANGERED
RUBIACEAE	GARDENIA BRIGHAMII	ENDANGERED
RUBIACEAE	GOULDIA SP.	THREATENED
RUBIACEAE	GOULDIA ST-JOHNII VAR. MUNROI	THREATENED
RUBIACEAE	GOULDIA TERMINALIS VAR. BOBEOIDES	ENDANGERED
RUBIACEAE	GOULDIA TERMINALIS VAR. CONGESTA	ENDANGERED
RUBIACEAE	GOULDIA TERMINALIS VAR. CRASSICAULIS	ENDANGERED
RUBIACEAE	GOULDIA TERMINALIS VAR. DEGENERI	ENDANGERED
RUBIACEAE	GOULDIA TERMINALIS VAR. LANAI	ENDANGERED
RUBIACEAE	GOULDIA TERMINALIS VAR. PARVIFOLIA	THREATENED
RUBIACEAE	GOULDIA TERMINALIS VAR. PSEUDODICHOTOMA	ENDANGERED
RUBIACEAE	GOULDIA TERMINALIS VAR. PUBESCENS	ENDANGERED
RUBIACEAE	GOULDIA TERMINALIS VAR. QUADRANGULARIS	ENDANGERED
RUBIACEAE	GOULDIA TERMINALIS VAR. ROTUNDIFOLIA	ENDANGERED
RUBIACEAE	GOULDIA TERMINALIS VAR. SUBCORDATA	ENDANGERED
RUBIACEAE	HEDYOTIS ANGUSTA VAR. ANGUSTA	EXTINCT
RUBIACEAE	HEDYOTIS ANGUSTA VAR. UMBROSA	ENDANGERED
RUBIACEAE	HEDYOTIS COOKIANA	EXTINCT (1817)
RUBIACEAE	HEDYOTIS CORIACEA	EXTINCT (1911)
RUBIACEAE	HEDYOTIS DEGENERI VAR. COPROSMIFOLIA	ENDANGERED
RUBIACEAE	HEDYOTIS DEGENERI VAR. DEGENERI	ENDANGERED
RUBIACEAE	HEDYOTIS ELATIOR VAR. ELATIOR	THREATENED
RUBIACEAE	HEDYOTIS ELATIOR VAR. HERBACEA	ENDANGERED
RUBIACEAE	HEDYOTIS FLUVIATILIS VAR. KAUAIENSIS	THREATENED

List B

LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
RUBIACEAE	HEDYOTIS FOLIOSA	EXTINCT (1870)
RUBIACEAE	HEDYOTIS FORMOSA	THREATENED
RUBIACEAE	HEDYOTIS GLAUCIFOLIA VAR. HELLERI	THREATENED
RUBIACEAE	HEDYOTIS LITTORALIS	ENDANGERED
RUBIACEAE	HEDYOTIS MANNII VAR. CUSPIDATA	THREATENED
RUBIACEAE	HEDYOTIS MANNII VAR. MANNII	THREATENED
RUBIACEAE	HEDYOTIS MANNII VAR. MUNROI	THREATENED
RUBIACEAE	HEDYOTIS MANNII VAR. SCAPOSA	EXTINCT
RUBIACEAE	HEDYOTIS PARVULA	ENDANGERED
RUBIACEAE	HEDYOTIS SCHLECHTENDAHLIANA VAR. NUTTALLI	EXTINCT
RUBIACEAE	HEDYOTIS SCHLECHTENDAHLIANA VAR. PLANA	ENDANGERED
RUBIACEAE	HEDYOTIS SCHLECHTENDAHLIANA VAR. RETICULATA	ENDANGERED
RUBIACEAE	HEDYOTIS ST-JOHNII	ENDANGERED
RUBIACEAE	HEDYOTIS THYRSOIDEA VAR. HILLEBRANDII	EXTINCT
RUBIACEAE	HEDYOTIS THYRSOIDEA VAR. THYRSOIDEA	ENDANGERED
RUBIACEAE	MORINDA SANDWICENSIS	ENDANGERED
RUBIACEAE	MORINDA TRIMERA	THREATENED
RUBIACEAE	PSYCHOTRIA GRANDIFLORA	ENDANGERED
RUBIACEAE	PSYCHOTRIA INSULARUM VAR. PAHADISII	EXTINCT (1864-1865)
RUTACEAE	PELEA ANISATA VAR. HAUPUANA	ENDANGERED
RUTACEAE	PELEA BALLOUI	ENDANGERED
RUTACEAE	PELEA CHRISTOPHERSENII	ENDANGERED
RUTACEAE	PELEA CINEREA VAR. CINEREA	ENDANGERED
RUTACEAE	PELEA CINEREA VAR. MAUIANA	EXTINCT
RUTACEAE	PELEA CINEREA VAR. SKOTTSBERGII	ENDANGERED
RUTACEAE	PELEA CINEREOPS	ENDANGERED
RUTACEAE	PELEA CLUSIIFOLIA VAR. PICKERINGII	ENDANGERED
RUTACEAE	PELEA DEGENERI	ENDANGERED
RUTACEAE	PELEA DESCENDENS	ENDANGERED
RUTACEAE	PELEA ELLIPTICA VAR. MAUIENSIS	EXTINCT
RUTACEAE	PELEA GLABRA	ENDANGERED
RUTACEAE	PELEA GRANDIFOLIA VAR. LIANOIDES	ENDANGERED
RUTACEAE	PELEA GRANDIFOLIA VAR. MONTANA	ENDANGERED
RUTACEAE	PELEA GRANDIFOLIA VAR. TERMINALIS	ENDANGERED
RUTACEAE	PELEA HAUPUENSIS	ENDANGERED
RUTACEAE	PELEA HAWAIENSIS VAR. BRIGHAMII	ENDANGERED
RUTACEAE	PELEA HAWAIENSIS VAR. HAWAIENSIS	ENDANGERED
RUTACEAE	PELEA HAWAIENSIS VAR. MOLOKAIANA	EXTINCT
RUTACEAE	PELEA HAWAIENSIS VAR. PILOSA	EXTINCT
RUTACEAE	PELEA HAWAIENSIS VAR. RACEMIFLORA	EXTINCT
RUTACEAE	PELEA HAWAIENSIS VAR. REMYANA	EXTINCT
RUTACEAE	PELEA HAWAIENSIS VAR. RUBRA	ENDANGERED
RUTACEAE	PELEA HAWAIENSIS VAR. SULFUREA	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
RUTACEAE	PELEA HIIAKAE	ENDANGERED
RUTACEAE	PELEA HOSAKAE	ENDANGERED
RUTACEAE	PELEA KAUAENSIS	ENDANGERED
RUTACEAE	PELEA KAVAIENSIS	ENDANGERED
RUTACEAE	PELEA KNUDSENII	EXTINCT
RUTACEAE	PELEA LAKAE	ENDANGERED
RUTACEAE	PELEA LANCEOLATA	ENDANGERED
RUTACEAE	PELEA LEVEILLEI	ENDANGERED
RUTACEAE	PELEA LYDGATEI	ENDANGERED
RUTACEAE	PELEA MACROPUS	EXTINCT
RUTACEAE	PELEA MAKAHAE	ENDANGERED
RUTACEAE	PELEA MUCRONULATA	EXTINCT
RUTACEAE	PELEA MULTIFLORA	ENDANGERED
RUTACEAE	PELEA MUNROI	EXTINCT
RUTACEAE	PELEA NEALAE	ENDANGERED
RUTACEAE	PELEA OBLONGIFOLIA VAR. MANUKAENSIS	ENDANGERED
RUTACEAE	PELEA OBLONGIFOLIA VAR. OBLONGIFOLIA	ENDANGERED
RUTACEAE	PELEA OBOVATA	EXTINCT
RUTACEAE	PELEA OLOWALUENSIS	ENDANGERED
RUTACEAE	PELEA ORBICULARIS VAR. ORBICULARIS	ENDANGERED
RUTACEAE	PELEA ORBICULARIS VAR. TONSA	ENDANGERED
RUTACEAE	PELEA OVALIS	ENDANGERED
RUTACEAE	PELEA OVATA	ENDANGERED
RUTACEAE	PELEA PALLIDA	ENDANGERED
RUTACEAE	PELEA PANICULATA	ENDANGERED
RUTACEAE	PELEA PARVIFOLIA VAR. APODA	ENDANGERED
RUTACEAE	PELEA PARVIFOLIA VAR. SESSILIS	ENDANGERED
RUTACEAE	PELEA PEDUNCULARIS VAR. CORDATA	ENDANGERED
RUTACEAE	PELEA PEDUNCULARIS VAR. NIUENSIS	ENDANGERED
RUTACEAE	PELEA PEDUNCULARIS VAR. NUMMULARIA	ENDANGERED
RUTACEAE	PELEA PLUVIALIS	ENDANGERED
RUTACEAE	PELEA QUADRANGULARIS	ENDANGERED
RUTACEAE	PELEA RECURVATA	ENDANGERED
RUTACEAE	PELEA REFLEXA	ENDANGERED
RUTACEAE	PELEA SAINT-JOHNII VAR. ELONGATA	ENDANGERED
RUTACEAE	PELEA SAINT-JOHNII VAR. SAINT-JOHNII	ENDANGERED
RUTACEAE	PELEA SANDWICENSIS	EXTINCT (1928)
RUTACEAE	PELEA STOREYANA	EXTINCT
RUTACEAE	PELEA TOMENTOSA	EXTINCT
RUTACEAE	PELEA VOLCANICA VAR. KOHALAE	ENDANGERED
RUTACEAE	PELEA WAHIAWAENSIS	ENDANGERED
RUTACEAE	PELEA WAIMEAENSIS	EXTINCT
RUTACEAE	PELEA ZAHLBRUCKNERI	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
RUTACEAE	PLATYDESMA REMYI	ENDANGERED
RUTACEAE	ZANTHOXYLUM BLUETTIANUM	THREATENED
RUTACEAE	ZANTHOXYLUM DIPETALUM VAR. DEGENERI	THREATENED
RUTACEAE	ZANTHOXYLUM DIPETALUM VAR. DIPETALUM	THREATENED
RUTACEAE	ZANTHOXYLUM DIPETALUM VAR. GEMINICARPUM	ENDANGERED
RUTACEAE	ZANTHOXYLUM DIPETALUM VAR. TOMENTOSUM	THREATENED
RUTACEAE	ZANTHOXYLUM GLANDULOSUM	THREATENED
RUTACEAE	ZANTHOXYLUM HAWAIIENSE VAR. CITRIODORUM	ENDANGERED
RUTACEAE	ZANTHOXYLUM HAWAIIENSE VAR. HAWAIIENSE	THREATENED
RUTACEAE	ZANTHOXYLUM HAWAIIENSE VAR. VELUTINOSUM	THREATENED
RUTACEAE	ZANTHOXYLUM KAUAENSE VAR. KOHUANA	THREATENED
RUTACEAE	ZANTHOXYLUM MAVIENSE VAR. ANCEPS	THREATENED
RUTACEAE	ZANTHOXYLUM MAVIENSE VAR. CRANWELLIAE	THREATENED
RUTACEAE	ZANTHOXYLUM MAVIENSE VAR. MAVIENSE	THREATENED
RUTACEAE	ZANTHOXYLUM MAVIENSE VAR. RIGIDUM	THREATENED
RUTACEAE	ZANTHOXYLUM SEMIARTICULATUN VAR. SEMIARTICULATUM	THREATENED
RUTACEAE	ZANTHOXYLUM SEMIARTICULATUM VAR. SESSILE	ENDANGERED
RUTACEAE	ZANTHOXYLUM SKOTTSBERGII	THREATENED
SANTALACEAE	EXOCARPUS GAUDICHAUDII	ENDANGERED
SANTALACEAE	EXOCARPUS LUTEOLUS	ENDANGERED
SANTALACEAE	SANTALUM ELLIPTICUM VAR. LITTORALE	ENDANGERED
SANTALACEAE	SANTALUM LANAIENSE	ENDANGERED
SANTALACEAE	SANTALUM SALICIFOLIUM	ENDANGERED
SAPINDACEAE	ALECTRYON MACROCOCCUM VAR. MACROCOCCUM	ENDANGERED
SAPINDACEAE	ALECTRYON MAHOE	ENDANGERED
SAPINDACEAE	DODONAEA ERIOCARPA VAR. CONFERTIOR	ENDANGERED
SAPINDACEAE	DODONAEA ERIOCARPA VAR. COSTULATA	THREATENED
SAPINDACEAE	DODONAEA ERIOCARPA VAR. FORBESII	ENDANGERED
SAPINDACEAE	DODONAEA ERIOCARPA VAR. LANAIENSIS	ENDANGERED
SAPINDACEAE	DODONAEA ERIOCARPA VAR. MOLOKAIENSIS	ENDANGERED
SAPINDACEAE	DODONAEA ERIOCARPA VAR. OBLONGA	ENDANGERED
SAPINDACEAE	DODONAEA ERIOCARPA VAR. PALLIDA	ENDANGERED
SAPINDACEAE	DODONAEA ERIOCARPA VAR. SKOTTSBERGII	ENDANGERED
SAPINDACEAE	DODONAEA ERIOCARPA VAR. VARIANS	THREATENED
SAPINDACEAE	DODONAEA SANDWICENSIS VAR. LATIFOLIA	THREATENED
SAPINDACEAE	DODONAEA SANDWICENSIS VAR. SIMULANS	ENDANGERED
SAPINDACEAE	DODONAEA STENOPTERA VAR. FAURIEI	ENDANGERED
SAPINDACEAE	DODONAEA STENOPTERA VAR. STENOPTERA	ENDANGERED
SAPOTACEAE	POUTERIA AUAHIENSIS	ENDANGERED
SAPOTACEAE	POUTERIA RHYNCHOSPERMA	ENDANGERED
SOLANACEAE	NOTHOCESTRUM BREVIFLORUM VAR. BREVIFLORUM	ENDANGERED
SOLANACEAE	NOTHOCESTRUM BREVIFLORUM VAR. LONGIPES	EXTINCT
SOLANACEAE	NOTHOCESTRUM LATIFOLIUM	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
SOLANACEAE	NOTHOCESTRUM LONGIFOLIUM VAR. RUFIPILOSUM	ENDANGERED
SOLANACEAE	NOTHOCESTRUM PELTATUM	ENDANGERED
SOLANACEAE	NOTHOCESTRUM SUBCORDATUM	EXTINCT
SOLANACEAE	SOLANUM HALEAKALAENSE	EXTINCT (1865)
SOLANACEAE	SOLANUM HILLEBRANDII	EXTINCT (1865)
SOLANACEAE	SOLANUM INCOMPLETUM VAR. GLABRATUM	ENDANGERED
SOLANACEAE	SOLANUM INCOMPLETUM VAR. INCOMPLETUM	ENDANGERED
SOLANACEAE	SOLANUM INCOMPLETUM VAR. MAUIENSIS	ENDANGERED
SOLANACEAE	SOLANUM KAUAIENSE	THREATENED
SOLANACEAE	SOLANUM NELSONI VAR. NELSONI	ENDANGERED
SOLANACEAE	SOLANUM NELSONI VAR. THOMASIAEFOLIUM	ENDANGERED
SOLANACEAE	SOLANUM SANDWICENSE	ENDANGERED
STERCULIACEAE	WALTHERIA PYROLAEFOLIA	EXTINCT
THEACEAE	EURYA SANDWICENSIS VAR. GRANDIFOLIA	ENDANGERED
THYMELAEACEAE	WIKSTROEMIA BASICORDA	ENDANGERED
THYMELAEACEAE	WIKSTROEMIA HANALEI	THREATENED
THYMELAEACEAE	WIKSTROEMIA ISAE	THREATENED
THYMELAEACEAE	WIKSTROEMIA LEPTANTHA	ENDANGERED
THYMELAEACEAE	WIKSTROEMIA MONTICOLA VAR. OCCIDENTALIS	ENDANGERED
THYMELAEACEAE	WIKSTROEMIA SKOTTSBERGIANA	ENDANGERED
THYMELAEACEAE	WIKSTROEMIA VILLOSA	ENDANGERED
URTICACEAE	HESPEROCNIDE SANDWICENSIS	ENDANGERED
URTICACEAE	NERAUDIA ANGULATA VAR. ANGULATA	ENDANGERED
URTICACEAE	NERAUDIA ANGULATA VAR. DENTATA	ENDANGERED
URTICACEAE	NERAUDIA KAHOOLAWENSIS	EXTINCT
URTICACEAE	NERAUDIA KAUAIENSIS VAR. HELLERI	EXTINCT
URTICACEAE	NERAUDIA KAUAIENSIS VAR. KAUAIENSIS	ENDANGERED
URTICACEAE	NERAUDIA MELASTOMIFOLIA VAR. GAUDICHAUDII	ENDANGERED
URTICACEAE	NERAUDIA MELASTOMIFOLIA VAR. MELASTOMIFOLIA	ENDANGERED
URTICACEAE	NERAUDIA MELASTOMIFOLIA VAR. PALLIDA	ENDANGERED
URTICACEAE	NERAUDIA MELASTOMIFOLIA VAR. PARVIFOLIA	ENDANGERED
URTICACEAE	NERAUDIA MELASTOMIFOLIA VAR. PUBESCENS	ENDANGERED
URTICACEAE	NERAUDIA MELASTOMIFOLIA VAR. UNCINATA	ENDANGERED
URTICACEAE	NERAUDIA OVATA	ENDANGERED
URTICACEAE	NERAUDIA SERICEA	ENDANGERED
URTICACEAE	URERA KAALAE	ENDANGERED
VIOLACEAE	ISODENDRION FORBESII	ENDANGERED
VIOLACEAE	ISODENDRION HAWAIIENSE	EXTINCT (1851-1855)
VIOLACEAE	ISODENDRION HILLEBRANDII	EXTINCT (1869)
VIOLACEAE	ISODENDRION HOSAKAE	EXTINCT (1949)
VIOLACEAE	ISODENDRION LANAIENSE	EXTINCT (1860)
VIOLACEAE	ISODENDRION LAURIFOLIUM	ENDANGERED
VIOLACEAE	ISODENDRION LONGIFOLIUM	ENDANGERED

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LIST OF ENDANGERED, THREATENED, AND RECENTLY EXTINCT SPECIES OF HAWAII

FAMILY	SPECIES	STATUS
VIOLACEAE	ISODENDRION LYDGATEI	EXTINCT (1860)
VIOLACEAE	ISODENDRION MACULATUM	ENDANGERED
VIOLACEAE	ISODENDRION MOLOKAIENSE	EXTINCT (1851-1855)
VIOLACEAE	ISODENDRION PYRIFOLIUM	EXTINCT (1840)
VIOLACEAE	ISODENDRION REMYI	EXTINCT
VIOLACEAE	ISODENDRION SUBSESSILIFOLIUM	ENDANGERED
VIOLACEAE	ISODENDRION WAIANAEENSE	EXTINCT (1950)
VIOLACEAE	VIOLA CHAMISSONIANA	ENDANGERED
VIOLACEAE	VIOLA HELENA VAR. HELENA	ENDANGERED
VIOLACEAE	VIOLA HELENA VAR. LANAIENSIS	ENDANGERED
VIOLACEAE	VIOLA KAUAENSIS VAR. WAHIAWAENSIS	ENDANGERED
VIOLACEAE	VIOLA OAHUENSIS	ENDANGERED
VIOLACEAE	VIOLA ROBUSTA	ENDANGERED

List C

Recently Extinct or Possibly Extinct Plant Species in the Continental United States

Species and Varieties	Locality	Date Last Collected	Status*
Aizoaceae			
Sesuvium trianthemoides	Kenedy Co., Tex.	1947	PrEx
Apiaceae			
Lomatium greenmanii	Wallowa Mts., Ore.	1900	PoEx, Tax?
Apocynaceae			
Apocynum jonesii	Flagstaff, Ariz.	1884	PoEx
Asclepiadaceae			
Matelea radiata	Brooks Co., Tex.	1909	PrEx
Asteraceae			
Calycadenia fremontii	Chico, Butte Co., and Tehama Co., Calif.	1937	PoEx
Cirsium hydrophyllum var. hydrophyllum	Solano and Marin Cos., Calif.	1959	PoEx
Erigeron perglaber	Arizona	1869	PoEx
Eriophyllum nubigenum var. nubigenum	Yosemite National Park, Mariposa Co., Calif.	1938	PoEx
Greenella discoidea	Cochise Co., Ariz.	1880s	PoEx
Haplopappus contractus	Ft. Bridger, Uinta Co., Wyo.	1873	PoEx
Helianthus nuttallii var. parishii	Orange and San Bernadino Cos., Calif.	1920	PoEx
Helianthus praetermissus	New Mexico	1929	Ex
Helianthus smithii	Smith, Randolph Co., Ala.; Rabun Co., Ga.	1884	PoEx
Hymenoxys texana	Houston, Harris Co., Tex.	1900	PrEx
Perityle rotundata	Presidio Co., (Pecos Co.?), Tex.	1852	PrEx

List C

Species and Varieties	Locality	Date Last Collected	Status*
Asteraceae (continued)			
Solidago porteri	Monticello, Ga., Jackson Co., N.C.	1846	PoEx, Tax?
Betulaceae			
Betula uber	Smyth Co., Va.	1914	PrEx
Boraginaceae			
Cryptantha aperta	Mesa Co., Colo.	1892	PrEx
Cryptantha insolita	Clark Co., Nev.	1905	PrEx
Mertensia toiyabensis	Nye Co., Nev.	1882	PoEx
Brassicaceae			
Arabis fructicosa	Undine Falls, Yellowstone National Park, Wyo.	1899	PrEx
Lesquerella lata	Lincoln Co., N. Mex.	1903	PoEx
Lesquerella macrocarpa	Sweetwater Co., Wyo.	1900	PrEx
Physaria grahamii	Uintah Basin, eastern Utah	1930	PoEx, Tax?
Smelowskia holmgrenii	Nye Co., Nev.	1945	PoEx
Thelypodium tenue	Presidio Co., Tex.	1942	PoEx
Bromeliaceae			
Hechtia texensis	Brewster Co., Tex.	1885	PoEx
Burmanniaceae			
Thismia americana	Chicago, Ill.	1913	Ex
Cactaceae			
Coryphantha scheeri var. uncinata	El Paso Co., Tex.	1900	PoEx
Echinocereus blankii var. angusticeps	Hidalgo Co., Tex.	1934	PrEx

List C

Species and Varieties	Locality	Date Last Collected	Status*
Cactaceae (continued)			
Echinocereus hempelii	Lincoln Co., N. Mex.	1897	PrEx, Tax?
Opuntia strigil var. flexospina	Webb Co., Tex.	1911	PoEx
Campanulaceae			
Campanula robinsiae	Brooksville, Fla.	1958	PoEx, Tax?
Githopsis filicaulis	Mission Canyon, San Diego, Calif.	1884	PoEx
Githopsis latifolia	Big Meadows, Plumas Co., Calif.	1912	PoEx
Caryophyllaceae			
Arenaria livermorensis	Livermore, Davis Mts., Tex.	1934	PrEx
Ceratophyllaceae			
Ceratophyllum floridanum	Big Pine Key, Monroe Co., Fla.	1953	PoEx
Chenopodiaceae			
Atriplex tularensis	Bakersfield, Kern Co., Calif.	1921	PoEx
Cistaceae			
Lechea mensalis	Chisos Mts., Brewster Co., Tex.	1931	PrEx
Crassulaceae			
Dudleya traskiae	Santa Barbara Islands, Calif.	1968	PoEx, Cult
Cuscutaceae			
Cuscuta warneri	Millard Co., Utah	1957	PoEx
Fabaceae			
Astragalus columbianus	Priests Rapids, Yakima Co., Wash.	1883	PrEx

List C

Species and Varieties	Locality	Date Last Collected	Status*
Fabaceae (continued)			
Astragalus desereticus	San Pete Co., Utah	1909	PrEx
Astragalus humillimus	Montezuma Co., Colo.	1875	PoEx
Astragalus lentiginosus var. chartaceus	San Pete Co., Utah	1894	PoEx, Tax?
Astragalus lentiginosus var. sesquimetralis	Soda Springs, Nev.	1882	PoEx
Astragalus linifolius	Mesa Co., Colo.	1926	PoEx
Astragalus perianus	Sevier Co., Utah	1905	PoEx
Astragalus pycnostachyus var. lanosissimus	Ventura and Los Angeles Cos., Calif.	1882	PrEx
Astragalus robbinsii var. robbinsii	Chittenden Co., Vt.	1893	Ex
Psoralea macrophylla	Polk Co., N.C.	1897	Ex
Psoralea stipulata	Clark and Floyd Cos., Ind.	1856	Ex, Cultivated to 1871
Hydrocharitaceae			
Elodea brandegeae	Truckee, Sierra Nevada, Calif.	1904	Ex, Tax?
Elodea linearis	Nashville, Tenn.	1875	Ex, Tax?
Elodea nevadensis	Nevada	1887	Ex, Tax?
Elodea schweinitzii	Northampton Co., Pa.; New Jersey	1832	Ex, Tax?
Hydrophyllaceae			
Phacelia cinerea	San Nicolas Is., Calif.	1901	PoEx
Phacelia lenta	Priests Rapids to Wallula, Walla Walla Co., Wash.	1883	PoEx

List C

Species and Varieties	Locality	Date Last Collected	Status*
Juncaceae			
Juncus pervetus	Barnstable Co., Mass	1928	Ex, Cult
Lamiaceae			
Hedeoma pilosum	Brewster Co., Tex.	1940	PrEx
Monardella leucocephala	Merced and Stanislaus Cos., Calif.	1941	PoEx
Scutellaria ocmulgee	Macon, Ga.	1898	PrEx
Liliaceae			
Calochortus monanthus	Yreka, Siskiyou Co., Calif.	1876	PoEx
Schoenolirion texanum	Austin, Tex.	1936	PrEx
Linaceae			
Linum macrocarpum	Mobile, Ala.	1897	PoEx
Malvaceae			
Malacothamnus abbottii	Salinas River, Monterey Co., Calif.	1899	PoEx
Malacothamnus mendocinensis	Ukiah, Mendocino Co., Calif.	1939	PoEx
Nyctaginaceae			
Pisonia floridana	Rock Key (near Key West), Fla.	1870	PrEx, Tax?
Orchidaceae			
Spiranthes parksii	Brazos Co., Tex.	1945	PoEx
Orobanchaceae			
Orobanche valida	San Gabriel Mts., Los Angeles Co., Calif.	1929	PrEx
Poaceae			
Calamagrostis nubila	Mt. Washington, N.H.	1862	Ex, Tax?

List C

Species and Varieties	Locality	Date Last Collected	Status*
Poaceae (continued)			
Dissanthelium californicum	Santa Catalina and San Clemente islands, Calif.	1912	PrEx
Festuca dasyclada	Joe's Valley, Colorado R., Utah	1875	PoEx
Panicum shastense	Castle Crag, Shasta Co., Calif.	1912	PrEx
Pleuropogon oregonus	Union and Lake Cos., Oreg.	1901	PoEx
Trisetum orthochaetum	Missoula Co., Mont.	1908	PrEx
Polygonaceae			
Chorizanthe valida	Marin Co., Calif.	1962	PoEx
Eriogonum ericifolium var. ericifolium	Yavapai Co., Ariz.	1887	PoEx
Eriogonum lemmonii	Washoe Co., Nev.	1875	Ex
Polygonum montereyense	Monterey Co., Calif.	1917	Ex, Tax?
Potamogetonaceae			
Potamogeton floridanus	Florida	1886	PoEx
Rosaceae			
Potentilla multijuga	Ballona, Los Angeles Co., Calif.	1849	PrEx
Ranunculaceae			
Ranunculus acriformis var. aestivalis	Sevier R., Utah	1960	PrEx
Saxifragaceae			
Lithophragma maximum	San Clemente Is., Calif.	1936	PoEx

List C

Species and Varieties	Locality	Date Last Collected	Status*
Scrophulariaceae			
Agalinis (Gerardia) stenophylla	Tampa, Hillsboro Co., Fla.	1897	PoEx
Bacopa simulans	Charles City Co., Va.	1941	PrEx
Castilleja leschkeana	Point Reyes, Marin Co., Calif.	1960	PoEx
Castilleja ludoviciana	Jeff Davis Parish, La.	1915	PoEx
Cordylanthus mollis ssp. mollis	San Francisco Bay, Napa Co., Calif.	1966	PoEx
Cordylanthus palmatus	Colusa, Fresno, Madera, Merced, and Yolo Cos., Calif.	1970	PoEx, Cult, Reintro to wild
Mimulus brandegei	Santa Cruz Is., Calif.	1932	PrEx
Mimulus traskiae	Santa Catalina Is., Calif.	1904	Ex
Orthocarpus pachystachyus	Shasta R., Siskiyou Co., Calif.	1913	PoEx
Pedicularis furbishiae	Aroostook Co., Maine	1943	PrEx
Seymeria havardii	Maverick Co., Tex.	1882	PrEx
Solanaceae			
Lycium hassei	Santa Catalina and San Clemente islands, Santa Barbara, and San Diego Co., Calif.	1936	PoEx
Lycium verrucosum	San Nicolas Is., Ventura Co., Calif.	1901	PoEx
Sterculiaceae			
Nephropetalum pringlei	Hidalgo Co., Tex.	1888	PoEx

List C

Species and Varieties	Locality	Date Last Collected	Status*
Theaceae			
Franklinia alatamaha	McIntosh Co., Ga.	1803	Ex, Cult
Valerianaceae			
Valerianella texana	Gillespie Co., Tex.	1936	PoEx

*Ex = Recently extinct or extinct in wild: not collected during extensive search over a number of years; type locality or sites may be destroyed.

PrEx = Probably extinct: not recollected after one or a few visits to the type locality and/or similar sites.

PoEx = Possibly extinct: not recollected or known only from type locality for a number of years; may not have been searched for.

Tax? = Taxonomic status in doubt, perhaps owing to scarcity of material; possible hybrid.

Cult = May be extinct in nature, but the plants are in cultivation or have been transplanted.

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