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Title 3—The President

PROCLAMATION 4342

National MIA Awareness Day

By the President of the United States of America

A Proclamation

January 27, 1975, marks the second anniversary of the signing of the Paris Agreement ending United States combat involvement in Vietnam. Although the Agreement contains specific obligations on accounting for the missing and the return of the remains of the dead, the communist authorities have failed either to provide this information or to follow through on the return of the remains of our dead. Over 2400 Americans are still unaccounted for—some 900 of them still listed as missing, the remainder declared dead with their bodies never recovered. The families of these men continue to live with the anguish of uncertainty about the ultimate fate of these loved ones.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, do hereby designate Monday, January 27, 1975, as National MIA Awareness Day, dedicated to the many Americans who remain missing or unaccounted for in Indochina, and to their families. I call upon all Americans to join in voicing once again the clear, continuing commitment of the American people and their Government to seek the fullest possible accounting for Americans missing in Southeast Asia and the return of the remains of those who died.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of January, 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.75-2730 Filed 1-27-75;10:09 am]

rules and regulations

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

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

Title 7—Agriculture

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

[Grapefruit Reg. 26, Amdt. 2]

PART 906—ORANGES AND GRAPEFRUIT GROWN IN THE LOWER RIO GRANDE VALLEY IN TEXAS

Limitation of Shipments

This amendment lowers the minimum size requirement for shipments of grapefruit grown in the Lower Rio Grande Valley to 3 5/16 inches for fruit grading at least U.S. No. 1, effective January 27, 1975. This requirement is designed to promote orderly marketing and provide consumers with an ample supply of acceptable-quality fruit.

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of grapefruit grown in the Lower Rio Grande Valley in Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Texas Valley Citrus Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

Grapefruit Regulation 26, as amended (39 FR 36851; 39257) requires all grapefruit shipments to be at least 3 7/16 inches in diameter and at least U.S. No. 2 grade until February 24, 1975, when such minimum size would be lowered to 3 3/16 inches. The amendment would lower the minimum size requirement to 3 3/16 inches in diameter on January 27, 1975, for fruit grading at least U.S. No. 1. Such amendment would make additional supplies of fruit available at a time when supplies are diminishing. The crop this season is short and the demand for grapefruit 3 3/16 inches in diameter now exceeds the supply. The release of fruit 3 3/16 inches in diameter and larger grading at least U.S. No. 1 would make additional supplies of satisfactory fruit available. Because of the light fruit set this season it is not practicable to ring pick the fruit; thus, all of the fruit on the trees is being picked at once. The processing outlet is the normal outlet for fruit not suitable for fresh shipment, and currently this outlet is not attractive because of low juice prices.

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

Order. The provisions of paragraph (a)(2) of § 906.355 Grapefruit Regulation 26 (39 FR 36851; 39257) are amended to read as follows:

§ 906.355 Grapefruit Regulation 26.

(a) *Order.* (1) * * *

(2) Any grapefruit of any variety, grown in the production area, which are smaller than pack size 96, as such size is specified in § 51.630(c) of the U.S. Standards for Grapefruit (Texas and States other than Florida, California, and Arizona), except that the minimum diameter limit for pack size 96 grapefruit in any lot shall be 3 3/16 inches: *Provided*, That during the period January 27 through February 23, 1975, any handler may handle grapefruit of any variety smaller than pack size 96 (minimum diameter 3 3/16 inches) providing such grapefruit grades at least U.S. No. 1 and is not smaller than pack size 112 (minimum diameter 3 3/16 inches); and *Provided further*, That during the period February 24 through November 2, 1975, any handler may handle grapefruit of any variety smaller than pack size 96 (minimum diameter 3 7/16 inches) providing such grapefruit is not smaller than pack size 112 (minimum diameter 3 3/16 inches).

* * * * *

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

Dated: January 23, 1975, to become effective January 27, 1975.

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

[FR Doc.75-2507 Filed 1-27-75;8:45 am]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Increases in Expenses for the 1974–75 Season

This document authorizes an increase of $15,431 in the Control Committee expenses during the 1974–75 fiscal period (March 1, 1974, through February 28, 1975) under Marketing Order No. 917. Said increase changes the annual committee budget from $809,827 to $825,258 with no change in the related rate of assessment on handlers of the regulated fruits.

On December 27, 1974, notice of proposed rule making was published in the FEDERAL REGISTER (39 FR 44763) regarding proposed amendment of the committee expenses for the period March 1, 1974, through February 28, 1975, pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), which regulate the handling of fresh pears, plums, and peaches grown in California. This is a regulatory program effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The notice allowed interested persons 21 days to submit written data, views, or arguments pertaining to the proposal. None were submitted.

After consideration of all relevant matter presented, including the proposal set forth in said notice which was submitted by the Control Committee (established pursuant to said amended marketing agreement and order) *It is hereby ordered*, That the provisions of paragraph (a) of § 917.212 Expenses and rate of assessment (39 FR 28277; 39 FR 30477) be amended to read as follows:

§ 917.212 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred during the fiscal period March 1, 1974, through February 28, 1975, will amount to $825,258.

* * * * *

It is hereby found that good cause exists for not postponing the effective time hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) the Control Committee has incurred expenses in excess of those previously thought likely to be incurred, (2) it is essential that the determination of expenses, as specified herein, be issued immediately so that said committee can meet its obligations and perform its duties and functions during the current fiscal period in accordance with the provisions of said marketing agreement and order, and (3) the increase in expenses, as set forth herein, will not result in an increase in the rate of assessment for handlers as heretofore fixed by the Secretary (39 FR 28277; 39 FR 30477).

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

Dated: January 23, 1975.

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

[FR Doc.75-2508 Filed 1-27-75;8:45 am]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER C—LOANS PRIMARILY FOR PRODUCTION PURPOSES

[FmHA Instruction 441.5]

PART 1832—EMERGENCY LOANS

Subpart E—Special Emergency Loan Policies and Authorizations Implementing Applicable Provisions of Pub. L. 93-237

Section 1832.87 (g) and (i) of Subpart E of Part 1832, Title 7, Code of Federal Regulations (39 FR 7569) are amended. Section 1832.87(g) is amended to correct a reference to other Farmers Home Administration (FmHA) regulations. Section 1832.87(i) is deleted thereby removing the prohibition against making Emergency loans to refinance or pay off debts owed to the FmHA. The removal of this prohibition against making Emergency (EM) loans to refinance or pay off debts owed to FmHA is being published without general notice of proposed rulemaking in order to permit immediate implementation of certain benefits to farmers and ranchers who have had losses from natural disasters, but who are FmHA borrowers. These benefits are now available to EM loan applicants who are borrowers of other lenders. Failure to implement this change immediately would cause a hardship for certain applicants for Emergency loans.

Interested persons are invited to submit written comments, suggestions, or objections regarding this revision to the Deputy Administrator Comptroller, Farmers Home Administration, U.S. Department of Agriculture, Room 5007, South Building, Washington, D.C. 20250 on or before February 27, 1975. Material thus submitted will be evaluated and acted upon in the same manner as if this document were a proposal. Since these rules are needed immediately to assist natural disaster victims, this revision and deletion shall remain in effect until amended. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Deputy Administrator Comptroller during regular business hours (8:15 a.m.-4:45 p.m.).

In § 1832.87 paragraph (g) is amended and paragraph (i) deleted to read as follows:

§ 1832.87 Loan limitations.

* * * * *

(g) To flood and mudslide victims to repair or replace damaged or destroyed farm dwellings or farm service buildings and the contents therein, in areas where "National Flood Insurance" is available, except as authorized in Part 1806, Subpart B, of this chapter.

* * * * *

(i) (Deleted)

* * * * *

(U.S.C. 1989; 42 U.S.C. 1480; delegation of authority by the Sec. of Agri., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70)

Effective date. This amendment and deletion are effective January 28, 1975.

Dated: January 13, 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-2437 Filed 1-27-75;8:45 am]

Title 12—Banks and Banking

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 74-1244]

PART 543—INCORPORATION, ORGANIZATION AND CONVERSION

Corporate Title of Federal Associations

DECEMBER 5, 1974.

The following summary of the amendment adopted by this Resolution is provided for the readers' convenience and is subject to the full description in the preamble as well as the specific provisions in the regulation.

I. *Present Regulation.* A. The corporate title of a Federal association must include the words "Federal Savings and Loan Association".

B. The words "Federal Savings and Loan Association" must be preceded by a descriptive word or words, such as "First", and may be followed by words indicating location.

C. If a corporate title includes the name of a State, then the title must also include the name of the place in which the association's home office is located, unless:

1. The association's offices are located in various areas of the State, and

2. The Board determines that there is a clear need for the association to use the State name without reference to its home office location.

II. *Amended Regulation.* A. The corporate title of a Federal association must still contain the words "Federal Savings and Loan Association", and these words must be preceded by descriptive words and may be followed by words indicating location.

B. The amendment makes clear that a Federal association may not use a State name as a prefix in its corporate title without a showing of clear need even though the suffix of its title refers to the home office location. For example, an association will not be permitted to call itself Maryland Federal Savings and Loan Association of Gaithersburg without showing a clear need to do so.

III. *Reason for Amendment.* A. The amendment clarifies the present regulation.

B. This clarification reflects the existing Board interpretation of the regulation.

IV. *Applicability of Amendment.* A. The amendment applies only with respect to applications for Federal charters and to applications for change of corporate title.

The Federal Home Loan Bank Board considers it necessary to amend Part 543 (12 CFR Part 543) to clarify § 543.1 thereof, captioned "Corporate title" Section 543.1 provides that the corporate title of a Federal association must include the words "Federal Savings and Loan Association". Section 543.1 further provides that the words "Federal Savings and Loan Association" shall be preceded by a suitable descriptive word or words (such as "First") and may be followed by words indicating location (such as "of Gaithersburg, Maryland"). If a Federal association's corporate title includes the name of a State, the title must also include the name of the place in the State at which the association's home office is located. However, an association may use a corporate title including the name of a State without referring to the place in which such association's home office is located (1) if such association's offices are located in various areas of the State (or a portion of the State if the corporate title refers to such portion) and (2) if the Board determines that such association has a clear need to use the name of the State without reference to its home office location.

Section 543.1 is amended to make clear that a Federal association may not use a State name as a prefix in its corporate title without a showing of clear need even though the suffix of its title refers to the home office location. Thus, the name "Maryland Federal Savings and Loan Association of Gaithersburg" will not be permitted without a showing of clear need. However, the name "Gaithersburg Federal Savings and Loan Association of Maryland" will be permitted without such a showing. The Board has followed the policy codified by this amendment for some time because of the confusion which can result from a name such as "Maryland Savings and Loan Association of Gaithersburg" if the association drops the suffix "of Gaithersburg" in its advertisements. This amendment will only affect applications for Federal charters and applications by existing Federal associations to change their corporate title.

Accordingly, the Federal Home Loan Bank Board hereby amends § 543.1 to read as set forth below, effective March 1, 1975.

Since the above-described amendment is a codification of existing Board policy and is entirely prospective in application, the Board hereby finds that notice and public procedure with respect to said amendment are unnecessary under the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b).

§ 543.1 Corporate title.

The full corporate title of each Federal association shall include the words "Federal Savings and Loan Association," which shall be preceded by a suitable descriptive word or words and may be followed by the words "of _____", indicating location. The words following "Federal Savings and Loan Association" may include the name of a State if the corporate title also includes the name

of the place in the State at which the home office is located. The name of a State may also be included in any part of the corporate title if the offices of the association are located in various areas of the State (or portion of the State in case the corporate title refers to such portion) so as to create a clear need, in the Board's judgment, for the association to use the name of the State (or such portion of the State).

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

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[FR Doc.75-2450 Filed 1-27-75;8:45 am]

Title 13—Business Credit and Assistance

CHAPTER I—SMALL BUSINESS ADMINISTRATION

[Revision 13]

PART 121—SMALL BUSINESS SIZE STANDARDS

Definitions of Small Business; Correction

In Revision 13 of Part 121, Chapter I, Title 13 of the Code of Federal Regulations, published in the FEDERAL REGISTER on December 24, 1974 (39 FR 44423), some lines were inadvertently left out in two of the definitions of small business.

One omission was in the definition of small business for assistance by small business investment companies or development companies (§ 121.3-11).

The other omission was in the definition of small business for the purpose of Government leases of uranium prospecting or mining rights (§ 121.3-14).

1. Section 121.3-11 should read as follows:

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

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

(a) Together with its affiliates, is independently owned and operated, is not dominant in its field of operation, does not have assets exceeding $7.5 million, does not have net worth in excess of $2.5 million, and does not have an average net income, after Federal income taxes, for the preceding 2 years in excess of $250,000 (average net income to be computed without benefit of any carryover loss); or

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

2. Section 121.3-14 should read as follows:

§ 121.3-14 Definition of small business for the purpose of Government leases of uranium prospecting or mining rights.

In the submission of a bid or proposal for a Government lease of uranium prospecting or mining rights, a concern whose number of employees does not exceed 100 persons may represent that it is a small business. In the absence of a written protest or other information which would cause him to question the veracity of the self-certification, the contracting officer shall accept the self-certification at face value for the particular lease involved.

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

Dated: January 15, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-2485 Filed 1-27-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 14129; Amdt. 39-2080]

PART 39—AIRWORTHINESS DIRECTIVES

Chromalloy Model RLB-6 Series Rescue Locator Beacons Installed in Emergency Equipment

Pursuant to the authority delegated to me by the Administrator, an amendment to AD 74-24-07 (39 FR 40939), Amendment 39-2021, was adopted on November 15, 1974, and made effective immediately as to known U.S. operators of aircraft covered by that AD. That AD is applicable to certain Chromalloy Model RLB-6 Series rescue locator beacons installed in emergency equipment such as life rafts and slide-raft combinations. The amendment was issued to clarify the AD's applicability, to reflect the FAA approval of Chromalloy battery pack, P/N P4-01-0044, as a replacement for installation under the AD, and to make it clear that the provision in the AD permitting the installation of an FAA approved portable type emergency locator transmitter is an interim measure pending the installation of approved replacement beacons or battery packs.

Since it was found that immediate action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the amendment effective immediately as to the known U.S. operators of aircraft covered by AD 74-24-07 by individual telegrams dated November 15, 1974.

These conditions still exist and the amendment to AD 74-24-07 (39 FR 40939), Amdt. 39-2021, 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. The AD, as amended, is set forth herein in its entirety.

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

CHROMALLOY. Applies to Chromalloy Model RLB-6 Series rescue locator beacons incorporating battery packs, P/N A3-01-0175, installed in emergency equipment (including, but not limited to, slide-raft combinations and life rafts)

Compliance required as indicated unless already accomplished:

(a) On or before December 2, 1974, remove from service all Chromalloy Model RLB-6 Series rescue locator beacons or the battery packs incorporated in those units.

(b) Contrary provisions of §§ 121.339, 121.353, and 135.163 of the Federal Aviation Regulations notwithstanding, Part 121 and 135 operators of aircraft, equipped with life rafts or slide-raft combinations incorporating Chromalloy Model RLB-6 Series rescue locator beacons may, after removal of such beacons or their battery packs pursuant to paragraph (A), continue to operate the aircraft—

(1) After replacing the battery pack with Chromalloy battery packs, P/N P4-01-0044, marked "FAA approved for use only as a replacement battery under AD 74-24-07.";

(2) After replacing the affected beacons with FAA approved replacement beacons; or

(3) Pending compliance with subparagraphs (1) or (2) of this paragraph, after installing in the aircraft an FAA approved portable type emergency locator transmitter that is accessible to the flight crew. (Note: Chromalloy Model RLB-6 Series rescue locator beacons that incorporate battery packs, P/N P4-01-0044, meet the performance requirements of TSO-C91 except their "low operating temperature" is +29 degrees F).

This amendment is effective January 28, 1975 as to all persons except those persons to whom it was made immediately effective by the telegram, dated November 15, 1974, which contained this amendment.

Issued in Washington, D.C. on January 17, 1975.

C. R. MELUGIN, Jr.,
Acting Director,
Flight Standards Service.

[FR Doc.75-2410 Filed 1-27-75;8:45 am]

[Airspace Docket No. 73-WA-49]

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

Alteration of Miami, Florida Terminal Control Area

On June 12, 1974, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (39 FR 20616) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Group I Terminal Control Area (TCA) for Miami, Fla.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Four comments were received and were given due consideration.

Two comments received in response to the notice raised objections. The Florida Department of Transportation recommended raising the floor of the TCA to 4,000 feet over North Perry, Opa Locka, Opa Locka West and New Tamiami Airports. They also stated that Area "F"

should have a base of 1,000 feet instead of 500 feet to allow reasonable seaplane operations, aerial advertising, and helicopter flights enough latitude to remain clear of persons and property except for takeoff and landing. The National Pilots Association agreed with the proposal with the exception of the lowering of the airspace south of the Biscayne Bay VORTAC 270° radial and 090° radial to 3,000 feet. They requested that the base of this airspace be left at 5,000 feet to allow more freedom for the Tamiami Airport pilots and stated that a higher base was essential to the Miami Glider Port.

Two comments supported the modification of the Miami TCA, one from the Dade County Aviation Department and one from the Air Transport Association.

In response to the objections received to the proposal, the airspace designated Area "F" will have a base of 1,000 feet MSL instead of the 500 foot ceiling proposed in the Notice.

The area south of the Biscayne Bay VORTAC 270° and 090° radials was proposed in the Notice to be lowered from 5,000 feet MSL to 3,000 feet MSL. Due to comments received about the proposed lowering of this floor, the portion of this floor that is west of U.S. Highway 1 will not be lowered from its present 5,000 foot base.

It is considered impractical to use a higher en route altitude than 3,000 feet for aircraft operating between the Miami and Ft. Lauderdale-Hollywood International Airports because of the short distance involved. To have these aircraft continue to operate below the TCA floor does not provide the desired level of protection. Another factor is that aircraft operating beneath TCA floors should be able to expect a greater degree of segregation from the turbine-powered aircraft. Even though an aircraft would not be able to overfly the airport traffic areas at Opa Locka and North Perry Airports, authorization could be obtained from ATC to operate within these areas.

The lowering of the floor to 3,000 feet over Opa Locka West Airport is required to contain aircraft executing the VOR Runway 12 Straight-In Approach within the TCA. The crossing altitude over the VOR for this approach is 3,000 feet.

In consideration of the foregoing, § 71.401(a) (40 FR 640) of the Federal Aviation Regulations is amended effective 0901 G.m.t., March 27, 1975, by amending the description of the Miami Group I Terminal Control Area to read as follows:

MIAMI, FLA., TERMINAL CONTROL AREA

Primary Airport.—Miami International Airport (Lat. 25°47'34" N., Long. 80°17'10" W.).

BOUNDARIES

Area A

That airspace extending upward from the surface to and including 7,000 feet MSL within a 6-mile radius of the Miami International Airport, excluding that airspace that is both northeast of the Miami VORTAC (Lat. 25°57'47" N., Long. 80°27'39" W.) 130° radial and north of Lat. 25°52'02" N. (Northwest 103rd Street/49th Street in the City of Hialeah), and within and underlying Area F described hereinafter.

Area B.

That airspace extending upward from 1,500 feet MSL to and including 7,000 feet MSL within a 10-mile radius of Miami International Airport, excluding that airspace that is both northeast of the Miami VORTAC 130° radial and north of Lat. 25°52'02" N., that airspace south of the Biscayne Bay VORTAC (Lat. 25°40'17" N., Long. 80°10'40" W.) 090° and 270° radials, Area A previously described, and within and underlying Areas C and F described hereinafter.

Area C

That airspace extending upward from 2,000 feet MSL to and including 7,000 feet MSL within an area bounded on the northeast by a 5-statute mile radius arc of the New Tamiami Airport (Lat. 25°38'51" N., Long. 80°25'59" W.), on the south by the Biscayne Bay VORTAC 270° radial, and on the southwest by a 10-mile radius arc of the Miami International Airport.

Area D

That airspace extending upward from 3,000 feet MSL to and including 7,000 feet MSL within a 20-mile radius of Miami International Airport, excluding that airspace beyond a 15-mile radius of Miami International Airport extending clockwise from the Miami VORTAC 270° radial to the Miami VORTAC 090° radial, and extending clockwise from the Miami VORTAC 150° radial to the Biscayne Bay VORTAC 270° radial, Areas A, B, and C previously described, and within and underlying Area F and G described hereinafter.

Area E

That airspace extending upward from 4,000 feet MSL to and including 7,000 feet MSL between the 15-mile and 20-mile radii of the Miami International Airport extending clockwise from the Miami VORTAC 270° radial to the Biscayne Bay VORTAC 331° radial.

Area F

That airspace extending upward from but not including 1,000 feet MSL to and including 7,000 feet MSL bounded on the east by a 6-mile radius arc of the Miami International Airport, and on the west by the west shoreline of Biscayne Bay.

Area G

That airspace extending upward from 5,000 feet MSL to and including 7,000 feet MSL south of the Biscayne Bay VORTAC 270° radial, north and east of the 15-mile radius arc of the Miami International Airport and west of U.S. Route 1.

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

Issued in Washington, D.C., on January 22, 1975.

GORDON E. KEWER,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-2411 Filed 1-27-75;8:45 am]

[Airspace Docket No. 74-SW-50]

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

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate the Lake Providence, La., transition area.

On December 9, 1974, a notice of proposed rule making was published in the FEDERAL REGISTER (39 FR 42920) stating the Federal Aviation Administration proposed to designate a transition area at Lake Providence, La.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 27, 1975, as hereinafter set forth.

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

LAKE PROVIDENCE, LA.

That airspace extending upward from 700 feet above the surface within a 5-statute-mile radius of Byerley Airport, Lake Providence, La. (latitude 32°49'45" N., longitude 91°11'00" W.); and within 3.5 miles each side of the 355° bearing from the Lake Providence NDB (latitude 32°51'36" N., longitude 91°11'33" W.), extending from the 5-mile-radius to 11.5 statute miles north of the NDB.

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

Issued in Fort Worth, Tex., on January 16, 1975.

ALBERT H. THURBURN,
Acting Director, Southwest Region.

[FR Doc.75-2412 Filed 1-27-75;8:45 am]

[Airspace Docket No. 74-SW-46]

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

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate a 700-foot transition area at Carthage, Tex.

On November 29, 1974, a notice of proposed rule making was published in the FEDERAL REGISTER (39 FR 41540) stating the Federal Aviation Administration proposed to designate the Carthage, Tex., transition area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. We received only one objection, which was from the Air Transport Association of America. They objected to the proposal on the basis that it would have a significant impact on IFR operations being conducted at the Gregg County Airport. We have reviewed their objection and understand their concern for Texas International Air Lines and its 14 scheduled daily operations at the Gregg County Airport. We do not feel that the volume of traffic utilizing the Panola County approach will have a significant effect, if any, on Texas International's operations.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 27, 1975, as hereinafter set forth.

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

CARTHAGE, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Panola County Airport (latitude 32°10' 21" N., longitude 94°17'51" W.) and within 3 miles each side of the Gregg County VORTAC (latitude 32°25'03.3" N., longitude 94° 45'10.5" W.) 122° radial, extending from the 5-mile radius area to 25 miles southeast of the Gregg County VORTAC.

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

Issued in Fort Worth, Tex., on January 13, 1975.

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.75-2413 Filed 1-27-75;8:45 am]

[Airspace Docket No. 74-SO-103]

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

Alteration of VOR Federal Airways

On December 6, 1974, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (39 FR 42697) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would extend V-454 from Monroeville, Ala., to Brookley, Ala., and change the 6-mile route width of V-20S between Mobile, Ala., and Monroeville, Ala., to a normal 8-mile route width.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 27, 1975, as hereinafter set forth.

Section 71.123 (40 FR 307) is amended as follows:

1. In V-20 "Monroeville, including a 6-mile wide S alternate via INT Mobile 063° and Monroeville 216° radials;" is deleted and "Monroeville, including a S alternate via INT Mobile 063° and Monroeville 216° radials;" is substituted therefor.

2. In V-454 "From Monroeville, Ala.," is deleted and "From Brookley, Ala.; Monroeville, Ala.;" is substituted therefor.

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

Issued in Washington, D.C., on January 21, 1975.

GORDON E. KEWER,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.75-2414 Filed 1-27-75;8:45 am]

[Airspace Docket No. 73-SO-59]

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

Amendment to Transition Area; Correction

On January 8, 1975, FR Doc. No. 75-660 was published in the FEDERAL REGISTER (40 FR 1507), amending Part 71 of the Federal Aviation Regulations by altering the Charleston, S.C., transition area.

In the amendment, reference is made to the 280° bearing from Johns Island RBN, and a typographical error exists in the description change. Subsequent to publication of the rule, the final approach bearing was changed to 278°. It is necessary to amend the FR Doc. to change the final approach bearing and correct the error. Since these amendments are editorial and/or minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, FR Doc. No. 75-660 is amended as follows:

Lines one, two and three of the description change are deleted and "* * * long. 80°00'00" W.) * * *" is deleted and "* * * long. 80°00'00" W.); within 3 miles each side of the 278° bearing * * *" is substituted therefor.

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

Issued in East Point, Ga., on January 17, 1975.

DUANE W. FREER,
Acting Director,
Southern Region.

[FR Doc.75-2415 Filed 1-27-75;8:45 am]

[Airspace Docket No. 73-SO-68]

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

Amendment to Transition Area; Correction

On January 8, 1975, FR Doc. No. 75-661 was published in the FEDERAL REGISTER (40 FR 1508), amending Part 71 of the Federal Aviation Regulations by designating the Moncks Corner, S.C., transition area.

In the description, the latitude for Moncks Corner RBN was cited as "33°11'35" N." Subsequent to publication of the rule, the latitude was refined to "33°11'16" N." It is necessary to amend the FR Doc. to reflect this change. Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, FR Doc. No. 75-661 is amended as follows:

In line six of the description "* * * latitude 33°11'35" N * * *" is deleted and "* * * latitude 33°11'16" N * * *" is substituted therefor.

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

Issued in East Point, Ga., on January 17, 1975.

DUANE W. FREER,
Acting Director,
Southern Region.

[FR Doc.75-2416 Filed 1-27-75;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket C-2580]

PART 13—PROHIBITED TRADE PRACTICES

Lynnwood Freezer Meats, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages or connections;* 13.15-70 Financing activities; § 13.73 *Formal regulatory and statutory requirements;* 13.73-92 Truth in Lending Act; § 13.155 *Prices;* 13.155-95 Terms and conditions; 13.155-95(a) Truth in Lending Act. Subpart—Misrepresenting oneself and goods—Business status, advantages, or connections: § 13.1417 *Financing activities.*—Prices: § 13.1823 *Terms and conditions;* 13.1823-20 Truth in Lending Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements;* 13.1852-75 Truth in Lending Act; § 13.1905 *Terms and conditions;* 13.1905-60 Truth in Lending Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 82 Stat. 146, 147; 15 U.S.C. 45, 1601-1605) [Cease and desist order, Lynnwood Freezer Meats, Inc., et al., Lynnwood, Wash., Docket C-2580, Oct. 22, 1974]

In the Matter of Lynnwood Freezer Meats, Inc. a Corporation, and James G. Hill, Individually and as an Officer of Said Corporation

Consent order requiring a Lynnwood, Wash., retailer of meat and meat products, among other things to cease violating the Truth in Lending Act by failing to disclose to consumers, in connection with the extension of consumer credit, such information as required by Regulation Z of the said Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:[1]

It is ordered, That respondents Lynnwood Freezer Meats, Inc., a corporation, and its officers, and James G. Hill, individually and as an officer of said corporation, and respondents' successors, assigns, agents, representatives and employees, directly or through any corporation, subsidiary, division, or other device, in connection with any extension or arrangement for the extension of consumer

[1] Copies of the complaint and decision and order filed with the original document.

credit, or any advertisement to aid, promote or assist directly or indirectly any extension of consumer credit, as "advertisement" and "consumer credit" are defined in Regulation Z (12 CFR 226) of the Truth in Lending Act (Pub. L. 90-321, 15 U.S.C. 1601 et seq.), do forthwith cease and desist from:

1. Representing in any such advertisement, directly or by implication, the amount of the downpayment required or that no downpayment is required, the amount of any installment payment, the dollar amount of any finance charge, the number of installments or the period of repayment, or that there is no charge for credit, unless all of the following items are stated in terminology prescribed under § 226.8 of Regulation Z, as required by § 226.10(d)(2) of Regulation Z:

a. The cash price;

b. The amount of the downpayment required or that no downpayment is required, as applicable;

c. The number, amount, and due dates or period of payments scheduled to repay the indebtedness if the credit is extended;

d. The amount of the finance charge expressed as an annual percentage rate; and

e. The deferred payment price.

2. Representing in any such advertisement, directly or by implication, that a specific amount of credit or installment amount can be arranged unless respondents usually and customarily arrange or make available credit amounts or installments for that period or in that amount, as required by § 226.10(a)(1) of Regulation Z.

3. Failing, in any consumer credit transaction or advertisement, to make all disclosures, determined in accordance with §§ 226.4 and 226.5 of Regulation Z, at the time and in the manner, form and amount required by §§ 226.6, 226.7, 226.8, 226.9 and 226.10 of Regulation Z.

It is further ordered, That respondents deliver a copy of this order to cease and desist to all present and future personnel of respondents engaged in the consummation of any extension of consumer credit or in any aspect of the preparation, creation or placing of advertising, to all persons engaged in reviewing the legal sufficiency of advertising, and to all present and future agencies engaged in preparation, creation or placing of advertising on behalf of respondents, and that respondents secure from each such person and agency a signed statement acknowledging receipt of said order.

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall include the respondent's current business address and a statement as to the nature of the business or employment in which he is engaged, as well as a description of his duties and responsibilities.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Decision and order issued by the Commission October 22, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-2468 Filed 1-27-75;8:45 am]

[Docket C-2576]

PART 13—PROHIBITED TRADE PRACTICES

Oden Distributing Co., Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.10 *Advertising falsely or misleadingly;* § 13.75 *Free goods or services;* § 13.105 *Individual's special selection or situation;* § 13125 *Limited offers or supply;* § 13.155 *Prices;* 13.155-40 Exaggerated as regular and customary; 13.155-70 Percentage savings; 13.155-95 Terms and conditions; § 13.157 *Prize contests;* § 13.160 *Promotional sales plans;* § 13.205 *Scientific or other relevant facts.* Subpart—Failing to maintain records: § 13.1051 *Failing to maintain records;* 13.1051-20 Adequate. Subpart—Misrepresenting oneself and goods—Goods: § 13.1625 *Free goods or services;* § 13.1663 *Individual's special selection or situation;* § 13.1705 *Prize contests;* § 13.1740 *Scientific or other relevant facts.* —Prices: § 13.1805 *Exaggerated as regular and customary;* § 13.1823 *Terms and conditions.* Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.1955 Free goods; § 13.1985 *Individual's special selection or situation;* § 13.2027 *Prize contests;* § 13.2063 *Scientific or other relevant facts.* Subpart—using contest schemes unfairly: § 13.2270 Using contest schemes unfairly.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Oden Distributing Co., Inc., et al., Omaha, Neb., Docket C-2576, Oct. 16, 1974]

In the Matter of Oden Distributing Co., Inc., a Corporation, and Donald W. Oden, Individually and as an Officer of Said Corporation

Consent order requiring an Omaha, Neb., retailer of sewing machines and other products, among other things to cease using deceptive contests and false pricing claims to sell sewing machines and other products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

It is ordered, That Oden Distributing Co., Inc., a corporation, its successors and assigns, and its officers, and Donald W. Oden, individually and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, and sale of sewing machines and other products and services in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, orally or in writing, that recipients of any advertising or promotional material were selected on the basis of analytical or scientific sampling techniques, or by use of marketing studies, or by use of any other device unless such device or method was, in fact, employed as stated.

2. Failing to maintain records and data which are open to the inspection of the Federal Trade Commission and which evidence the method used and other relevant information in support of such representations of the type dealt with in Paragraph 1 above.

3. Representing, directly or by implication, orally or in writing, that any price is the respondents' regular price for any article of merchandise or service unless said amount is the price at which such merchandise or service has been sold or offered for sale by respondents for a reasonably substantial period of time in the recent, regular course of their business and not for the purpose of establishing fictitious higher prices upon which a deceptive comparison or a "free" or similar offer might be based.

4. Representing, directly or by implication, orally or in writing, that a purchaser of respondents' merchandise or services will receive a "free" sewing machine or any other "free" merchandise, service, prize or award unless all conditions, obligations, or other prerequisites to the receipt and retention of such merchandise, services, gifts, prizes or awards are clearly and conspicuously disclosed at the outset in close conjunction with the word "free" wherever it first appears in each advertisement or offer.

5. Representing, directly or by implication, orally or in writing, that any merchandise or service is furnished "free" or at no cost to the purchaser of advertised merchandise or services, when in fact, the cost of such merchandise or service is regularly included in the selling price of the advertised merchandise or service.

6. Representing, directly or by implication, orally or in writing, that a "free" offer is being made in connection with the introduction of new merchandise or services offered for sale at a specified price unless the respondents expect, in good faith, to discontinue the offer after a limited time and commence selling such merchandise or service, separately, at the same price at which it was sold with a "free" offer.

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[1] Copies of the complaint and decision and order filed with the original document.

7. Representing, directly or by implication, orally or in writing, that merchandise or service is being offered "free" with the sale of merchandise or service which is usually sold at a price arrived at through bargaining, rather than at a regular price, or where there may be a regular price, but where other material factors such as quantity, quality, or size are arrived at through bargaining.

8. Representing, directly or by implication, orally or in writing, that a "free" offer is available in a trade area for more than six (6) months in any twelve (12) month period. At least thirty (30) days shall elapse before another such "free" offer is made in the same trade area. No more than three (3) such "free" offers shall be made in the same area in any twelve (12) month period. In such period, respondents' sale in that area of the product or service in the amount, size or quality promoted with the "free" offer shall not exceed fifty percent (50 percent) of the total volume of its sales of the product or service, in the same amount, size or quality, in the area.

9. Representing, directly or by implication, orally or in writing, that a product or service is being offered as a "gift", "without charge", "bonus" or by other words or terms which tend to convey the impression to the consuming public that the article of merchandise or service is free, when the use of the term "free" in relation thereto is prohibited by the provisions of this order.

10. Representing, directly or by implication, orally or in writing, that by purchasing any merchandise or service:

a. Customers are afforded savings amounting to the difference between respondents' stated price and respondents' former price unless such merchandise has been sold or offered for sale in good faith at the former price by respondents for a reasonably substantial period of time in the recent, regular course of their business.

b. Customers are afforded savings amounting to the difference between respondents' stated price and a compared price for said merchandise or service in respondents' trade area unless a substantial number of the principal retail outlets in the trade area regularly sell said merchandise or service at the compared price or some higher price.

c. Customers are afforded savings amounting to the difference between respondents' stated price and a compared value price for comparable merchandise or service, unless substantial sales of like grade and quality are being made in the trade area at the compared price or higher price and unless respondents have in good faith conducted a market survey or obtained a similar representative sample of prices in their trade area which establishes the validity of said compared price and it is clearly and conspicuously disclosed that the comparison is with merchandise or service of like grade and quality.

11. Failing to maintain and produce for inspection or copying for a period of three (3) years, adequate records (a) which disclose the facts upon which any savings claims, sales claims and other similar representations as set forth in Paragraph 10 of this order are based and (b) from which the validity of any savings claims, sales claims and similar representations can be determined.

12. Representing, directly or by implication, that respondents conduct contests, unless such contests are actually conducted and advertisements or notices concerning said contests fully, clearly, and conspicuously disclose each and every of the following delineated items:

a. The total number of prizes which will be awarded in each prize category.

b. The nature of the prizes together with their value, which value must be stated as the value at which the identical or substantially similar item was sold or offered for sale in good faith by respondents for a reasonably substantial period of time in the recent, regular course of their business.

c. The approximate numerical odds of winning each such prize; *Provided, however*, That in a promotional device in which the odds cannot be determined with reasonable accuracy, respondents shall clearly and conspicuously disclose the approximate number of individuals to whom the promotional device is being disseminated if such fact may be reasonably determined.

d. All terms, conditions and obligations with which individuals will be asked to or must comply with in order to obtain a prize.

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall include respondent's current business address and a statement as to the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

It is further ordered, That respondents deliver a copy of this order to cease and desist to all of their present and future personnel engaged in the offering for sale, or sale of memberships, services, or any other products or services, or in any aspect of preparation, creation, or placing of advertising, and that respondents secure a signed statement acknowledging receipt of said order from each such person.

It is further ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

The Decision and Order was issued by the Commission, October 16, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-2469 Filed 1-27-75;8:45 am]

[Docket C-2556]

PART 13—PROHIBITED TRADE PRACTICES

Sol Sportswear, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods;* 13.30–75 Textile Fiber Products Identification Act; § 13.73 *Formal regulatory and statutory requirements;* 13.73–90 Textile Fiber Products Identification Act. Subpart—Failing to maintain records: § 13.1051 *Failing to maintain records;* 13.1051–30 Formal regulatory and/or statutory requirements. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely;* 13.1108–80 Textile Fiber Products Identification Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition;* 13.1185–80 Textile Fiber Products Identification Act; § 13.1212 *Formal regulatory and statutory requirements;* 13.1212–80 Textile Fiber Products Identification Act. Subpart—Misrepresenting oneself and goods—Goods: § 13.1590 *Composition;* 13.1590–70 Textile Fiber Products Identification Act; § 13.1623 *Formal regulatory and statutory requirements;* 13.1623–80 Textile Fiber Products Identification Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition;* 13.1845–70 Textile Fiber Products Identification Act; § 13.1852 *Formal regulatory and statutory requirements;* 13.1852–70 Textile Fiber Products Identification Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Sol Sportswear, Inc., et al., Miami, Fla., Docket C-2556, Oct. 3, 1974]

In the Matter of Sol Sportswear, Inc., a Corporation, and Solomon Brum, Individually and as an Officer of Said Corporation

Consent order requiring a Miami, Fla., manufacturer of textile fiber products, including wearing apparel in the form of men's and boy's shirts, among other things to cease misbranding its textile fiber products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

It is ordered, That respondents Sol Sportswear, Inc., a corporation, its successors and assigns, and its officers, and Solomon Brum, individually and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device in

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[1] Copies of the complaint and decision and order filed with the original document.

connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising or offering for sale in commerce, or the importation into the United States of any textile fiber products; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported of any textile fiber product which has been advertised for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported after shipment in commerce of any textile fiber product whether in its original state or contained in any other textile fiber product, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

1. Misbranding textile fiber products by:

a. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising or otherwise identifying such products as to the name or amount of the constituent fibers contained therein;

b. Failing to affix labels to such textile fiber products showing in a clear, legible and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act;

c. Using a fiber trademark on labels affixed to textile fiber products without the generic name of the fiber in immediate conjunction therewith on the said label;

d. Failing to maintain and preserve proper records showing the fiber content of the textile fiber products manufactured by said respondents, as required by section 6 of the Textile Fiber Products Identification Act and Rule 39 of the regulations promulgated thereunder.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent, such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall include respondent's current business address and a statement as to the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

The Decision and Order was issued by the Commission, October 3, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-2470 Filed 1-27-75;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER I—COMMODITY EXCHANGE AUTHORITY (INCLUDING COMMODITY EXCHANGE COMMISSION), DEPARTMENT OF AGRICULTURE

PART 140—ORGANIZATION, FUNCTIONS, AND PROCEDURES OF THE COMMODITY EXCHANGE AUTHORITY

Authority and Functions of Region Offices and Regional Directors

Pursuant to the authority of the Administrator, Commodity Exchange Authority, appearing at 7 CFR 2.7 and 2.52, § 140.2 of Title 17, Code of Federal Regulations, is revised to read as follows:

§ 140.2 Region Offices—Regional Directors.

Each of the Region offices described herein functions as set forth below under the direction of a Regional Director, who is delegated authority and responsibility for the enforcement of the Commodity Exchange Act and administration of the programs of the Authority in the particular Region, except authorities reserved to the Assistant Secretary for Marketing and Consumer Services in 7 CFR 2.52(b).

(a) The Central Region office is located at Room A-1, Board of Trade Building, 141 West Jackson Boulevard, Chicago, IL 60604, with a sub-office at Room 510, Grain Exchange Building, Fourth Street and Fourth Avenue South, Minneapolis, MN 55415, and is responsible for enforcement of the Commodity Exchange Act and administration of the programs of the Agency in the States of Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin. The office is responsible for the supervision of trading on the Chicago Board of Trade, the Chicago Mercantile Exchange, the Mid-America Commodity Exchange and the Minneapolis Grain Exchange.

(b) The Western Region office is located at Room 356, Board of Trade Building, 4800 Main Street, Kansas City, MO 64112, with a sub-office at Room 400, 550 Kearny Street, San Francisco, CA 94108, and is responsible for enforcement of the Commodity Exchange Act and administration of the programs of the Agency in the States of Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Iowa, Kansas, Louisiana, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming. The office is responsible for the supervision of trading on the Board of Trade of Kansas City, Mo., Inc., and the Pacific Commodities Exchange, Inc.

(c) The Eastern Region office is located at Room 2101, 61 Broadway, New York, NY 10006, and is responsible for enforcement of the Commodity Exchange Act and administration of the programs of the Agency in the States of Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia. The office is responsible for the supervision of trading on the Citrus Associates of the New York Cotton Exchange, Inc., the New York Cotton Exchange, The New York Mercantile Exchange, and the Wool Associates of the New York Cotton Exchange, Inc.

The purpose of this amendment is to clarify the organizational structure of the Region offices and the authority of the Regional Directors. All actions heretofore taken by the Region offices and the Regional Directors in their respective Regions in connection with the enforcement of the Commodity Exchange Act and administration of the programs of the Authority are hereby specifically ratified and confirmed.

This amendment also reflects certain changes in contract market names and designations, and Region boundaries.

This revision shall be effective January 31, 1975.

(37 FR 28453 et seq., and authority therefor cited therein, 7 CFR 2.7, 2.17(c), 2.52)

Done at Washington, D.C., this 23rd day of January, 1975.

ALEX C. CALDWELL,
Administrator.

[FR Doc.75-2511 Filed 1-27-75;8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 75-21]

PART 171—FINES, PENALTIES, AND FORFEITURES

Voluntary Disclosures

Correction

In FR Doc. 75-1401, appearing in the issue of Thursday, January 16, 1975, on page 2797, the effective date at the end of the document on page 2798 should be changed to read "January 16, 1975."

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-454]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The Federal Insurance Administrator finds that comment and public procedure and the use of delayed effective dates in identifying the areas of communities which have special flood or mudslide hazards, in accordance with 24 CFR Part 1915, would be contrary to the public interest. The purpose of such identifications is to guide new development away from areas threatened by flooding. Since this publication is merely for the purpose of informing the public of the location of areas of special flood hazard and has no binding effect on the sale of flood insurance or the commencement of construction, notice and public procedure are impracticable, unnecessary, and contrary to the public interest. Inasmuch as this publication is not a substantive rule, the identification of special hazard areas shall be effective on the date shown. 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
*	*	*	*	*	*	*
Alabama	Fayette	Unincorporated areas.	H 010219 01 through H 010219 02	Alabama Development Office, Office of State Planning, State Office Bldg., 501 Dexter Ave., Montgomery, Ala. 36104. Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery, Ala. 36104.	Fayette County Commissioners Court, Courthouse, Fayette, Ala. 35555.	Jan. 10, 1974.
Do	Barbour	Blue Springs, town of.	H 010224 01	do	Town Manager, Town of Blue Springs, Blue Springs, Ala.	Do.
Do	do	Louisville, town of.	H 010225 01 through H 010225 02	do	Town Manager, Town of Louisville, Louisville, Ala. 36048.	Do.
Do	Coffee	Kinston, town of	H 010237 01 through H 010237 02	do	Town Manager, Town of Kinston, Kinston, Ala. 36453.	Do.
Do	Covington	Carolina, town of	H 010240 01	do	Town Manager, Town of Carolina, Carolina, Ala.	Do.
Do	do	Babbie, town of	H 010242 01	do	Town Manager, Town of Babbie, Babbie, Ala.	Do.
Do	do	Red Level, town of.	H 010243 01	do	Town Manager, Town of Red Level, Red Level, Ala. 36474.	Do.
Do	Dale	Midland City, town of.	H 010248 01 through H 010248 02	do	Town Manager, Town of Midland City, Midland City, Ala. 36350.	Do.
Do	Henry	Newville, town of	H 010260 01 through H 010260 02	do	Town Manager, Town of Newville, Newville, Ala. 36353.	Do.
Do	Marengo	Thomaston, town of.	H 010273 01 through H 010273 02	do	Town Manager, Town of Thomaston, Thomaston, Ala. 36783.	Do.
Do	Shelby	Helena, town of	H 010294 01	do	Town Manager, Town of Helena, Helena, Ala. 35080.	Do.
Do	Walker	Parrish, town of	H 010298 01	do	Town Manager, Town of Parrish, Parrish, Ala. 35580.	Do.
Arizona	Mohave	Unincorporated areas.	H 040058 01 through H 040058 31	Arizona State Land Department, 1624 West Adams, Room 400, Phoenix, Ariz. 85007. Arizona Department of Insurance, P.O. Box 7008, 718 West Glenrosa, Phoenix, Ariz. 85011.	Mohave County Planning and Zoning Commission, County of Mohave, 301 West Beale St., Kingman, Ariz. 86401.	Do. Do.
Do	Pinal	do	H 040077 01 through H 040077 21	do	Chairman, Pinal Co. Board of Supervisors, P.O. Box 827, Florence, Ariz. 85232.	Do.
Arkansas	Woodruff	Patterson, town of	H 050274 01	Division of Soil and Water Resources, State Department of Commerce, 1920 West Capitol Ave., Little Rock, Ark. 72201. Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72204.	Town Manager, Town of Patterson, Patterson, Ark. 72123.	Do.
Do	Craighead	Caraway, town of	H 050311 01	do	Town Manager, Town of Caraway, Caraway, Ark. 72419.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Lonoke	Carlisle, city of	H 050312 01	do	City Mayor, City of Carlisle, Carlisle, Ark. 72024.	Do.
Do.	Johnson	Coal Hill, city of	H 050315 01	do	City Manager, City of Coal Hill, Coal Hill, Ark. 72832.	Do.
Do.	Carroll	Eureka Springs, city of.	H 050322 01 through H 050322 02	do	City Manager, City of Eureka Springs, Eureka Springs, Ark.	Do.
Do.	Yell	Ola, city of	H 050357 01	do	City Manager, City of Ola, Ola, Ark. 72853.	Do.
California	Inyo	Unincorporated areas.	H 060073 01 through H 060073 14	Department of Water Resources, P.O. Box 388, Sacramento, Calif. 95802. California Insurance Department, 107 South Broadway, Los Angeles, Calif. 90012.	Chairman, Inyo County Board of Supervisors, County of Inyo, County Courthouse, Independence, Calif. 93522.	Do.
Do.	Lake	do	H 060090 01 through H 060090 40	do	Lake County Flood Control and Water Conservation District, 255 North Forbes St., 3d Floor Courthouse, Lakeport, Calif. 95453.	Do.
Do.	Orange	do	H 060212 01 through H 060212 32	do	Orange Flood Control District, Engineering Bldg., 400 Civic Center Drive West, Santa Ana, Calif. 92702.	Do.
Do.	Sacramento	do	H 060262 01 through H 060262 25	do	County Administrator Bldg., 827 7th St., Room 305, Sacramento, Calif. 95814.	Do.
Do.	do	Sacramento, city of.	H 060266 01 through H 060266 33	do	City Hall, 915 I St., Sacramento, Calif. 95814.	Do.
Do.	Amador	Sutter Creek, city of.	H 060458 01	do	City Manager, City of Sutter Creek, Sutter Creek, Calif. 95685.	Do.
Do.	San Mateo	South San Francisco, city of.	H 060502 01 through H 060502 11	do	City Manager, c/o Office of the Clerk, City of South San Francisco, 400 Grand Ave., South San Francisco, Calif. 94070.	Do.
Connecticut	Windham	Hampton, town of.	H 090170 01 through H 090170 08	Department of Environmental Protection, Division of Water and Related Resources, Room 237, State Office Bldg., Hartford, Conn. 06115. Connecticut Insurance Department, State Capitol Bldg., 165 Capitol Ave., Hartford, Conn. 06115.	Town Manager, Town of Hampton, Hampton, Conn. 06247.	Do.
Do.	do	Canterbury, town of.	H 090183 01 through H 090183 15	do	Town Manager, Town of Canterbury, Canterbury, Conn. 06331.	Do.
Florida	Flagler	Unincorporated areas.	H 120085 01 through H 120085 06	Department of Community Affairs, 2571 Executive Center Circle, East Howard Bldg., Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, the Capitol, Tallahassee, Fla. 32301.	Mayor, City Hall, Flagler Beach, Fla. 32036.	Do.
Do.	Putnam	do	H 120272 01 through H 120272 03	do	Putnam Co. Codes Administrator's Office, 514 St. Johns Ave., Palatka, Fla. 32077.	Do.
Do.	Seminole	Winter Springs, city of.	H 120295 01 through H 120295 03	do	City Engineer, City of Winter Springs, Winter Springs, Fla. 32707.	Do.
Do.	Taylor	Unincorporated areas.	H 120302 01 through H 120302 12	do	Chairman, County of Taylor, Taylor County Board of Commissioners, County Courthouse, Perry, Fla. 32347.	Do.
Georgia	Toombs	Vidalia, city of	H 130232 01 through H 130232 08	Department of Natural Resources, Office of Planning and Research, 270 Washington St., SW., Room 707, Atlanta, Ga. 30334. Georgia Insurance Department, State Capitol, Atlanta, Ga. 30334.	City Manager, City of Vidalia, Vidalia, Ga. 30474.	Do.
Idaho	Benewah	Unincorporated areas.	H 160014 01 through H 160014 12	Department of Water Administration, State House, Annex 2, Boise, Idaho 83707. Idaho Department of Insurance, Room 206, Statehouse, Boise, Idaho 83707.	Benewah County Commissioners, Courthouse, St. Maries, Idaho 83861.	Do.
Do.	Cassia	Albion, town of	H 160042 01	do	Town Manager, Town of Albion, Albion, Idaho.	Do.
Illinois	Calhoun	Unincorporated areas.	H 170018 01 through H 170018 04	Governor's Task Force on Flood Control, 330 North State St., Room 1010, Lisle, Ill. 60510. Illinois Insurance Department, 525 West Jefferson St., Springfield, Ill. 62702.	Calhoun County Court House, Hardin, Ill.	Do.
Do.	Lee	Unincorporated areas.	H 170413 01 through H 170413 06	do	Chairman, Lee County Board, County Courthouse, Dixon, Ill. 61021.	Do.
Do.	McLean	Chenoa, city of	H 170432 01	do	Mayor, City of Chenoa, Chenoa, Ill. 61726.	Do.
Do.	Menard	Unincorporated areas.	H 170505 01 through H 170505 02	do	County Chairman, County of Menard, Menard County, Ill.	Do.
Do.	Winnebago	do	H 170720 01 through H 170720 04	do	City-County Planning Commission, 425 East State St., Room 800, Rockford, Ill. 61104.	Do.
Indiana	Cass	do	H 180022 01 through H 180022 02	Division of Water, Department of Natural Resources, 608 State Office Bldg., Indianapolis, Ind. 46204. Indiana Insurance Department, 509 State Office Bldg., Indianapolis, Ind. 46204.	County Chairman, County of Cass, Cass County, Ind.	Do.
Do.	Lake	Whiting, city of	H 180313 01	do	Mayor, 1421 Fischrupp Ave., Whiting, Ind. 46394.	Do.
Iowa	Crawford	Westside, town of	H 190102 01 through H 190102 02	Iowa Natural Resources Council, James W. Grimes Bldg., Des Moines, Iowa 50319. Iowa Insurance Department, Lucas State Office Bldg., Des Moines, Iowa 50319.	Mayor, Town of Westside, City Hall, Westside, Iowa 51467.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Hardin	Union, town of	H 190142 01	do	Mayor and Town Council, Town of Union, Town Hall, Union, Iowa 50258.	Do.
Kansas	Barton	Pawnee Rock, city of.	H 200021 01	Division of Water Resources, State Board of Agriculture, Topeka, Kans. 66612. Kansas Insurance Department, 1st Floor, Statehouse, Topeka, Kans. 66612.	Mayor, City of Pawnee Rock, Pawnee Rock, Kans. 67567.	Do.
Do	Bourbon	Fulton, city of	H 200024 01	do	Mayor, City of Fulton, Fulton, Kans. 66738.	Do.
Do	Chase	Elmdale, city of	H 200042 01	do	Mayor, City of Elmdale, Elmdale, Kans. 66850.	Do.
Do	Greenwood	Virgil, city of	H 200122 01 through H 200122 03	do	Mayor, City Hall, Virgil, Kans. 66870	Do.
Kentucky	Pike	Coal Run, city of	H 210263 01	Division of Water, Kentucky Department of Natural Resources, Capitol Plaza Office Tower, Frankfort, Ky. 40601. Kentucky Insurance Department, Old Capitol Annex, Frankfort, Ky. 40601.	City Mayor, City of Coal Run, Coal Run, Ky. 41501.	Do.
Do	Jefferson	West Buechel, city of.	H 210264 01	do	Jefferson County Judge, City of West Buechel, Fiscal Court Bldg., Louisville, Ky. 40202.	Do.
Louisiana	Avoyelles Parish	Unincorporated areas.	H 220019 01 through H 220019 09	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.	Secretary of the Police Jury, Avoyelles Parish Courthouse, Markville, La. 71351.	Do.
Do	Rapides Parish	do	H 220145 01 through H 220145 38	do	Building Inspector, Rapides Parish Courthouse, 700 Murry St., Rapides Parish, Alexandria, La. 71301.	Do.
Do	Washington Parish.	do	H 220230 01 through H 220230 16	do	Parish Manager, Parish of Washington, Washington Parish, La. 70589.	Do.
Do	Avoyelles Parish	Mansura, town of	H 220255 01 through H 220255 02	do	Town Manager, Town of Mansura, Mansura, La. 71350.	Do.
Do	Lafourche Parish	Lockport, town of	H 220254 01	do	Mayor, Town Hall, Town of Lockport, Lockport, La. 70374.	Do.
Do	East Feliciana Parish.	Jackson, town of	H 220333 01 through H 220333 04	do	Town Manager, Town of Jackson, Jackson, La. 70748.	Do.
Maine	Aroostook	Haynesville, town of.	H 230020 01 through H 230020 06	Bureau of Civil Emergency Preparedness, State House, Augusta, Maine 04330. Maine Insurance Department, Capitol Shopping Center, Augusta, Maine 04330.	Selectmen, Town of Haynesville, Haynesville, Maine 04446.	Do.
Do	Aroostook	Stockholm, town of.	H 230035 01 through H 230035 12	do	First Selectman, Town Office, Stockholm, Maine 04783.	Do.
Do	Piscataquis	Milo, town of	H 230177 01 through H 230177 11	do	Town Manager, Town of Milo, Milo, Maine 04463.	Do.
Do	Cumberland	Windham, town of.	H 230189 01 through H 230189 14	do	Town Manager, Town of Windham, Windham, Maine.	Do.
Do	York	Limerick, town of.	H 230194 01 through H 230194 05	do	Town Manager, Town of Limerick, Limerick, Maine 04048.	Do.
Do	Waldo	Frankfort, town of.	H 230254 01	do	Town Manager, Town of Frankfort, Frankfort, Maine 04338.	Do.
Do	do	Thorndike, town of.	H 230268 01 through H 230268 06	do	Town Manager, Town of Thorndike, Thorndike, Maine 04961.	Do.
Do	Washington	Dennysville, town of.	H 230312 01 through H 230312 05	do	Town Manager, Town of Dennysville, Dennysville, Maine 04628.	Do.
Do	Franklin	Avon, town of	H 230345 01 through H 230345 12	do	Town Manager, Town of Avon, Avon, Maine.	Do.
Do	do	Madrid, town of	H 230350 01 through H 230350 11	do	Town Manager, Town of Madrid, Madrid, Maine.	Do.
Do	Penobscot	Hermon, town of	H 230389 01 through H 230389 02	do	Town Manager, Town of Hermon, Hermon, Maine.	Do.
Do	Piscataquis	Wellington, town of.	H 230416 01 through H 230416 12	do	Town Manager, Town of Wellington, Wellington, Maine 04900.	Do.
Maryland	Dorchester	Unincorporated areas.	H 240026 01 through H 240026 54	Department of Water Resources, State Office Bldg., Annapolis, Md. 21401. Maryland Insurance Department, 305 West Preston St., Baltimore, Md. 21601.	Dorchester County Planning Office, County of Dorchester, Box 307, Cambridge, Md. 21613.	Do.
Michigan	Wayne	Allen Park, city of.	H 260217A 01 through H 260217A 04	Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48926. Michigan Insurance Bureau, Mich. 111 North Hosmer St., Lansing, 48913.	City Engineer, City Hall, City of Allen Park, 6736 Allen Rd., Allen Park, Mich. 48101.	Do.
Do	Van Buren	Bangor, township of.	H 260210 01 through H 260210 12	do	Bangor Public Works, Township of Bangor, Bangor, Mich. 49053.	Do.
Do	Wayne	Melvindale, city of.	H 260310 01	do	City Manager, City of Melvindale, Melvindale, Mich. 48454.	Do.
Minnesota	Murray	Avoca, city of	H 270552 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.	City Mayor, City of Avoca, Avoca, Minn. 56114.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Redwood	Vesta, city of	H 270600 01	do	City Manager, City of Vesta, Vesta, Minn. 56292.	Do.
Do	Hennepin	Osseo, city of	H 270658 01	do	City Manager, City of Osseo, Osseo, Minn.	Do.
Do	Wright	Maple Lake, city of.	H 270667 01 through H 270667 02	do	City Manager, City of Maple Lake, Maple Lake, Minn. 55358.	Do.
Mississippi	Tallahatchie	Glendora, city of	H 280210 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.	Mayor, Town Hall, City of Glendora, Glendora, Miss. 38928.	Do.
Do	Tunica	Unincorporated areas.	H 280236 01 through H 280236 02	do	Planning Assistance Branch, Community Area Planning Division, County of Tunica, P.O. Box 217, Tunica, Miss. 38676.	Do.
Missouri	Barry	Washburn, city of	H 290324 01	Department of Natural Resources, Division of Program and Policy Development, Jefferson City, Mo. 65101. Division of Insurance, P.O. Box 690, Jefferson City, Mo. 65101.	Mayor, City of Washburn, Washburn, Mo. 65772.	Do.
Do	Chariton	Sumner, city of	H 290076 01	do	Mayor, City Building, Sumner, Mo. 64681.	Do.
Do	Clark	Revere, village of	H 290083 01	do	Mayor, Village of Revere, Revere, Mo. 63465.	Do.
Do	Taney	Rockaway Beach, village of.	H 290438 01	do	Mayor, City of Clerk Office, Rockaway Beach, Mo. 65740.	Do.
Do	Newton	Wentworth, village of	H 290483 01	do	Mayor, City Hall, Wentworth, Mo. 64873.	Do.
Do	do	Ritchey, village of.	H 290485 01	do	Chairman, Village of Ritchey, Board of Trustees of Redings Mill, Joplin, Mo. 64801.	Do.
Montana	Toole	Sunburst, town of.	H 300127 01 through H 300127 03	Montana Department of Natural Resources and Conservation, Water Resources Division, 32 South Ewing St., Helena, Mont. 59601. Montana Insurance Department, Capitol Bldg., Helena, Mont. 59601.	Town Manager, Town of Sunburst, Sunburst, Mont. 59482.	Do.
Nebraska	Arthur	Arthur, village of	H 310006 01	Nebraska Natural Resources Commission, 7th Floor, Terminal Bldg., Lincoln, Nebr. 68508. Nebraska Insurance Department, 1335 L St., Lincoln, Nebr. 68509.	Mayor, Village of Arthur, Arthur, Nebr. 69121.	Do.
Do	Garden	Lewellen, village of.	H 310097 01	do	Mayor, Village of Lewellen, Lewellen, Nebr. 69147.	Do.
Do	Lincoln	Hershey, village of.	H 310142 01	do	Mayor, Village of Hershey, Hershey, Nebr. 69143.	Do.
Do	Merrick	Silver Creek, village of.	H 310150 01	do	Village Board, Village of Silver Creek, Silver Creek, Nebr. 68663.	Do.
Do	Boone	Cedar Rapids, village of.	H 310258 01	do	Village Manager, Village of Cedar Rapids, Cedar Rapids, Nebr. 68027.	Do.
Do	Steward	Staplehurst, village of.	H 310322 01	do	Village Board, Village of Staplehurst, Staplehurst, Nebr. 68439.	Do.
Do	Greeley	Spalding, village of.	H 310398 01	do	Village Board, Village of Spalding, Spalding, Nebr. 68665.	Do.
New Hampshire.	Grafton	Orange, town of	H 330060 01 through H 330060 03	Office of State Planning, Division of Community Planning, State House Annex, Concord, N.H. 03301. New Hampshire Insurance Department, 78 North Main St., Concord, N.H. 03301.	Chairman, Planning Board, Orange, N.H.	Do.
Do	do	Waterville Valley, town of.	H 330077 01 through H 330077 10	do	Chairman, Board of Selectmen, Waterville Valley, N.H. 03223.	Do.
Do	Hillsborough	Sharon, town of	H 330192 01 through H 330192 04	do	Town Manager, Town of Sharon, Sharon, N.H.	Do.
Do	Coos	Stewartstown, town of.	H 330194 01 through H 330194 14	do	Town Manager, Town of Stewartstown, Stewartstown, N.H.	Do.
New York	Chenango	Bainbridge, town of.	H 361058 01 through H 361058 03	New York State Department of Environmental Conservation, Division of Resources Management Services Bureau of Water Management, Albany, N.Y. 12201. New York State Insurance Department, 123 William St., New York, N.Y. 10038.	Town Manager, Town of Bainbridge, Bainbridge, N.Y. 13733.	Do.
Do	Franklin	Harrietstown, town of.	H 361124 01 through H 361124 23	do	Town Manager, Town of Harrietstown, Harrietstown, N.Y.	Do.
Do	Genesee	Darien, town of	H 361140 01 through H 361140 06	do	Town Manager, Town of Darien, Darien, N.Y. 14040.	Do.
Do	St. Lawrence	Dekalb, town of	H 361174 01 through H 361174 06	do	Town Manager, Town of Dekalb, Dekalb, N.Y. 13630.	Do.
Do	St. Lawrence	Fine, town of	H 361177 01 through H 361177 13	do	Town Manager, Town of Fine, Fine, N.Y. 13639.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Steuben	Cameron, town of.	H 361208 01 through H 361208 04	do.	Town Manager, Town of Cameron, Cameron, N.Y. 14819.	Do.
Do.	Clinton	Black Brook, town of.	H 361300 01 through H 361300 39	do.	Town Manager, Town of Black Brook, Black Brook, N.Y.	Do.
Do.	Otsego	Milford, village of.	H 361352 01	do.	Mayor, Village of Milford, City Hall, Milford, N.Y. 13807.	Do.
Do.	Chemung	Erin, town of.	H 361374 01 through H 361374 06	do.	Town Manager, Town of Erin, Erin, N.Y. 14838.	Do.
Do.	Livingston	Caledonia, town of.	H 361411 01 through H 361411 12	do.	Mayor, Caledonia, N.Y. 14423.	Do.
Do.	Otsego	Exeter, town of.	H 361418 01 through H 361418 09	do.	Town Manager, Town of Exeter, Exeter, N.Y.	Do.
Do.	do.	Roseboom, town of.	H 361421 01 through H 361421 03	do.	Mayor, Town of Roseboom, Roseboom, N.Y. 13450.	Do.
Do.	Livingston	Leicester, village of.	H 361456 01	do.	Village Manager, Village of Leicester, Leicester, N.Y. 14481.	Do.
Do.	do.	Lima, village of.	H 361457 01	do.	Village Manager, Village of Lima, Lima, N.Y. 14485.	Do.
Do.	do.	Livonia, village of.	H 361458 01	do.	Village Manager, Village of Livonia, Livonia, N.Y. 14488.	Do.
Do.	St. Lawrence	Hermon, village of.	H 361464 01	do.	Village Manager, Village of Hermon, Hermon, N.Y. 13552.	Do.
Do.	do.	Richville, village of.	H 361467 01	do.	Mayor, Village of Richville, Richville, N.Y. 13681.	Do.
Do.	Tompkins	Trumansburg, village of.	H 361470 01	do.	Mayor, Village of Trumansburg, Trumansburg, N.Y. 14886.	Do.
Do.	Fulton	Northville, village of.	H 361484 01	do.	Mayor, Village of Northville, City Building, Northville, N.Y. 12134.	Do.
Do.	Ulster	Pine Hill, village of.	H 361547 01	do.	Town Supervisor, City Hall, Village of Pine Hill, Pine Hill, N.Y. 12465.	Do.
Do.	Wayne	Red Creek, village of.	H 361548 01	do.	Mayor, Village of Red Creek, Red Creek, N.Y. 13143.	Do.
Do.	Schoharie	Sharon Spring, village of.	H 361549 01	do.	Mayor, Village of Sharon Spring, Sharon Spring, N.Y. 13459.	Do.
Do.	Onondaga	Tully, village of.	H 361552 01	do.	Mayor, Village of Tully, Tully, N.Y. 13159.	Do.
North Carolina	Henderson	Unincorporated areas.	H 370125 01 through H 370125 02	North Carolina Office of Water and Air Resources, Department of Natural and Economic Resources, P.O. Box 27687, Raleigh, N.C. 27611. North Carolina Insurance Department, P.O. Box 26387, Raleigh, N.C. 27611.	County Manager, County of Henderson, Henderson County, N.C.	Do.
Do.	Rutherford	do.	H 370217 01 through H 370217 05	do.	County Manager, County of Rutherford, Rutherford County, N.C.	Do.
Do.	Watauga	do.	H 370251 01 through H 370251 05	do.	County Manager, County of Watauga, Watauga County, N.C.	Do.
North Dakota	Grand Forks	Manvel, city of.	H 380037 01	State Water Commission, State Office Bldg., 900 East Boulevard, Bismarck, N. Dak. 58501. North Dakota Insurance Department, State Capitol, Bismarck, N. Dak. 58501.	Mayor, City of Manvel, Manvel, N. Dak. 58256.	Do.
Do.	McHenry	Karlsruhe, city of.	H 380048 01	do.	Mayor, City of Karlsruhe, Karlsruhe, N. Dak. 58744.	Do.
Do.	Nelson	Michigan, city of.	H 380076 01	do.	Mayor, City of Michigan, Michigan, N. Dak. 58259.	Do.
Do.	Sargent	Ruthland, city of.	H 380200 01	do.	Mayor, City of Ruthland, Ruthland, N. Dak. 58067.	Do.
Do.	Barnes and Cass	Tower City, city of.	H 380210 01	do.	City Manager, City of Tower City, Tower City, N. Dak. 58071.	Do.
Do.	Towner	Cando, city of.	H 380217 01	do.	City Manager, City of Cando, Cando, N. Dak. 58324.	Do.
Do.	Sargent	Forman, city of.	H 380228 01	do.	City Manager, City of Forman, Forman, N. Dak. 58032.	Do.
Do.	do.	Gwimmer, city of.	H 380229 01	do.	City Manager, City of Gwimmer, Gwimmer, N. Dak. 58040.	Do.
Ohio	Gallia	Crown City, village of.	H 390187 01	Ohio Department of Natural Resources, Fountain Square, Columbus, Ohio 43224. Ohio Insurance Department, 115 East Rich Street, Columbus, Ohio 43215.	Mayor, Village of Crown City, Crown City, Ohio 45623.	Do.
Do.	Hamilton	Mariemont, village of.	H 390226A 01	do.	Mayor, Town of Mariemont, 6007 Wooster Park, Cincinnati, Ohio 45227.	Feb. 8, 1974. Jan. 10, 1975.
Do.	Jackson	Unincorporated areas.	H 390290 01 through H 390290 04	do.	Mayor, County of Jackson, Memorial Bldg., Jackson, Ohio 45640.	Do.
Do.	Medina	do.	H 390378 01 through H 390378 07	do.	Mayor, County of Medina, City Hall, 132 North Elmwood, Medina, Ohio 44256.	Do.
Do.	Miami	do.	H 390308 01 through H 390308 10	do.	Miami County Commissioners, County of Miami, Court House, Troy, Ohio 45373.	Do.
Do.	Morgan	do.	H 390420 01 through H 390420 04	do.	County Manager, County of Morgan, Morgan County, Ohio.	Do.
Do.	Noble	do.	H 390428 01 through H 390428 07	do.	Noble County Commissioners, County of Noble, Court House, Caldwell, Ohio 43724.	Do.
Do.	Greene	Cedarville, village of.	H 390607 01	do.	Village Manager, Village of Cedarville, Cedarville, Ohio 45314.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Lawrence	Chesapeake, village of.	H 390608 01	do.	Village Manager, Village of Chesapeake, Chesapeake, Ohio 45619.	Do.
Do.	Cuyahoga	Walton Hills, village of.	H 390636 01 through H 390636 04	do.	Village Manager, Village of Walton, Walton Hills, Ohio.	Do.
Oklahoma	Choctaw	Fort Towson, town of.	H 400030 01	Oklahoma Water Resources Board, 2241 Northwest 40th St., Oklahoma City, Okla. 73112. Oklahoma Insurance Department, Room 408, Will Rogers Memorial Bldg., Oklahoma City, Okla. 73105.	Chairman, City Council, Town of Fort Towson, Fort Towson, Okla. 74735.	Do.
Do.	McCurtain	Wright City, town of.	H 400109 01	do.	Chairman of Council, City Hall, Wright City, Okla. 73766.	Do.
Do.	Muskogee	Webbers Falls, town of.	H 400131 01	do.	President, Board of Trustees, Town of Webbers Falls, Webbers Falls, Okla. 74470.	Do.
Do.	Osage	Burbank, town of.	H 400149 01	do.	Mayor, Town of Burbank, Burbank, Okla. 74633.	Do.
Do.	Washita	Corn, town of.	H 400225 01	do.	Mayor, Town of Corn, Corn, Okla. 73024.	Do.
Do.	Comanche	Sterling, town of.	H 400414 01	do.	Mayor, Town Hall, Town of Sterling, Sterling, Okla. 73567.	Do.
Oregon	Clackamas	Barlow, city of.	H 410013 01	Executive Department, State of Oregon, Salem, Oreg. 97310. Oregon Insurance Division, Department of Commerce, 158 12th St., Northeast, Salem, Oreg. 97310.	Mayor, City Hall, City of Barlow, Barlow, Oreg. 97003.	Do.
Do.	Columbia	Prescott, city of.	H 410037 01	do.	Mayor, City Hall, City of Prescott, Prescott, Oreg.	Do.
Do.	Clackamas, Multnomah, and Washington.	Portland, city of.	H 410183 01 through H 410183 35	do.	City of Portland Planning Commission, City of Portland, 474 Southeast Main St., Portland, Oreg. 97204.	Do.
Do.	Douglas	Oakland, city of.	H 410271 01	do.	City Mayor, City of Oakland, Oakland, Oreg. 73462.	Do.
Pennsylvania	Huntingdon	Broad Top City, borough of.	H 420483 01	Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 17120. Pennsylvania Insurance Department, 108 Finance Bldg., Harrisburg, Pa. 17120.	Mayor, Borough of Broad Top City, Broad Top City, Pa. 16621.	Do.
Do.	Berks	Upper Tulpehocken, township of.	H 421120 01 through H 421120 07	do.	Chairman, Board of Supervisors, Township of Upper Tulpehocken, Rural Delivery No. 1, Bernville, Pa. 19506.	Do.
Do.	Adams	Freedom, township of.	H 421251 01 through H 421251 05	do.	Chairman, Board of Supervisors, Township of Freedom, Rural Delivery No. 2, Fairfield, Pa. 17320.	Do.
Do.	Bedford	Schellsburg, borough of.	H 421329 01	do.	Mayor, Borough of Schellsburg, Schellsburg, Pa. 15559.	Do.
Do.	do.	Monroe, township of.	H 421347 01 through H 421347 12	do.	Chairman, Board of Supervisors, Township of Monroe, Star Route 4, Everett, Pa. 15537.	Do.
Do.	Erie	Girard, township of.	H 421363 01 through H 421363 11	do.	Chairman, Board of Supervisors, Township of Girard, Rural Delivery No. 1, Allegheny Ave., Lake City, Pa. 16423.	Do.
Do.	Blair	Snyder, township of.	H 421393 01 through H 421393 04	do.	Chairman, Board of Supervisors, Township of Snyder, Rural Delivery No. 4, Box 194, Tyrone, Pa. 16686.	Do.
Do.	Cambria	Blacklick, township of.	H 421435 01 through H 421435 09	do.	Chairman, Board of Supervisors, Township of Blacklick, Rural Delivery No. 1, Strongstown, Pa. 15957.	Do.
Do.	Chester	Wallace, township of.	H 421493 01 through H 421493 02	do.	Chairman, Board of Supervisors, Rural Delivery No. 2, Township of Wallace, Glen Moore, Pa. 19343.	Do.
Do.	Crawford	Linesville, borough of.	H 421560 01 through H 421560 02	do.	Mayor, Borough of Linesville, 123 Erie St., Linesville, Pa. 16424.	Do.
Do.	Elk	Highland, town-township of.	H 421609 01 through H 421609 21	do.	Chairman, Board of Supervisors, Township of Highland, James City, Pa. 16734.	Do.
Do.	Huntingdon	Carbon, township of.	H 421685 01 through H 421685 02	do.	Chairman, Board of Supervisors, Township of Carbon, Rural Delivery No. 1, Saxton, Pa. 16678.	Do.
Do.	do.	Oneida, township of.	H 421697 01 through H 421697 06	do.	Chairman, Board of Supervisors, Township of Oneida, Rural Delivery No. 2, Huntingdon, Pa. 16652.	Do.
Do.	Juniata	Monroe, township of.	H 421744 01 through H 421744 07	do.	Chairman, Board of Supervisors, Township of Monroe, Richfield, Pa. 17086.	Do.
Do.	Lackawanna	Benton, township of.	H 421749 01 through H 421749 09	do.	Chairman, Board of Supervisors, Township of Benton, Rural Delivery No. 2, Factoryville, Pa. 18419.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Lawrence	Perry, township of.	H 421796 01 through H 429796 06	do	Chairman, Board of Supervisors, Rural Delivery No. 2, Township of Perry, Potersville, Pa. 16051.	Do.
Do	Lehigh	Weisenberg, township of.	H 421817 01 through H 421817 04	do	Chairman, Board of Supervisors, Township of Weisenberg, R.F.D. 1, Breinigsville, Pa. 18031.	Do.
Do	Mercer	Jefferson	H 421869 01 through H 421869 08	do	Chairman, Board of Supervisors, Township of Jefferson, Rural Delivery No. 2, Sharpsville, Pa. 16150.	Do.
Do	Mifflin	Armagh, township of.	H 421879 01 through H 421879 25	do	Chairman, Board of Supervisors, Township of Armagh, Milroy, Pa. 17063.	Do.
Do	Montour	Liberty, township of.	H 421921 01 through H 421921 11	do	Chairman, Board of Supervisors, Township of Liberty, Rural Delivery No. 1, Danville, Pa. 17821.	Do.
Do	Potter	Ulysses, township of.	H 421901 01 through H 421901 17	do	Chairman, Board of Supervisors, Township of Ulysses, Rural Delivery No. 1, Ulysses, Pa. 16948.	Do.
Do	Schuylkill	Norwegian, township of.	H 422015 01 through H 422015 03	do	Chairman, Board of Supervisors, Township of Norwegian, Walnut St., Marlin, Pa. 17951.	Do.
Do	do	South Manheim, township of.	H 422022 01 through H 422022 08	do	Chairman, Board of Supervisors, Township of South Manheim, Rural Delivery No. 1, Auburn, Pa. 17922.	Do.
Do	do	West Brunswick, township of.	H 422028 01 through H 422028 12	do	Chairman, Board of Supervisors, Township of West Brunswick, Rural Delivery No. 1, Orwigsburg, Pa. 17961.	Do.
Do	Snyder	Middle Creek, township of.	H 422037 01 through H 422037 02	do	Chairman, Board of Supervisors, Township of Middle Creek, Kreamer, Pa. 17833.	Do.
Do	Susquehanna	Montrose, borough of.	H 422070 01 through H 422070 02	do	Mayor, Borough of Montrose, One Chestnut St., Montrose, Pa. 18801.	Do.
Do	do	Choconut, township of.	H 422076 01 through H 422076 02	do	Chairman, Board of Supervisors, Township of Choconut, Rural Delivery No. 1, Friendsville, Pa. 18818.	Do.
Do	do	Silver Lake, township of.	H 422091 01 through H 422091 03	do	Chairman, Board of Supervisors, Township of Silver Lake, Brackney, Pa. 18812.	Do.
Do	do	Springville, township of.	H 422092 01 through H 422092 08	do	Chairman, Board of Supervisors, Township of Springville, Rural Delivery No. 1, Springville, Pa. 18844.	Do.
Do	Venango	President, township of.	H 422112 01 through H 422112 04	do	Chairman, Board of Supervisors, Township of President, Henrys Bend, Star Route, Oil City, Pa. 16301.	Do.
Do	do	Rockland, township of.	H 422113 01 through H 422113 17	do	Chairman, Board of Supervisors, Township of Rockland, Kennerdell, Pa. 16374.	Do.
Do	Warren	Elk, township of	H 422119 01 through H 422119 04	do	Chairman, Board of Supervisors, Township of Elk, Rural Delivery No. 1, Russell, Pa. 16345.	Do.
Do	Washington	Peters, township of.	H 422152 01 through H 422152 07	do	Chairman, Board of Supervisors, 124 Holly Dr., McMurray, Pa. 15317.	Do.
Do	Wayne	Berlin, township of.	H 422158 01 through H 422158 13	do	Chairman, Board of Supervisors, Township of Berlin, Rural Delivery No. 4, Honesdale, Pa. 18431.	Do.
Do	York	Heidelberg, township of.	H 422221 01 through H 422221 09	do	Chairman, Board of Supervisors, Township of Heidelberg, Rural Delivery No. 3, Spring Grove, Pa. 17362.	Do.
Do	Beaver	Marion, township of.	H 422249 01 through H 422249 04	do	Board of Supervisors, Township of Marion, Rural Delivery No. 1, Fombell, Pa. 16123.	Do.
Do	Armstrong	Perry, township of.	H 422301 01 through H 422301 03	do	Chairman, Board of Supervisors, Township of Perry, Rural Delivery No. 2, Parker, Pa. 16049.	Do.
Do	do	West Franklin, township of.	H 422304 01 through H 422304 12	do	Chairman, Board of Supervisors, Township of West Franklin, Rural Delivery No. 2, Worthington, Pa. 16262.	Do.
Do	Beaver	South Beaver, township of.	H 422329 01 through H 422329 04	do	Chairman, Board of Supervisors, Township of South Beaver, Rural Delivery No. 1, Darlington, Pa. 16115.	Do.
Do	Blair	Huston, township of.	H 422332 01 through H 422332 04	do	Chairman, Board of Supervisors, Township of Huston, Rural Delivery No. 2, Martinsburg, Pa. 16662.	Do.
Do	Bucks and Montgomery.	Telford, borough of.	H 422339 01 through H 422339 02	do	Mayor, Borough of Telford, 314 North Main St., Telford, Pa. 18969.	Do.
Do	Butler	Cherry, township of.	H 422342 01 through H 422342 02	do	Chairman, Board of Supervisors, Township of Cherry, Rural Delivery No. 4, Slippery Rock, Pa. 16057.	Do.
Do	do	Clearfield, township of.	H 422344 01 through H 422344 02	do	Chairman, Board of Supervisors, Township of Clearfield, Rural Delivery No. 1, Fenelton, Pa. 16034.	Do.
Do	do	Clinton, township of.	H 422345 01 through H 422345 02	do	Chairman, Board of Supervisors, Township of Clinton, Rural Delivery No. 1, Saxonburg, Pa. 16056.	Do.
Do	do	Eau Claire, borough of.	H 422348 01 through H 422348 02	do	Mayor, Borough of Eau Claire, Box 61, Eau Claire, Pa. 16030.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	do.	Mercer, township of.	H 422352 01 through H 422352 02	do.	Chairman, Board of Supervisors, Township of Mercer, Rural Delivery No. 3, Slippery Rock, Pa. 16057.	Do.
Do.	do.	Muddy Creek, township of.	H 422353 01 through H 422353 04	do.	Chairman, Board of Supervisors, Township of Muddy Creek, Rural Delivery No. 1, Portersville, Pa. 16051.	Do.
Do.	do.	Oakland, township of.	H 422354 01 through H 422354 02	do.	Chairman, Board of Supervisors, 530 Chicora Rd., Butler, Pa. 16001.	Do.
Do.	do.	Portersville, borough of.	H 422355 01 through H 422355 02	do.	Mayor, Borough of Portersville, Portersville, Pa. 16051.	Do.
Do.	Clarion	Ashland, township of.	H 422361 01 through H 422361 02	do.	Chairman, Board of Supervisors, Township of Ashland, Rural Delivery No. 1, Cranberry, Pa. 16319.	Do.
Do.	do.	Madison, township of.	H 422370 01 through H 422370 03	do.	Chairman, Board of Supervisors, Township of Madison, Rural Delivery No. 1, Rimersburg, Pa. 16248.	Do.
Do.	do.	Salem, township of.	H 422376 01 through H 422376 02	do.	Chairman, Board of Supervisors, Township of Salem, Rural Delivery No. 2, Knox, Pa. 16232.	Do.
Do.	Crawford	Conneaut, township of.	H 422387 01 through H 422387 12	do.	Chairman, Board of Supervisors, Township of Conneaut, Rural Delivery No. 2, Linesville, Pa. 16424.	Do.
Do.	do.	Cussewago, township of.	H 422388 01 through H 422388 11	do.	Chairman, Board of Supervisors, Township of Cussewago, Route 3, Saegertown, Pa. 16433.	Do.
Do.	do.	East Fallowfield, township of.	H 422389 01 through H 422389 08	do.	Chairman, Board of Supervisors, Township of East Fallowfield, Atlantic, Pa. 16111.	Do.
Do.	do.	Randolph, township of.	H 422393 01 through H 422393 12	do.	Chairman, Board of Supervisors, Township of Randolph, Rural Delivery No. 2, Guys Mills, Pa. 16327.	Do.
Do.	do.	Rockdale, township of.	H 422394 01 through H 422394 10	do.	Chairman, Board of Supervisors, Township of Rockdale, Rural Delivery No. 3, Cambridge Springs, Pa. 16403.	Do.
Do.	do.	Summit, township of.	H 422400 01 through H 422400 08	do.	Chairman, Board of Supervisors, Township of Summit, Rural Delivery No. 3, Conneaut Lake, Pa. 16316.	Do.
Do.	Cumberland	Newburg, borough of.	H 422405 01	do.	Mayor, Borough of Newburg, Newburg, Pa. 17240.	Do.
Do.	Erie	LeBoeuf, township of.	H 422415 01 through H 422415 09	do.	Chairman, Board of Supervisors, Township of LeBoeuf, Rural Delivery No. 2.	Do.
Do.	Greene	Dunkard, township of.	H 422431 01 through H 422431 03	do.	Chairman, Board of Supervisors, Township of Dunkard, Davistown, Pa. 15326.	Do.
Do.	do.	Gilmore, township of.	H 422433 01 through H 422433 02	do.	Chairman, Board of Supervisors, Township of Gilmore, Pine Bank, Pa. 15354.	Do.
Do.	do.	Perry, township of.	H 422434 01 through H 422434 04	do.	Chairman, Board of Supervisors, Township of Perry, Mt. Morris, Pa. 15349.	Do.
Do.	Indiana	North Mahoning, township of.	H 422438 01 through H 422438 04	do.	Chairman, Board of Supervisors, Township of North Mahoning, Rural Delivery No. 1, Smicksburg, Pa. 16256.	Do.
Do.	Jefferson	Perry, township of.	H 422444 01 through H 422444 12	do.	Chairman, Board of Supervisors, Township of Perry, Valier, Pa. 15780.	Do.
Do.	Juniata	Tuscarora, township of.	H 422452 01 through H 422452 04	do.	Chairman, Board of Supervisors, Township of Tuscarora, Rural Delivery No. 1, East Waterford, Pa. 17021.	Do.
Do.	Lackawanna	Covington, township of.	H 422455 01 through H 422455 09	do.	Chairman, Board of Supervisors, Township of Covington, Rural Delivery No. 3, Moscow, Pa. 18444.	Do.
Do.	do.	Greenfield, township of.	H 422456 01 through H 422456 07	do.	Chairman, Board of Supervisors, Township of Greenfield, Rural Delivery, Jermyn, Pa. 18433.	Do.
Do.	Lawrence	Little Beaver, township of.	H 422464 01 through H 422464 02	do.	Chairman, Board of Supervisors, Township of Little Beaver, Rural Delivery No. 1, New Galilee, Pa. 16141.	Do.
Do.	Mercer	Deer Creek, township of.	H 422476 01 through H 422476 06	do.	Chairman, Board of Supervisors, Township of Deer Creek, Rural Delivery No. 3, Cochranton, Pa. 16314.	Do.
Do.	Pike	Milford, township of.	H 422499 01 through H 422499 06	do.	Chairman, Board of Supervisors, Township of Milford, Milford, Pa. Pa. 18337.	Do.
Do.	Somerset	Brothers Valley, township of.	H 422511 01 through H 422511 10	do.	Chairman, Board of Supervisors, Township of Brothers Valley, Rural Delivery No. 1, Berlin, Pa. 15530.	Do.
Do.	do.	Larimer, township of.	H 422515 01 through H 422515 02	do.	Chairman, Board of Supervisors, Township of Larimer, Rural Delivery No. 4, Meyersdale, Pa. 15552.	Do.
Do.	do.	Lincoln, township of.	H 422516 01 through H 422516 04	do.	Chairman, Board of Supervisors, Rural Delivery No. 2, Township of Lincoln, Somerset, Pa. 15501.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Venango	Cherrytree, township of.	H 422530 01 through H 422530 12	do	Chairman, Board of Supervisors, Township of Cherrytree, Rural Delivery No. 3, Titusville, Pa. 16354.	Do.
Do	Warren	Watson, township of.	H 422551 01 through H 422551 04	do	Chairman, Board of Supervisors, Township of Watson, Rural Delivery No. 1, Tidioute, Pa. 16351.	Do.
Do	Washington	Hanover, township of.	H 422555 01 through H 422555 06	do	Chairman, Board of Supervisors, Township of Hanover, Rural Delivery No. 1, Burgettstown, Pa. 15021.	Do.
Do	do	Jefferson, township of.	H 422557 01 through H 422557 04	do	Chairman, Board of Supervisors, Rural Delivery No. 4, Township of Jefferson, Burgettstown, Pa. 15021.	Do.
Do	do	North Bethlehem, township of.	H 422560 01 through H 422560 04	do	Chairman, Board of Supervisors, Township of North Bethlehem, Scenery Hill, Pa. 15360.	Do.
Do	Huntingdon	Walker, township of.	H 422577 01 through H 422577 06	do	Chairman, Board of Supervisors, Township of Walker, Rural Delivery No. 1, Huntingdon, Pa. 16652.	Do.
Do	Cambria	Elder, township of.	H 422592 01 through H 422592 06	do	Chairman, Board of Supervisors, Township of Elder, Rural Delivery Box 121, Hastings, Pa. 16646.	Do.
Do	do	Franklin, borough of.	H 422593 01	do	Mayor, Borough of Franklin, 160 Main Street, Conemaugh, Pa. 15909.	Do.
Do	do	Chest, township of.	H 422604 01 through H 422604 04	do	Chairman, Board of Supervisors, Township of Chest, Rural Delivery, Patton, Pa. 16668.	Do.
South Carolina	Colleton	Williams, town of.	H 450059 01	South Carolina Water Resources Commission, P.O. Drawer 164, 700 Knox Abbott Dr., Cayce, S.C. 29033. South Carolina Insurance Commission, 2711 Middleburg St., Columbia, S.C. 29204.	Mayor, Town of Williams, Williams, S.C. 29493.	Do. Do.
South Dakota	Hughes	Blunt, town of	H 460039 01	South Dakota Planning Agency, Office of Executive Management, State Capitol Bldg., Pierre, S. Dak. 57501. South Dakota Department of Insurance, Insurance Bldg., Pierre, S. Dak. 57501.	Town Manager, Town of Blunt, Blunt, S. Dak. 57522.	Do. Do.
Tennessee	Carroll	Bruceton, town of.	H 470218 01 through H 470218 02	Tennessee State Planning Office, 660 Capitol Hill Bldg., Nashville, Tenn. 37219. Tennessee Department of Insurance and Banking, 114 State Office Bldg., Nashville, Tenn. 37219.	Town Manager, Town of Bruceton, Bruceton, Tenn. 38317.	Do.
Do	Crockett	Bells, town of	H 470220 01	do	Town Manager, Town of Bells, Bells, Tenn. 38006.	Do.
Texas	Bexar	Leon Valley, city of.	H 480042A 01 through H 480042A 02	Texas Water Development Board, P.O. Box 13087, Capitol Station, Austin, Tex. 78711. Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701.	City Hall, Leon Valley, 6400 El Verde Rd., San Antonio, Tex. 78238.	Oct. 12, 1973. Jan. 10, 1975.
Do	Dallas	Dallas, city of	H 480171 01 through H 480171 97	do	Dallas County Department of Public Works, 412 Record Bldg., Dallas, Tex. 75202.	Do.
Do	Lipscomb	Darrouzett, town of.	H 480445 01	do	Mayor, Town of Darrouzett, Darrouzett, Tex. 79124.	Do.
Do	Smith	Tyler, city of	H 480571 01 through H 480571 18	do	Mr. Ed L. Wagoner, City Manager, City of Tyler, P.O. Box 2039, Tyler, Tex. 75701.	Do.
Do	Bell	Unincorporated areas.	H 480706 01 through H 480706 02	do	County Manager, County of Bell, Bell County, Tex.	Do.
Do	Collins	Fairview, town of.	H 481060 01 through H 481060 04	do	County Judge, County Court House, Collin County Commissioners Court, McKinney, Tex. 75069.	Do.
Utah	Sevier	Annabella, town of.	H 490122 01	Department of Natural Resources, Division of Water Resources, State Capitol Bldg., Room 435. Utah Insurance Department, 115 State Capitol, Salt Lake City, Utah 84114.	Town President, Town of Annabella, Annabella, Utah 84711.	Do.
Do	do	Elsinore, town of	H 490125 01	do	Town President, Town Hall, Elsinore, Utah 84724.	Do.
Do	do	Joseph, town of	H 490127 01	do	Town President, Town of Joseph, Joseph, Utah 84739.	Do.
Do	Utah	Unincorporated areas.	H 495517 01 through H 495517 02	do	County Surveyor, County of Utah, City and County Building, Provo, Utah 84601.	Do.
Vermont	Franklin	Fairfield, town of.	H 500053 01 through H 500053 10	Management and Engineering Division, Water Resources Department, State Office Bldg., Montpelier, Vt. 05602. Vermont Insurance Department, State Office Bldg., Montpelier, Vt. 05602.	Chairman, Fairfield Board of Selectmen, c/o Town Clerk, Town of Fairfield, Fairfield, Vt. 05455.	Do.
Do	Windsor	Plymouth, town of.	H 500151 01 through H 500151 04	do	Chairman, Plymouth Board of Selectmen, Town of Plymouth, Plymouth, Vt. 05056.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Bennington	Peru, town of	H 500181 01 through H 500181 14	do.	Chairman, Board of Selectmen, Town of Peru, Peru, Vt. 05152.	Do.
Do.	Caledonia	Newark, town of	H 500190 01 through H 500190 04	do.	Mayor, Town of Newark, Town Hall, Newark, Vt.	Do.
Do.	Franklin	St. Albans, town of.	H 500219 01 through H 500219 04	do.	Mayor, Town of St. Albans, Municipal Building, St. Albans, Vt. 05478.	Do.
Do.	Grand Isle	North Hero, town of.	H 500225 01 through H 500225 05	do.	Chairman, Board of Selectmen, Town of North Hero, North Hero, Vt. 05474.	Do.
Do.	Orleans	Albany, town of	H 500243 01 through H 500243 04	do.	Chairman, Albany Board of Selectmen, Town of Albany, Albany, Vt. 05820.	Do.
Do.	Rutland	Mount Tabor, town of.	H 500262 01 through H 500262 03	do.	Chairman, Mt. Tabor Board of Selectmen, Town of Mt. Tabor, Mount Tabor, Vt.	Do.
Do.	do.	Wells, town of	H 500271 01 through H 500271 02	do.	Chairman, Board of Selectmen, Town of Wells, Town Hall, Wells, Vt. 05774.	Do.
Do.	Windham	North Westminster, village of.	H 500285 01	do.	Chairman, Westminster Board of Selectmen, Village of North Westminster, Westminster, Vt. 05158.	Do.
Virginia	Chesterfield	Unincorporated areas.	H 510035 01 through H 510035 173	Bureau of Water Control Management, State Water Control Board, P.O. Box 11143, Richmond, Va. 23230. Virginia Insurance Department, 700 Blanton Bldg., P.O. Box 1157, Richmond, Va. 23209.	Planning Director, Planning Department, County of Chesterfield, Chesterfield County Court House, Chesterfield, Va. 23832.	Do.
Do.	Prince William	do.	H 510119 01 through H 510119 24	do.	Department of Public Works, Prince William County, 9253 Lee Ave., Manassas, Va. 22110.	Do.
Do.	Shenandoah	Toms Brook, town of.	H 510233 01	do.	Mayor, Town Hall, Town of Toms Brook, Toms Brook, Va. 22660.	Do.
Do.	Prince Edward	Unincorporated areas.	H 510230 01 through H 510230 25	do.	County Administrator, Prince Edward County, Richmond, Va. 23219.	Do.
Washington	Chelan	do.	H 530015 01 through H 530015 07	Department of Ecology, Olympia, Wash. 98501. Washington Insurance Department, Insurance Bldg., Olympia, Wash. 98501.	Chelan County Regional Planning Council, 411 Washington St., Wenatchee, Wash. 98801.	Do.
Do.	Grant	Wilson Creek, town of.	H 530056 01	do.	City Council, Town of Wilson Creek, Wilson Creek, Wash. 98860.	Do.
Do.	Lincoln	Reardan, town of	H 530112 01	do.	Mayor, Town Hall, Town of Reardan, Reardan, Wash. 99030.	Do.
West Virginia	Grant	Unincorporated areas.	H 540038 01 through H 540038 34	Office of Federal-State Relations, Room W 115, Capitol Building, Charleston, W. Va. 25305. West Virginia Insurance Department, State Capitol, Charleston, W. Va. 25305.	Chairman, Grant County Planning Commission, Grant County Court House, County of Grant, Petersburg, W. Va. 26847.	Do.
Do.	McDowell	do.	H 540114 01 through H 540114 34	do.	Mayor, McDowell County Court, County of McDowell, Welch, W. Va. 24801.	Do.
Do.	Wayne	Wayne, town of	H 540231 01 through H 540231 03	do.	County Court of Wayne County, Town of Wayne, Wayne, W. Va. 25570.	Do.
Do.	Braxton	Gassaway, town of.	H 540237 01 through H 540237 02	do.	Mayor, Town of Gassaway, Gassaway, W. Va. 26624.	Do.
Do.	Randolph	Mill Creek, town of.	H 540266 01	do.	Mayor, Town of Mill Creek, Mill Creek, W. Va. 26280.	Do.

(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, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: January 7, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-2010 Filed 1-27-75;8:45 am]

Title 36—Parks, Forests and Public Property

CHAPTER I—NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SERVICE

Cape Hatteras National Seashore, North Carolina; Fishing Regulations

A proposal was published at 39 FR 43728 of the FEDERAL REGISTER of December 18, 1974, to amend paragraph (c) of § 7.58 of Title 36 of the Code of Federal Regulations. The effect of the amendment is to establish restrictions on the commercial fishing use of designated portions of the seashore beaches to balance the commercial and recreational use of the fishing resource and provide for greater public safety.

Interested persons were given 15 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment.

A number of comments were received that endorsed the proposal as published. Other responses objected to the proposal on the basis of its limited scope with respect to area and specific time closures, interference with traditional rights, and general need for such a regulation. Following complete evaluation of the comments and objectives, it was concluded that the proposed amendment should be adopted as published on December 18, 1974.

It is the policy of the Department of the Interior whenever practicable to provide the full 30-day period following publication and the effective date of the rule. However, since the fishing season is already underway at the seashore, and a further delay in implementation of the rule could lead to confrontations between commercial and sport-fishing groups over the fishery resource, and endanger the public safety, this amendment will become effective February 12, 1975.

(5 U.S.C. 553; 16 U.S.C. 3)

The heading of § 7.58 is revised and paragraph (c) of § 7.58 is amended by the addition of paragraph (6) as follows:

* * * * *

§ 7.58 Cape Hatteras National Seashore Recreational Area; hunting.

(c) Fishing * * *

(6) Sport-fishing Zone. A zone is established for the protection and enhancement of recreational sport-fishing commencing at Beach Access Ramp No. 22 and continuing south and west along the ocean shore, including Cape Point (Cape Hatteras), to Beach Access Ramp No. 30. Within this zone commercial fishing, as specified in the Act of August 17, 1937 (50 Stat. 669), is permitted, except between the hours of 12:01 a.m. on Saturday to 11:59 p.m. on Sunday from October 1 through April 30, commercial fishermen are not permitted to haul seines or nets onto the beach within the Zone.

* * * * *

RUSSELL E. DICKENSON,
Deputy Director,
National Park Service.

[FR Doc.75-2600 Filed 1-27-75;8:45 am]

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER I—VETERANS' ADMINISTRATION

PART 2—DELEGATIONS OF AUTHORITY

Chief Benefits Director

Section 2.85 is revised to read as follows:

§ 2.85 Chief benefits director and/or assistant director for insurance authorized to make any determinations required under § 9.22 of this chapter relative to Servicemen's Group Life Insurance and Veterans' Group Life Insurance.

This delegation of authority is identical to § 9.22(d) of this chapter.

Approved: January 22, 1975.

By direction of the Administrator.

[SEAL] ODELL W. VAUGHN,
Deputy Administrator.

[FR Doc.75-2525 Filed 1-27-75;8:45 am]

PART 9—SERVICEMEN'S GROUP LIFE INSURANCE AND VETERANS' GROUP LIFE INSURANCE

Creation of 5-Year Nonrenewable Term Plan of Insurance

Part 9 of Title 38, Code of Federal Regulations is revised to implement the provisions of Pub. L. 93-289 (88 Stat. 165) relating to Servicemen's Group Life Insurance and Veterans' Group Life Insurance. This act made many changes in the Servicemen's Group Life Insurance. The principal changes are as follows:

(1) It increased the amount of coverage to $20,000;

(2) It extended full-time coverage to qualified members of the Ready Reserve;

(3) It extended full-time coverage to members of the Retired Reserve and those individuals eligible for the Retired Reserve;

(4) It created a new 5-year nonrenewable term plan of insurance for those individuals separated from active duty on and after August 1, 1974, and made the same insurance available to those individuals separated from active duty not more than 4 years prior to August 1, 1974.

Compliance with the provisions of § 1.12, Title 38, Code of Federal Regulations requiring public participation in regulatory development is not recommended in this instance. Before the Administrator and the primary insurer, Prudential Insurance Company of America, can enter into other than a temporary agreement to carry out the provisions of Pub. L. 93-289, it is necessary that the Veterans Administration first promulgate implementing regulations. It is desirable that this can be done as soon as possible so that the Administrator and the insurer can enter into the necessary contract at the earliest possible date. For these reasons I believe it would be impractical and contrary to the public interest to give the usual preliminary 30-day notice and comment period.

Part 9 of Title 38 is revised to read as follows:

Sec.
9.1 Definitions.
9.2 Effective date.
9.3 Applications.
9.4 Amount of insurance.
9.5 Coverage.
9.6 Waiver or reduction of coverage.
9.7 Extension of coverage based on disability.
9.8 Restoration of coverage.
9.10 Deductions from pay.
9.12 Payment for extra hazards.
9.14 Group life insurance fund.
9.16 Beneficiaries and options.
9.17 Taxation and exemption.
9.18 Payment of proceeds.
9.20 Assignments.
9.22 Administrative decisions.
9.24 Termination of coverage.
9.26 Conversion privilege.
9.27 Health standards.
9.28 Criteria for reinsurers and converters.
9.30 Reinsurance formula.
9.32 Actions on the policy.
9.34 Forfeiture.
9.36 Veterans' Group Life Insurance.

AUTHORITY: The provisions of this Part 9 issued under 72 Stat. 1114, 79 Stat. 880, 84 Stat. 326, 88 Stat. 165; 38 U.S.C. 210, Subchapter III, Chapter 19)

§ 9.1 Definitions.

(a) The term "member" means (1) A person on active duty, active duty for training, or inactive duty training in the uniformed services in a commissioned, warrant, or enlisted rank or grade, or as a cadet or midshipman at the U.S. Military Academy, U.S. Naval Academy, U.S. Air Force Academy, or the U.S. Coast Guard Academy;

(2) A person who volunteers for assignment to the Ready Reserve of a uniformed service and is assigned to a unit or position in which he or she may be required to perform active duty, or active duty for training, and each year will be scheduled to perform at least twelve periods of inactive duty training that is creditable for retirement purposes under chapter 67 of title 10, United States Code;

(3) A person assigned to, or who upon application would be eligible for assignment to, the Retired Reserve of a uniformed service who has not received the first increment of retirement pay or has not yet reached 61 years of age and has completed at least 20 years of satisfactory service creditable for retirement purposes under chapter 67 of title 10, United States Code;

(4) A member, cadet, or midshipman of the Reserve Officers Training Corps

while attending field training or practice cruises; and

(5) A person whose coverage is extended after termination of duty under § 9.5(a) or under § 9.7(a) or (b).

(b) The term "active duty" means (1) Full-time duty in the Armed Forces, other than active duty for training;

(2) Full-time duty (other than for training purposes) as a commissioned officer of the Regular or Reserve Corps of the Public Health Service;

(3) Full-time duty as a commissioned officer of the National Oceanic and Atmospheric Administration;

(4) Full-time duty as a cadet or midshipman at the U.S. Military Academy, U.S. Naval Academy, U.S. Air Force Academy, or the U.S. Coast Guard Academy.

(c) The term "Armed Forces" means the U.S. Army, Navy, Air Force, Marine Corps, Coast Guard and the Reserves thereof.

(d) The term "active duty for training" means (1) Full-time duty in the Armed Forces performed by Reserves for training purposes;

(2) Full-time duty for training purposes performed as a commissioned officer of the Reserve Corps of the Public Health Service;

(3) Full-time duty as a member, cadet, or midshipman of the Reserve Officers Training Corps while attending field training or practice cruises; and

(4) In the case of members of the Army National Guard or Air National Guard of any State, full-time duty under sections 316, 502, 503, 504, or 505 of title 32, United States Code.

(e) The term "inactive duty training" means (1) Duty (other than full-time duty) prescribed or authorized for Reserves (including commissioned officers of the Reserve Corps of the Public Health Service) which duty is scheduled in advance by competent authority to begin at a specific time and place; and

(2) In the case of a member of the Army National Guard or Air National Guard of any State, such term means duty (other than full-time duty) which is scheduled in advance by competent authority to begin at a specific time and place under sections 316, 502, 503, 504, or 505 of title 32, United States Code.

(f) The terms "active duty for training" and "inactive duty training" do not include duty performed as a temporary member of the Coast Guard Reserve, and the term "inactive duty training" does not include (1) work or study performed in connection with correspondence courses; or (2) attendance at an educational institution in an inactive status.

(g) The term "uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard, including in each instance the corresponding Reserve and Reserve Officers Training Corps, if any, and in the case of the Army, including the Army National Guard and in the case of the Air Force, the Air National Guard. Also included are the commissioned corps of the Public Health Service and its Reserve Corps and the commissioned corps of the National Oceanic and Atmospheric Administration.

(h) The term "policy" means Group Policy No. G-32000, effective September 29, 1965, purchased pursuant to subchapter III of chapter 19, title 38, United States Code, from the insurer, which was executed and attested on December 30, 1965, and amended on May 24, 1974.

(i) The term "insurer" means the commercial life insurance company or companies selected under 38 U.S.C. 766 to provide insurance coverage specified in the policy.

(j) The term "administrative office" means the Office of Servicemen's Group Life Insurance located at 212 Washington Street, Newark, NJ 07102, which is the administrative office established pursuant to 38 U.S.C. 766(b) by the insurer.

(k) The term "reinsurer" means any life insurance company, meeting established criteria as set forth in § 9.28 which reinsures a portion of the total amount of insurance covered by the policy and issues individual life insurance policies in accordance with § 9.26.

(l) The term "converter" means any life insurance company, meeting criteria set forth in § 9.28 which issues individual life insurance policies in accordance with § 9.26.

(m) The term "coverage" means Servicemen's Group Life Insurance or Veterans' Group Life Insurance payable upon death occurring while the member is insured under the policy.

(n) The term "termination of duty" means (1) In the case of active duty or active duty for training being performed under a call or order that does not specify a period of less than 31 days-discharge, release or separation from such duty.

(2) In the case of other duty—the member's release from his or her obligation to perform any duty in his or her uniformed service (active duty, or active duty for training or inactive duty training) whether arising from limitations included in a contract of enlistment or similar form of obligation or arising from resignation, retirement or other voluntary action by which the obligation to perform such duty ceases.

(o) The term "waive" or "waiver" means an election in writing signed by a member and received by the uniformed service not to be insured under the policy.

(p) The term "break in service" means the situation(s) in which: (1) A member terminates duty or obligation to perform duty in one service and enters on duty or assumes the obligation to perform duty in another uniformed service, regardless of the length of time intervening.

(2) A member reenters on duty or resumes an obligation to perform duty as a Reserve in the same uniformed service and 1 calendar day or more has elapsed following termination of the prior period of duty or obligation to perform duty.

(q) The term "disability" means any type of injury or disease whether mental or physical.

(r) The term "total disability" means any impairment of mind or body which continuously renders it impossible for the insured to follow any substantially gainful occupation. Without prejudice to any other cause of disability, the permanent loss of the use of both feet, of both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the total loss of hearing of both ears, or the organic loss of speech shall be deemed to be total disability. Organic loss of speech will mean the loss of the ability to express oneself, both by voice and whisper, through the normal organs of speech if such loss is caused by organic changes in such organs. Where such loss exists, the fact that some speech can be produced through the use of an artificial appliance or other organs of the body will be disregarded.

(s) The following definitions of the terms widow, widower, child and parent for Servicemen's Group Life Insurance or Veterans' Group Life Insurance purposes apply only to such insurance on the life of an insured member who dies on or after December 15, 1971.

(1) The term "widow" or "widower" means a person who is the lawful spouse of the insured member at the time of his or her death.

(2) The term "child" means a legitimate child, a legally adopted child, an illegitimate child as to the mother, or an illegitimate child as to the alleged father, only if (i) he acknowledged the child in writing signed by him; or (ii) he has been judicially ordered to contribute to the child's support; or (iii) he has been, before his death, judicially decreed to be the father of such child; or (iv) proof of paternity is established by a certified copy of the public record of birth or church record of baptism showing that the insured was the informant and was named as father of the child, or (v) proof of paternity is established from service department or other public records, such as school or welfare agencies, which show that with his knowledge the insured was named as the father of the child.

(3) The term "parent" means a father of a legitimate child, mother of a legitimate child, father through adoption, mother through adoption, mother of an illegitimate child, and father of an illegitimate child but only if (i) he acknowledged paternity of the child in writing signed by him before the child's death; or (ii) he has been judicially ordered to contribute to the child's support; or (iii) he has been judicially decreed to be the father of such child; or (iv) proof of paternity is established by a certified copy of the public record of birth or church record of baptism showing the claimant was the informant and was named as father of the child; or (v) proof of paternity is established from service department or other public records, such as school, or welfare agencies, which show that with his knowledge the claimant was named as father of the child. No person who abandoned or willfully failed to support a child during his or her minority, or consented to his or her adoption may be recognized as a par-

ent for the purpose of the Servicemen's Group Life Insurance or Veterans' Group Life Insurance program. However, the immediately preceding sentence shall not be applied so as to require duplicate payments in any case in which insurance benefits have been paid prior to receipt by the Office of Servicemen's Group Life Insurance of sufficient evidence to clearly establish that the person so paid could not qualify as a parent solely by reason of such sentence.

§ 9.2 Effective date.

(a) The effective date of Servicemen's Group Life Insurance coverage for each member then on active duty, active duty for training, or inactive duty training is May 24, 1974. The date is controlled by the local standard time of the member's then physical location.

(b) The effective date of Servicemen's Group Life Insurance coverage for each member entering on active duty, active duty for training, or inactive duty training after May 24, 1974, is the first day of such duty unless the member has elected in writing not to be covered.

(c) The effective date of Servicemen's Group Life Insurance coverage for members assigned to, or who upon application would be eligible for assignment to the Retired Reserve of a uniformed service, who have not received the first increment of retirement pay, or have not reached 61 years of age and have completed at least 20 years of satisfactory service creditable for retirement purposes under chapter 67 of title 10, shall be the date the initial premium, or acceptable application, if required, is mailed or otherwise delivered to the administrative office. The coverage will not be effective in any event prior to the 121st day after the member's separation or release from assignment in the Ready Reserves or if coverage is extended because of total disability, 1 year after such separation or release, or the end of the total disability whichever is the earlier date.

(d) The effective date of Veterans' Group Life Insurance will be as follows:

(1) For those members separated or released on or after August 1, 1974, from a period of active duty or active duty for training under a call or order which does not specify a period of less than 31 days, the 121st day after such separation or release provided the initial premium is mailed or otherwise delivered to the administrative office on or before the 120th day after separation or release for such duty. If coverage is extended because of total disability under § 9.7, the effective date will be 1 year after the date of such separation or release or the end of the total disability, whichever is the earlier date.

(2) For the members separated or released from a period of active duty or active duty for training under a call or order that specifies a period of less than 31 days, or a period of inactive duty for training and during such period of duty suffered an injury or disability which renders them uninsurable at standard premium rates, the coverage will be effective the 121st day after such separation or release provided the initial premium and proof of disability is submitted before the 120th day after such release or separation.

(3) For those members separated or released from a period of duty prior to August 1, 1974, which gave the member a conversion privilege, the coverage will be effective the date the initial premium, application and proof of good health is mailed or otherwise submitted to the administrative office.

(4) The effective date for Servicemen's Group Life Insurance and Veterans' Group Life Insurance in all cases not covered by paragraph (d)(1) or (2) of this section shall be the date an acceptable application and premium are submitted or otherwise mailed to the administrative office.

§ 9.3 Applications.

(a) Members who met the requirements for full-time coverage under § 9.1 (a)(3), as of May 24, 1974, are eligible to be insured for Servicemen's Group Life Insurance upon payment of the initial premium to the administrative office provided such premium is submitted prior to June 1, 1975. On and after June 1, 1975, the member is eligible for coverage provided an application, evidence of insurability and the initial premium is submitted to the administrtaive office prior to June 1, 1976.

(b) Members who have full-time coverage under § 9.1(a)(2) and qualify for coverage under § 9.1(a)(3) may continue such coverage after separation or release from this reserve obligation upon payment of the initial premium within 120 days after such release to the administrative office. If coverage is continued under § 9.7(a) the initial premium should be submitted within 1 year after such release. Any member who is not entitled to full-time coverage under § 9.1(a)(2) but qualifies for coverage under § 9.1(a)(3) after May 24, 1974, is eligible for such coverage provided the initial premium is submitted to the administrative office within 120 days after becoming so qualified. If the initial premium is not submitted within the time limits set forth in this paragraph, the coverage may be granted provided an application, evidence of insurability and the initial premium are submitted within 1 year after the member's Servicemen's Group Life Insurance coverage is terminated or he or she qualifies for such coverage.

(c) A member separated or released from active duty or active duty for training under a call or order which did not specify a period of less than 31 days is eligible to be granted Veterans' Group Life Insurance in an amount not to exceed his or her Servicemen's Group Life Insurance provided the initial premium is submitted to the administrative office within 120 days of such separation or release, or 1 year if the requirements of § 9.7 are met. If the initial premium is not submitted within the time limits set forth in this paragraph, the member may be granted Veterans' Group Life Insurance provided an application, the initial premium and evidence of insurability is submitted within 1 year after the member's Servicemen's Group Life Insurance coverage is terminated.

(d) A member who, while performing active duty or active duty for training under a call or order specifying a period of less than 31 days, or inactive duty for training scheduled in advance by competent authority including travel directly to or from any such duty, suffers an injury or disability or aggravation of a preexisting disability or injury that renders the member uninsurable at standard premium rates, may be granted Veterans' Group Life Insurance provided the initial premium and proof of such injury or disability is submitted to the administrative office within 120 days after such training is terminated.

§ 9.4 Amount of insurance.

Effective May 24, 1974, Servicemen's Group Life Insurance is issued in the amount of $20,000 unless the insured member elects in writing (a) not to be insured or (b) to be insured in the amount of $15,000, $10,000, or $5,000. The $20,000 coverage does not apply to those members separated or released prior to May 24, 1974, except for those members eligible for coverage under § 9.1(a)(3).

§ 9.5 Coverage.

(a) *Full-time coverage.* For a member performing active duty or active duty for training under a call or order which does not specify a period of less than 31 days, or a member who meets the requirements of § 9.1(a) (2) or (3), coverage is effective during the period of such duty or status, and except for those members who qualify under § 9.1(a)(3), for 120 days following separation or release from such duty, or up to 1 year if the requirements of § 9.7(a) are met.

(b) *Part-time coverage.* (1) For a member who does not qualify for full-time coverage performing active duty or active duty for training under a call or order that specifies a period of less than 31 days, coverage is in effect from the first day of such duty through midnight local time of the last day of such duty; and, if the member is disabled, coverage may be extended for 120 days under § 9.7(b).

(2) For a member who does not qualify for full-time coverage performing inactive duty training, coverage is in effect from the beginning of the scheduled training period through the end of the scheduled training period; and, if the member is disabled, coverage may be extended for 120 days under § 9.7(b).

(3) A member not eligible for full-time coverage who, when authorized or required by competent authority, assumes an obligation to perform (for less than 31 days) active duty, or active duty for training, or inactive duty training scheduled in advance by competent authority and who is rendered uninsurable at standard premium rates according to good health standards approved by the Administrator, or dies within 120 days thereafter, from a disability, or aggravation of a preexisting disability, incurred by the member while proceeding directly to or returning directly from such active

duty, active duty for training, or inactive duty training, as the case may be, shall be deemed to have been on active duty, active duty for training, or inactive duty training, as the case may be; and to have been insured at the time such disability was incurred or aggravated, and if death occurs within 120 days thereafter as a result of such disability, to have been insured at the time of death. In determining whether or not such individual was so authorized or required to perform such duty, and whether or not the member was rendered uninsurable or died within 120 days thereafter from a disability incurred or aggravated, there shall be taken into account the call or order to duty, the orders and authorizations of competent authority, the hour on which the member began to so proceed or to return, the hour on which he or she was scheduled to arrive for, or on which he or she ceased to perform such duty, the method of travel employed, his or her itinerary, the manner in which the travel was performed, and the immediate cause of disability or death. Whenever any claim is filed alleging that the claimant is entitled to benefits by reason of 38 U.S.C. 767(b), the burden of proof shall be on the claimant.

(c) *Arrest or confinement.* Arrest or confinement of a member covered under paragraph (a) of this section by military or civil authority does not terminate coverage, except as specified in § 9.24(a).

(d) *Members in missing status.* With respect to an individual carried in a missing status by a uniformed service and found to have died while in such missing status, the date of the member's death for purposes of coverage and the amount thereof shall be established as follows:

(1) If the member was in a missing status on September 29, 1965, and is determined to have died by the uniformed service prior to June 25, 1970, the date of death shall be that date determined by the Secretary concerned for ending the crediting of pay and allowances as provided in 37 U.S.C. 555.

(2) If a member was in a missing status on June 25, 1970, and is determined to have died, the date of death shall be that date determined by the Secretary concerned for ending the crediting of pay and allowances as provided in 37 U.S.C. 555.

(3) Insurance in force on the date of death as determined under paragraph (d) (1) and (2) of this section shall not be payable to a beneficiary who as a result of the member's death received a gratuity payment under Pub. L. 89-214 (79 Stat. 880) unless such beneficiary agrees to refund the amount of the gratuity received.

§ 9.6 Waiver or reduction of coverage.

(a) A member may waive his or her right to group coverage or elect to reduce the amount of insurance from $20,000 to $15,000, $10,000 or $5,000 by filing a written notice with his or her uniformed service. In any case where a member's uniformed service receives a waiver or reduction prior to the date any group coverage would become effective, no insurance shall be placed in effect on the lives of those members who waive coverage and those who elect reduced coverage shall be insured for only $15,000, $10,000 or $5,000 as the case may be, from the date coverage becomes effective. A member who is paying premiums directly to the administrative office may reduce his or her coverage by notifying that office.

(b) Full-time coverage, § 9.5(a), in effect before a waiver or reduction is filed will terminate or be reduced at midnight of the last day of the month such notice is received by a member's uniformed service. Where a waiver or reduction is filed for full-time coverage, it is effective for the entire period of active duty or active duty for training and for any period of time after termination of duty during which the coverage is or would be extended. If, following termination of duty, the member reenters duty (in the same or another uniformed service) the waiver or reduction will not apply to the subsequent period of duty. In the case of the member paying premiums direct to the administrative office, the waiver or reduction will be effective as of the end of the premium month for which the last full premium was paid.

(c) Part-time coverage, § 9.5(b) (1) or (2), will terminate or be reduced at the end of the last day of the period of duty then being performed if the member is on active duty or active duty for training when the waiver or reduction is filed; at the end of the period of inactive duty training then being performed if the member is on inactive duty training when the waiver or reduction is filed; or on the date the waiver or reduction is received by his or her uniformed service if the member is not on active duty, active duty for training; or inactive duty training on the date the waiver or reduction is filed.

(1) When a member insured under part-time coverage, § 9.5(b)(1) or (2), waives his or her right to group coverage or elects a reduced amount of insurance, such waiver or election, unless changed, is effective throughout the period of the member's continuous reserve obligation in the same uniformed service. If, following termination of duty, the member reenters duty or resumes the obligation to perform duty (in the same or another uniformed service), the waiver or reduction will not apply to the subsequent period of duty or obligation.

(2) If a reservist insured under part-time coverage, § 9.5(b)(1) or (2), is called or ordered to active duty or active duty for training under a call or order that does not specify a period of less than 31 days and is separated or released from such duty and then resumes his or her reserve obligation, any waiver or election of reduced coverage made while eligible for part-time coverage, unless changed, shall be effective throughout the entire period of part-time coverage, the active duty or active duty for training period and 120 days thereafter and the period of immediately resumed reserve obligation.

(3) If a member, other than a member referred to in paragraph (c)(2) of this section, upon termination of duty qualifying him or her for full-time coverage under § 9.5(a) assumes an obligation to perform duty as a reservist, any waiver or election previously made by the member shall not apply to coverage arising from his or her reservist obligation. Furthermore, during the 120 days following termination of such duty the full-time coverage shall not be reduced by any waiver or election made by a member as a reservist.

§ 9.7 Extension of coverage based on disability.

(a)(1) Coverage of any member of the uniformed services on active duty or active duty for training on or after June 25, 1970, under a call or order to duty that does not specify a period of less than 31 days, or a member as defined under § 9.1(a)(2) on or after May 24, 1974, who is totally disabled at separation or release from such duty shall continue for 1 year after the date of separation or release from such duty, or until and including the date the insured ceases to be totally disabled, whichever is the earlier date, without further premium payments, but in no event shall such coverage cease prior to the expiration of 120 days after such separation or release. If a member insured under the provisions of law in effect prior to June 25, 1970, was separated or released from duty on or after February 25, 1970, but before June 25, 1970, and was totally disabled on the date of separation or release from such duty and such total disability continues beyond the 120-day period after separation or release the amount of coverage in effect at the time of separation or release from duty continues for 1 year after the date of separation or release from duty or until and including the date the member ceases to be totally disabled, whichever is earlier.

(2) If a member whose coverage is extended under paragraph (a)(1) of this section converts the group insurance (§ 9.26) to an individual policy which is effective before he or she ceases to be totally disabled or before the end of 1 year following termination of duty, whichever is earlier, and dies while group insurance would be in effect, except for such conversion, the group insurance will be payable, provided the individual policy is surrendered for a return of premiums and without further claim. When there is no such surrender, any amount of group insurance in excess of the amount of the individual policy will be payable.

(b) Coverage of any member on active duty, or active duty for training under a call or order to duty that specifies a period of less than 31 days, or on inactive duty training on or after May 24, 1974, who, while so covered, incurs a disability or aggravation of a preexisting disability, is extended to death if the member dies within 120 days thereafter as the result of such disability, or for 120 days following the end of the duty period during which the disability was incurred or aggravated if

such disability renders the member uninsurable at standard premium rates under good health standards referred to in § 9.27.

§ 9.8 Restoration of coverage.

(a) Coverage is automatically restored without evidence of good health when subsequent to termination of all duty in his or her uniformed service, a member reenters on duty (in the same or another uniformed service) even when there is no break in service.

(b) Coverage that has been terminated under § 9.24 because of (1) absence without leave, (2) confinement by civil authorities under a sentence adjudged by a civilian court, or (3) confinement by military authorities under a court-martial sentence involving total forfeiture of pay and allowance shall be automatically revived, together with any beneficiary designation for such insurance as of the date the member is restored to active duty with pay or active duty for training with pay.

(c) Subject to approval by the insurer, coverage is restored in the amount applied for ($20,000, $15,000, $10,000 or $5,000) effective the date of receipt of application with evidence of good health by the uniformed service:

(1) For a member who previously waived the rights to be covered or elected to be covered for only $15,000, $10,000 or $5,000; or

(2) For a member who forfeited the right to be covered for one of the offenses listed in § 9.34 but who was restored to duty under conditions which, in effect, result in a remission of sentence.

§ 9.10 Deductions from pay.

(a) During any period in which a member on active duty or active duty for training under a call or order to such duty that does not specify a period of less than 31 days, or a member who qualifies for coverage under § 9.1(a)(2), is insured under a policy of insurance purchased under 38 U.S.C. 766 there shall be deducted each month from his or her basic or other pay until separation or release from such duty an amount (which shall be the same for all such members) determined as the share of the cost attributable to insuring such member under such policy, less any costs traceable to the extra hazard of such duty in the uniformed service.

(b) During any fiscal year, or portion thereof, that a member is on active duty or active duty for training under a call or order to such duty that specifies a period of less than 31 days, or is authorized or required to perform inactive duty training scheduled in advance by competent authority and is insured under a policy of insurance purchased by the Administrator under 38 U.S.C. 766, the Secretary concerned shall collect from him or her (by deduction from pay or otherwise) an amount (which shall be the same for all such members) determined as the share of the cost attributable to insuring such member under such policy, less any costs traceable to the extra hazard of such duty in the uniformed service.

(c) Any amount not deducted from the basic or other pay of an insured member, or collected from him or her by the Secretary concerned, if not otherwise paid, shall be deducted from the proceeds of any insurance thereafter payable. The initial monthly amount or fiscal year amount to be charged for insurance may be continued from year to year, except that the Administrator may redetermine such monthly or fiscal year amounts from time to time in accordance with experience. No refunds will be made to any member of any amount properly deducted from his or her basic or other pay, or otherwise collected from him or her by the Secretary concerned, to cover the cost of the insurance granted.

(d) Premiums for coverage granted to members who qualify under § 9.1(a)(3) (Retired Reservists) and Veterans' Group Life Insurance are payable directly to the administrative office by the individual insureds.

§ 9.12 Payment for extra hazards.

For each month for which any member is insured under Group Policy No. G-32000 there shall be contributed from the appropriation made for active duty pay of the uniformed service concerned an amount determined by the Administrator and certified to the Secretary concerned to be the cost of such insurance which is traceable to the extra hazard of duty in the uniformed services. Effective January 1, 1970, such cost shall be determined by the Administrator on the basis of the excess mortality incurred by insured members and former members of the uniformed services above what their mortality would have been under peacetime conditions as such mortality is determined by the Administrator using such methods and data as he shall determine to be reasonable and practicable. The Administrator is authorized to make such adjustments regarding contributions from pay appropriations as may be indicated from actual experience.

§ 9.14 Group life insurance fund.

(a) All amounts deducted from the pay of insured members or otherwise paid and all contributions to cover extra hazard costs made from appropriations of the Departments of Defense; Commerce; Health, Education and Welfare; and Transportation; together with any income derived from dividends or premium rate or extra hazard cost adjustment received from the insurer will be credited directly to a revolving fund in the Treasury of the United States, known as the Servicemen's Group Life Insurance Fund. All premium payments and extra hazard cost contributions on the policy and the administrative cost to the Veterans Administration will be paid directly from such fund.

(b) Administrative cost to the Veterans Administration properly allocable to Servicemen's Group Life Insurance and Veterans' Group Life Insurance will be determined from time to time and the amount representing such cost will be transferred from the Servicemen's Group Life Insurance Fund to the appropriation "General Operating Expenses", Veterans Administration.

§ 9.16 Beneficiaries and options.

(a) A member may designate any person, firm, corporation or legal entity (including the estate of the member), individually or as trustee, as beneficiary.

(b) Any designation of beneficiary or election of optional settlement made by any member insured under Servicemen's Group Life Insurance for full-time coverage or part-time coverage will remain in effect, until properly changed by the member or automatically canceled, under the following rules:

(1) If the insurance terminates following separation or release from all duty in a uniformed service.

(2) If the member enters on duty in another uniformed service.

(3) If the member reenters on duty in the same uniformed service more than 1 calendar day after separation or release from all duty in that uniformed service.

(c) If the member acquires Veterans' Group Life Insurance effective on the day following termination of his or her Servicemen's Group Life Insurance, any beneficiary designation in effect from the Servicemen's Group Life Insurance shall be considered a designation of beneficiary for Veterans' Group Life Insurance but not for more than 60 days after the effective date of the Veterans' Group Life Insurance, unless at the end of the 60-day period, the insured is incompetent in which event such designation may continue in force until the disability is removed but not for more than 5 years after the effective date of such insurance.

(d) Any designation or change of beneficiary or election of optional settlement will take effect only if it is in writing, signed by the insured and received prior to the death of the insured by his or her uniformed service or if executed during a period of coverage following separation or release from duty under § 9.5(a) or § 9.7(a) or (b), or for coverage under § 9.1(a)(3) or Veterans' Group Life Insurance by the administrative office.

(e) A change of beneficiary may be made at any time and without the knowledge or consent of the previous beneficiary.

(f) No change or cancellation of beneficiary or election of optional settlement in a last will or testament, or in any other document shall have any force or effect unless such change is received by the appropriate office as provided in paragraph (d) of this section.

(g) Until and unless otherwise changed, a beneficiary designation and settlement option filed by a member with his or her uniformed service in effect on May 24, 1974, will be effective with respect to the increased amount of insurance authorized on May 24, 1974, by Pub. L. 93-289 (88 Stat. 165) and the insurance shall be settled in the same proportionate amount as the portion designated for such beneficiary or beneficiaries bore

to the amount of insurance theretofore in effect.

(h) In any case in which a member separated or released from all obligation to perform duty in a uniformed service reenters on duty after a break in service while covered during the period of protection afforded under §(9.5(a) or § 9.7 (a) or (b) after termination of duty and waives coverage or elects coverage in the amount of $15,000, $10,000 or $5,000, an existing designation of beneficiary or election of optional settlement is not canceled with respect to any amount of insurance not replaced upon such reentry on duty.

(i) The insurance proceeds will be paid to the person or persons surviving the insured member in the following order of precedence:

(1) To the beneficiary or beneficiaries designated (see paragraph (d) of this section).

(2) If there be no such beneficiary, to the widow or widower. Notwithstanding the provisions of any other law, payment of matured Servicemen's Group Life Insurance or Veterans' Group Life Insurance benefits may be made directly to a minor widow or widower on his or her own behalf, and payment in such case shall be a complete acquittance to the insurer;

(3) If none of the above, to the child or children and descendants of deceased children by representation;

(4) If none of the above, to the parents or the survivor of them;

(5) If none of the above, to the executor or administrator of the estate of the insured; or

(6) If none of the above, to other next of kin in accordance with the laws of the State wherein the insured member was domiciled at date of death.

(j) The insured member may elect in writing that settlement of the insurance proceeds be made either in a lump sum or in 36 equal monthly installments. If no election is made or the member elects that payment be made in a lump sum, the beneficiary may elect at the time of the member's death either mode of settlement. An election to be effective must be received before the member's death by the appropriate office as specified in paragraph (d) of this section.

§ 9.17 Taxation and exemption.

Section 770(g), title 38, United States Code provides that payment of benefits due or to become due under Servicemen's Group Life Insurance or Veterans' Group Life Insurance made to, or on account of, a beneficiary shall be exempt from taxation, shall be exempt from the claims of creditors, and shall not be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, either before or after receipt by the beneficiary. The preceding sentence shall not apply to (a) collection of amounts not deducted from the member's pay, or collected from the member by the Secretary concerned under 38 U.S.C. 769(a), (b) levy under subchapter D, chapter 64 of the Internal Revenue Code of 1954 (relating to the seizure of property for collection of taxes), and (c) the taxation of any property purchased in part or wholly out of such payments.

§ 9.18 Payment of proceeds.

(a) Group life insurance benefits will be paid upon receipt of satisfactory proof of death and a valid claim by the Office of Servicemen's Group Life Insurance.

(b) If a person, otherwise entitled to payment of the insurance proceeds, does not make claim therefor within 1 year following the death of the insured, or if payment to such person within such period is prohibited by Federal law or regulation, payment may be made in the order of precedence as set forth in § 9.16(i), as if the person had predeceased the insured. Payment to such person is a bar to recovery by another person.

(c) If, within 2 years after the death of the member, no claim has been made by any person entitled and neither the Veterans Administration nor the Office of Servicemen's Group Life Insurance has received any notice that such a claim will be made, payment may be made to any claimant that may be equitably entitled thereto as determined by the Veterans Administration; and such payment will be a bar to recovery by another person.

(d) If, within 4 years after the death of the member, no payment has been made, and no claim by any person entitled is pending, the amount payable will escheat to the credit of the Servicemen's Group Life Insurance Fund.

(e) If, at the death of the insured member, there survives more than one designated beneficiary, the shares of which had not been specified by the member, such beneficiaries will share equally. All rights and interests of any designated beneficiary are automatically terminated when he or she predeceases the member; and what would otherwise have been the share of the deceased beneficiary will, in the absence of a contrary specification by the member in his or her written designation, be distributed equally among the surviving beneficiaries, or paid in whole to the last such survivor. If there is no surviving designated beneficiary, proceeds will be paid in order of precedence set forth in § 9.16(i).

(f) If proceeds are to be paid in installments, the first installment will be payable as of the date of death. The amount of each installment will be computed so as to include interest on the unpaid balance at the then effective rate.

(g) If, following the death of an insured member who has designated both principal and contingent beneficiaries and elected to have payment made in 36 equal monthly installments, the principal beneficiary dies before all 36 installments have been paid, the remaining installments will be paid as they fall due to the contingent beneficiary. At the death of such a contingent beneficiary, and in other instances of a beneficiary's death, where there is no contingent beneficiary, the value of any unpaid installments, discounted to the date of his or her death at the same rate used for inclusion of interest in the computation of installments will be paid, without further accrual of interest, in one sum to the estate of the beneficiary or contingent beneficiary last receiving payment.

(h) In instances where payment in installments is made at the election of the beneficiary, upon his or her request, the value of such installments as remain unpaid will be discounted to the date of payment at the same rate used for inclusion of interest in the computation of installments and paid to him or her in one sum.

§ 9.20 Assignments.

Servicemen's Group Life Insurance, Veterans' Group Life Insurance and benefits thereunder are not assignable.

§ 9.22 Administrative decisions.

(a) Determinations of the Veterans Administration are conclusive under the policy with respect to the following:

(1) The status of any person being within the term "member" and whether or not he or she is covered at any point of time under the policy including "traveltime" under § 9.5(b)(3) and death within 120 days thereafter from a disability incurred or aggravated while on duty under § 9.7(b).

(2) The fact and date of a member's termination of active duty, or active duty for training, and the fact, date and hours of a member's performance of inactive duty training.

(3) The fact and dates with respect to a member's absence without leave, confinement by civilian authorities under a sentence adjudged by a civil court, or confinement by military authorities under a court-martial sentence involving total forfeiture of pay and allowances.

(4) The operation of the forfeiture provision provided in 38 U.S.C. 773 and § 9.34 with respect to any member.

(5) The existence of total disability or insurability at standard premium rates under § 9.7(a) and (b).

(b) When a determination is required on a claim that a member who waived coverage, or whose coverage was forfeited for one of the offenses listed in § 9.34 was in fact insured, or that a member who elected to be insured in the amount of $5,000, $10,000 or $15,000 was insured for $10,000, $15,000 or $20,000, as the case may be, and there is no record of an application to be insured or to increase the amount of insurance as required by § 9.8 (c);

(1) The person making the claim will be required to submit all evidence available concerning the member's actions and intentions with respect to Servicemen's Group Life Insurance or Veterans' Group Life Insurance.

(2) Request will be made to the member's uniformed service and any other likely source of information considered necessary, for whatever evidence in the form of copies of payroll or personnel records, statements of persons having knowledge of the facts, etc., is essential to a decision in the matter.

Based on the evidence obtained, a formal determination will be made as to whether the member involved is deemed to have applied to be insured, or to be insured for $20,000, $15,000 or $10,000 in lieu of $5,000 or no insurance. The determination will include a finding as to the member's health status for insurance purposes based on the evidence available.

(c) In making the determination required under paragraph (b) of this section, the following will be considered:

(1) The possibility that due to widespread geographic distribution, inadequate means of communication and the nature of the group insurance program, members may not be adequately and accurately informed, especially in time of war or military emergency, about the detailed requirements for obtaining insurance protection.

(2) Payroll deductions made without objection by a member, following waiver or termination of coverage, representing premiums for insurance or additional insurance, may, by virtue of continuity or the circumstances surrounding their initiation, be indicative that the member did apply. Such deductions without a formal application of record may be considered as evidence that the member's application was not in proper form or misplaced. They may also be considered as evidence that an application was not made solely because of erroneous or incomplete counseling or absence of counseling on the part of the responsible personnel of the uniformed service.

(d) Questions for determination under this section as well as those involving coverage of groups and classes of members and other questions are properly referable to the Assistant Director for Insurance. Authority to make any determinations required under this section is delegated to the Chief Benefits Director and/or Assistant Director for Insurance.

§ 9.24 Termination of coverage.

(a) The coverage of a member who is serving on active duty, or active duty for training under a call or order that does not specify a period of less than 31 days is terminated at the end of the 31st day of absence without leave; confinement by civilian authorities under sentence adjudged by a civilian court; or confinement by military authorities under a court-martial sentence involving total forfeiture of pay and allowances.

(1) A member who, on May 24, 1974, has been so absent or confined for more than 31 days is not covered until and unless he or she is restored to active duty or active duty for training with pay.

(2) The coverage of a member who, on May 24, 1974, has been so absent or confined for less than 31 days terminates at the end of the 31st day of such continuous absence or confinement.

(b) If a member eligible to be insured under full-time coverage, § 9.5(a), on the first day of eligibility, waives in writing all or any part of the insurance, the amount of coverage so waived terminates immediately upon receipt of such written waiver by his or her uniformed service.

(c) In the case of a member insured under full-time coverage, § 9.5(a), who after the first day of eligibility waives in writing all or any part of the insurance, such waiver shall be effective at the end of the last day of the month in which the written waiver is received by his or her uniformed service.

(d) In the case of a member insured under part-time coverage, § 9.5(b) (1) or (2), who waives in writing all or any part of the insurance, such waiver shall be effective as follows:

(1) If such written waiver is submitted to the member's uniformed service at a time of reporting for, or while performing active duty or active duty for training under a call or order to duty specifying a period of less than 31 days; or at the time of reporting for or while performing inactive duty training, the coverage so waived shall terminate at the end of such period of active duty, active duty for training or inactive duty training including travel time while returning directly from such duty.

(2) If such written waiver is submitted to his or her uniformed service by a member at a time other than when reporting for, or performing, active duty or active duty for training under a call or order to duty specifying a period of less than 31 days or inactive duty training, such waived coverage terminates immediately upon receipt by the uniformed service of the member's written waiver.

(e) Coverage of any member, unless continued beyond termination of duty under § 9.5(a) or 9.7 (a) or (b) ceases upon termination of duty.

(f) In the case of a member whose coverage is forfeited under 38 U.S.C. 773, § 9.34, coverage terminates at the end of the day preceding the day on which the act or omission forming the basis for such forfeiture occurred.

(g) In the event of discontinuance of the group policy, coverage terminates at the end of the day preceding the date of the discontinuance of the policy except for those members who are insured under § 9.1(a)(3) or Veterans' Group Life Insurance in which event coverage terminates at the expiration of the day preceding the anniversary of the effective date of such insurance which first occurs, 90 days or more after the discontinuance of the group policy.

§ 9.26 Conversion privilege.

(a) Effective August 1, 1974, an insured member has the right to convert the group coverage to Veterans' Group Life Insurance as follows:

(1) With respect to a member on active duty or active duty for training under a call or order to duty that does not specify a period of less than 31 days, effective the 121st day after separation or release from such duty, or if such insurance is in effect as the result of total disability under § 9.7(a) at the end of such total disability or the 1-year period, whichever occurs earlier.

(2) With respect to a member on active duty or active duty for training under a call or order to duty that specifies a period of less than 31 days, and a member insured during inactive duty training scheduled in advance by competent authority there shall be no right of conversion unless the insurance is continued in force under § 9.7(b) for 120 days following a period of such duty, as the result of a disability incurred or aggravated during such a period of duty, in which event the insurance may be converted effective the day after the end of such 120-day period.

(3) No medical examination may be required of a member insured under full-time coverage, § 9.5(a), who applies for conversion within 120 days of termination of duty. Medical examinations and evidence of qualifying health conditions may be required in any case where a former member alleges that coverage is continued under § 9.7(a) or (b).

(b) At the termination of Veterans' Group Life Insurance, a member has the right to convert the group coverage to an individual policy of life insurance without disability or other supplementary benefits with one of the eligible participating life insurance companies as follows:

(1) The individual policy to which a member converts must be on a plan currently written by the company selected by the member, except term insurance, in an amount which does not exceed the amount of the member's group coverage at time application for conversion is made, and which does not provide for the payment of any sum less than the face value of the individual policy or for the payment of an additional amount of premiums if the member engages in the military service of the United States. The premium for such individual policy shall be the premium, as determined by the company issuing the policy, applicable to the class of risk (other than health conditions and military service) to which the member belongs and to the form and amount of the individual policy at the member's attained age at date of issue.

(2) Term insurance as excluded by paragraph (b)(1) of this section is any policy which does not provide for cash values. Otherwise, reinsurers or converters who are group insurers may follow their usual group conversion practices in processing conversions. Other reinsurers or converters should refer questions as to the acceptability of any plan to the insurer for resolution on a consistent basis.

(3) Term riders providing level or decreasing insurance for which an additional premium is charged may be attached to an eligible basic conversion policy, but the rider will be excluded from the conversion pool agreement under the policy. Such a rider may in no way affect basic conversion privileges.

(c) The insurer will establish a conversion pool in cooperation with the reinsurers and converters in accordance with the terms of the policy. Its purpose will be to provide for the determination and maintenance of appropriate charges arising from excess mortality under individual conversion policies issued in accordance with this section and

provide for the appropriate distribution of the risk of loss due to such excess mortality among the reinsurers and converters.

(d) A member of the Ready Reserve, § 9.1(a)(2), who is insured at the time of his or her separation or release from such status and is eligible to continue his or her Servicemen's Group Life Insurance, (§ 9.1(a)(3)) may in lieu of continuing such group coverage, convert it to an individual policy in accordance with paragraph (b) of this section. Such conversion must be made within 120 days after such separation or release or within 1 year if the requirements of § 9.7(a) are met.

§ 9.27 Health standards.

(a) For the purpose of determining if a member who incurred a disability or aggravated a preexisting disability during a period of active duty or active duty for training under a call or order to duty specifying a period of less than 31 days or during a period of inactive duty was rendered uninsurable at standard premium rates, the underwriting criteria used by the insurer in determining good health for persons applying to it for life insurance in amounts not exceeding $20,000 will be used.

(b) For all other purposes of determining if a member meets the necessary health requirements except paragraph (a) of this section, the underwriting criteria used by the insurer in determining good health for group life insurance purposes will be used.

§ 9.28 Criteria for reinsurers and converters.

The following criteria will control eligibility for reinsuring and converting companies:

(a) The company must be a legal reserve life insurance company as classified by the insurance supervisory authorities of the State of domicile. Qualified fraternal organizations are included.

(b) The company must have been in the life insurance business for a continuous period of 5 years prior to October 1, 1965, or the December 31 preceding any redeterminations of the allocations. In the event of a merger, the 5-year requirement may be satisfied by either the surviving company or by one of the absorbed companies. Upon joint application by a subsidiary of a participating company, together with the parent company, the 5-year requirement may be waived provided such parent company owns more than 50 percent of the outstanding stock of the subsidiary and has been a legal reserve life insurance company for a period of 10 years or more.

(c) The company must be licensed to engage in life insurance in at least one State of the United States or the District of Columbia.

(d) The company will not be one:

(1) Certified by the Department of Defense as being under suspension for cause for purpose of allotment or on-base solicitation privileges.

(2) That solicits life insurance applications as conversion or other replacement of Servicemen's Group Life Insurance or Veterans' Group Life Insurance coverage in jurisdictions in which it is not licensed.

(3) That fails to take effective action to correct an improper practice followed by it or its agents within 30 days after written receipt of notice issued by the insurer or the Assistant Director for Insurance. Improper practice includes:

(i) The use for solicitation purposes of lists of names and addresses of former members without obtaining reasonable assurance that such lists have not been obtained contrary to regulations of the Department of Defense or other uniformed service;

(ii) Failure to reveal sources and copies of mailing lists upon proper request or to otherwise cooperate in an authorized investigation of a reported improper practice;

(iii) The use of written or oral representations which may mislead the person addressed as to the true role of the company or its representatives as one of the participating companies;

(iv) The use of written or oral representations which may mislead a person addressed as to rights, privileges, coverage, premiums, or similar matters under Servicemen's Group Life Insurance, Veterans' Group Life Insurance, or any policy issued or proposed to be issued as a conversion or other replacement coverage;

(v) Violation of regulations of a uniformed service concerning solicitation of life insurance.

(vi) The use of written or oral references to Servicemen's Group Life Insurance, Veterans' Group Life Insurance or conversions of Servicemen's Group Life Insurance or Veterans' Group Life Insurance in connection with the attempted sale of an insurance policy which would not be, in fact, a conversion policy or a policy issued in lieu of a conversion, if those references might lead a person addressed to believe there is a connection between the policy being sold and coverage under Servicemen's Group Life Insurance, Veterans' Group Life Insurance or a conversion of it.

(e) Each reinsuring and converting company must agree to issue conversion policies to any qualified applicant regardless of race, color, religion, sex, or national origin, under terms and conditions established by the primary insurer.

§ 9.30 Reinsurance formula.

The allocation of insurance to the insurer and each reinsuring company will be based upon the sum of paragraphs (a) and (b) of this section following:

(a) One-half of the exact, or a reasonable estimate of the volume of the company's life insurance in force, at some time between June 30, 1965, and November 15, 1965, on active-duty personnel of the U.S. Armed Forces, paid for by service allotments. The volume of insurance on active-duty personnel written through the medium of Service Membership Associations on an allotment basis is to be included.

(b) An amount of the remaining balance of the total life insurance in force under the policy in proportion to the company's total life insurance in force in the United States on December 31, 1964 where:

The first $100 million in force is counted in full,

The second $100 million in force is counted at 75 percent,

The third $100 million in force is counted at 50 percent,

The fourth $100 million in force is counted at 25 percent,

And any amount above $400 million in force is counted at 5 percent.

(c) The allocation will be redetermined at the beginning of each policy year for the primary insurer and the companies then reinsuring, with the portion as set forth in paragraph (b) of this section based upon the corresponding in force (excluding the Servicemen's Group Life Insurance in force) as of the preceding December 31.

(d) Any life insurance company, which is not initially participating in reinsurance or conversions, but satisfies the criteria set forth in § 9.28, may subsequently apply to the primary insurer to reinsure and convert, or to convert only. The participation of such company will be effective as of the beginning of the policy year following the date on which application is approved by the insurer.

§ 9.32 Actions on the policy.

Servicemen's Group Life Insurance and Veterans' Group Life Insurance will be payable in accordance with the group policy purchased by the Veterans Administration. The Assistant Director for Insurance will furnish the name and address of the insuring company upon written request of a member of the uniformed services or his or her beneficiary. Actions at law or in equity to recover on the policy, in which there is not alleged any breach of any obligation undertaken by the United States, should be brought against the insurer.

§ 9.34 Forfeiture.

(a) Any person guilty of mutiny, treason, spying, or desertion, or who, because of conscientious objections, refuses to perform service in the Armed Forces of the United States or refuses to wear the uniform of such force, shall forfeit all rights to Servicemen's Group Life Insurance.

(b) No insurance shall be payable for death inflicted as a lawful punishment for crime or for military or naval offense, except inflicted by an enemy of the United States.

§ 9.36 Veterans' Group Life Insurance.

Veterans' Group Life Insurance shall be issued under the following rules:

(a) The insurance shall be issued in the amount of $5,000 $10,000, $15,000 or $20,000. No person may carry a combined amount of Servicemen's Group Life Insurance and Veterans' Group Life Insurance in excess of $20,000 at any one time.

(b) The insurance shall:

(1) Provide protection against death;

(2) Be issued on a non-renewable 5-year term basis;

(3) Have no cash, loan, paid-up or extended values;

(4) Except or otherwise provided, lapse for nonpayment of premiums.

(c) Any person insured under Veterans' Group Life Insurance who again becomes insured under Servicemen's Group Life Insurance may within 60 days after becoming so insured convert any or all of his or her Veterans' Group Life Insurance to an individual policy of insurance in accordance with § 9.26.

(d) Any person whose Servicemen's Group Life Insurance was continued in force after his or her termination of duty or discharge from service prior to August 1, 1974 and whose coverage terminated less than 4 years prior to August 1, 1974, shall be eligible for Veterans' Group Life Insurance under the following terms:

(1) An application together with the initial premium must be submitted to the administrative office prior to August 2, 1975.

(2) The applicant must be in good health and furnish evidence of such.

(3) Any disability rated as service-connected by the Veterans Administration will be waived for the purpose of determining good health.

(4) The insurance will be issued in an amount not to exceed the amount of Servicemen's Group Life Insurance the applicant had at the time of separation or discharge less any amount converted to an individual policy.

(5) The insurance will be issued for a period of 5 years less the time elapsing between the termination of the applicant's Servicemen's Group Life Insurance and August 1, 1974.

(6) At the termination of the Veterans' Group Life Insurance the insured may convert the group policy to an individual policy under the terms of § 9.26.

Effective Date: This Part 9 is effective May 24, 1974.

Approved: January 22, 1975.

By direction of the Administrator.

[SEAL] ODELL W. VAUGHN, *Deputy Administrator.*

[FR Doc.75-2526 Filed 1-27-75;8:45 am]

PART 36—LOAN GUARANTY

Interest Rate Change

The Veterans Administration is amending §§ 36.4212(a)(2) and (3), 36.4311 and 36.4503, Title 38 of the Code of Federal Regulations to reduce the maximum allowable interest rate on new loans. Technical amendments are also made to §§ 36.4502 and 36.4503(a), Title 38 of the Code of Federal Regulations in light of the enactment of the Veterans Housing Act of 1974 (Pub. L. 93-569, 88 Stat. 1863), effective December 31, 1974. Finally, a minor editorial revision is made to § 36.4501(n) to reflect agency policy of using precise terms denoting gender.

Sections 36.4311 and 36.4503, Title 38 of the Code of Federal Regulations are being amended to reduce the maximum interest rate on new guaranteed, insured and direct loans from 9 to 8½ percent. Section 36.4212(a)(2) and (3), Title 38 of the Code of Federal Regulations, relating to that portion of a mobile home loan which finances the purchase of a lot and the cost of necessary site preparation is amended, except for that portion of § 36.4212(a)(3) relating to loans that do not exceed $2,500, to reduce the maximum interest rate from 9 to 8½ percent. Thus, the interest rate on such loans will be consistent with that in effect on other guaranteed and insured loans for real estate purposes.

The formulae for computing the charge to entitlement for direct loans contained in §§ 36.4502 and 36.4503(a) of Title 38 of the Code of Federal Regulations, are amended to conform to section 4 of the Veterans Housing Act of 1974.

Compliance with the provision of § 1.12 of this chapter is waived in this instance because failure to do so would delay the effective date of the amendments for a period in excess of 40 days and deprive veteran-purchasers of the benefit of the interest rate reductions and increased home loan guaranty benefits during that time.

1. In § 36.4212, paragraph (a) introduction, (2) and (3) is amended to read as follows:

§ 36.4212 Interest rates and late charges.

(a) The interest rate charged the borrower on a loan guaranteed pursuant to 38 U.S.C. 1819 may not exceed the following maxima except on loans guaranteed or insured pursuant to guaranty or insurance commitments issued by the Veterans Administration prior to January 21, 1975.

* * * * *

(2) 8½ percent simple interest per annum for that portion of the loan which finances the purchase of a lot and the cost of necessary site preparation, if any.

(3) 8½ percent simple interest per annum on that portion of a loan which will finance the cost of the site preparation necessary to make a lot owned by the veteran acceptable as the site for the mobile home purchased with the proceeds of the loan except that a rate of not to exceed 12 percent may be charged if the portion of the loan to pay for the cost of such necessary site preparation does not exceed $2,500.

* * * * *

2. In § 36.4311, paragraph (a) is amended to read as follows:

§ 36.4311 Interest rates.

(a) Excepting non-real-estate loans insured under 38 U.S.C. 1815 and loans guaranteed or insured pursuant to guaranty or insurance commitments issued by the Veterans Administration which specify an interest rate in excess of 8½ per centum per annum, effective January 21, 1975, the interest rate on any loan guaranteed or insured wholly or in part on or after such date may not exceed 8½ per centum per annum on the unpaid principal balance.

* * * * *

3. In § 36.4501, paragraph (n) is revised to read as follows:

§ 36.4501 Definitions.

* * * * *

(n) "Veterans Administration" means the Administrator of Veterans' Affairs, or any employee of the Veterans Administration authorized to act in the Administrator's stead.

* * * * *

4. Section 36.4502 is revised to read as follows:

§ 36.4502 Use of guaranty entitlement.

The guaranty entitlement of the veteran obtaining a direct loan which is closed on or after December 31, 1974, shall be charged with an amount which bears the same ratio to $17,500 as the amount of the loan bears to $25,000. The charge against the entitlement of a veteran who obtained a direct loan which was closed prior to the aforesaid date, or the date on which an increased maximum is established pursuant to section 1811(d) for the area in which the loan security is located, shall be the amount which would have been charged had the loan been closed subsequent to such date.

5. In § 36.4503, paragraph (a) is revised to read as follows:

§ 36.4503. Amount and amortization.

(a) The original principal amount of any loan made on or after December 31, 1974, shall not exceed an amount which bears the same ratio to $25,000 as the amount of the guaranty to which the veteran is entitled under 38 U.S.C. 1810 at the time the loan is made bears to $17,500. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Loans made by the Veterans Administration shall bear interest at the rate of 8½ percent per annum.

* * * * *

These VA Regulations are effective January 21, 1975.

Approved: January 20, 1975.

[SEAL] R. L. ROUDEBUSH, *Administrator.*

[FR Doc.75-2524 Filed 1-27-75;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 3—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

CONTRACT OFFICE IDENTIFICATION CODES

Amendment to Chapter

Chapter 3, Title 41, Code of Federal Regulations is amended as set forth below. The purpose of this amendment is to provide a complete and current listing of Departmental contracting offices and of the codes used to identify

contracts and other procurement instruments issued by these offices.

It is the general policy of the Department of Health, Education, and Welfare to allow time for interested parties to take part in the rule making process. However, the amendment herein involves internal administrative procedures. Therefore, the public rule making process is deemed unnecessary in this instance.

Appendix B is amended to read as follows:

APPENDIX B—CONTRACTING OFFICE IDENTIFICATION CODES

Contracting office identification codes are for use in conjunction with the HEW Contract Information System and are prescribed by § 3-50.201(d) of this chapter.

100
Chief, Procurement & Contracts Section, OS
Room 1741, HEW North
330 Independence Ave. SW.
Washington, D.C. 20201

101
Regional Contracting Officer
Office of the Regional Director, DHEW
1321 Second Ave.
Seattle, Washington 98101

102
Regional Contracting Officer
Office of Facilities Engineering, DHEW
1321 Second Ave.
Seattle, Washington 98101

103
Director, Office of Facilities Eng'g and Prop. Mgmt.
Room 3025, HEW North
330 Independence Ave. SW.
Washington, D.C. 20201

104
Contracting Officer
Office of Facilities Engineering, DHEW
P.O. Box 12233
Research Triangle Park, North Carolina 27707

110
Regional Contracting Officer
Office of the Regional Director, DHEW
J.F.K. Federal Office Bldg.
Boston, Massachusetts 02203

111
Regional Contracting Officer
Office of Facilities Engineering, DHEW
J.F.K. Federal Office Bldg.
Boston, Massachusetts 02203

120
Regional Contracting Officer
Office of the Regional Director, DHEW
26 Federal Plaza, Room 1351
New York, New York 10007

121
Regional Contracting Officer
Office of Facilities Engineering, DHEW
26 Federal Plaza, Room 3309
New York, New York 10007

130
Regional Contracting Officer
Office of the Regional Director, DHEW
3535 Market Street
Philadelphia, Penn. 19101

131
Regional Contracting Officer
Office of Facilities Engineering, DHEW
3535 Market Street
Philadelphia, Penn. 19101

140
Regional Contracting Officer
Office of the Regional Director, DHEW
50 Seventh Street NE., Room 426
Atlanta, Georgia 30323

141
Regional Contracting Officer
Office of Facilities Engineering, DHEW
50 Seventh Street NE., Room 426
Atlanta, Georgia 30323

150
Regional Contracting Officer
Office of the Regional Director, DHEW
300 South Wacker Dr., 32nd Floor
Chicago, Illinois 60606

151
Regional Contracting Officer
Office of Facilities Engineering, DHEW
300 South Wacker Dr., 33rd Floor
Chicago, Illinois 60606

160
Regional Contracting Officer
Office of the Regional Director, Rm. 1025
1114 Commerce Street
Dallas, Texas 75202

161
Regional Contracting Officer
Office of Facilities Engineering, DHEW
1114 Commerce Street
Dallas, Texas 75202

170
Regional Contracting Officer
Office of the Regional Director, DHEW
601 East 12th Street
Kansas City, Missouri 64106

171
Regional Contracting Officer
Office of Facilities Engineering, DHEW
601 East 12th Street
Kansas City, Missouri 64106

180
Regional Contracting Officer
Office of the Regional Director, DHEW
1961 Stout Street, Fed. Bldg.
Denver, Colorado 80202

181
Regional Contracting Officer
Office of Facilities Engineering, DHEW
1961 Stout Street, Fed. Bldg.
Denver, Colorado 80202

190
Regional Contracting Officer
Office of the Regional Director, DHEW
50 Fulton Street
San Francisco, California 94102

191
Regional Contracting Officer
Office of Facilities Engineering, DHEW
50 Fulton Street
San Francisco, California 94102

200
Director, Procurement & Materiel Mgmt. Office
Center for Disease Control
Atlanta, Ga. 30333

210
Chief, Procurement Branch
Nat'l Inst. for Occupational Safety and Health
5600 Fisher's Lane, Room 3-44
Rockville, Md. 20852

211
Chief, Procurement Branch
Nat'l Inst. for Occupational Safety and Health
P.O. Box 2548
Cincinnati, Ohio 45201

212
Administrative Officer, ACOSH
Nat'l Inst. for Occupational Safety and Health
944 Chestnut Ridge Road, Room 37
Morgantown, W. Va. 26505

220
Director, Div. of Grants & Contracts
Food & Drug Administration
5600 Fisher's Lane
Rockville, Md. 20852

221
Chief, Supply Management Branch
Food & Drug Admin.
5600 Fisher's Lane, HFA 260
Rockville, Md. 20852

222
Director, Contracts & Procurement Office
Nat'l Center for Toxicological Research
Jefferson, Arkansas 72079

223
Chief, Negotiated Contracts Branch
Food & Drug Administration
5600 Fisher's Lane
Rockville, Maryland 20852

230
Chief, Contract Operations Branch, DGPM
Health Resources Admin.
5600 Fisher's Lane, Room 10-49
Rockville, Md. 20852

231
Chief, Contracts Office
Bureau of Health Resources Development, HRA
Building 31, Room 5B-50, NIH
Bethesda, Md. 20014

240
Chief, Contract Operations Branch
Health Services Admin.
Rockville, Md.

241
Contracting Officer
Aberdeen Area Indian Health Service
Citizens Building, Room 410
Aberdeen, South Dakota 57401

242
Chief, Admin. Services Branch
Indian Health Service, HSA
500 Gold Avenue, Room 4005
Albuquerque, New Mexico 87101

243
Alaska Area Native Health Service
Box 7-741 (A-PC)
Anchorage, Alaska 99510

244
Chief, Admin. Services Branch
Indian Health Services, HSA
P.O. Box 2143
Billings, Montana 59103

245
Chief, Admin. Services Branch
Indian Health Service, HRA
P.O. Box G
Window Rock, Arizona 86515

246
Chief, Admin. Services Branch
Indian Health Service
388 Old Post Office & Courthouse Bldg.
Oklahoma City, Oklahoma 73102

247
Chief, Admin. Services Branch
Phoenix Area Indian Health Service
801 E. Indian School Rd.
Phoenix, Arizona 85014

248
Chief, Admin. Services Branch
Portland Area Indian Health Service
921 S.W. Washington St. Room 220
Portland, Oregon 97205

249
Procurement Officer
DHEW, PHS, HSA, IHS, ORD
P.O. Box 11340
Tucson, Arizona 85734

250
Director, Supply Division
Fed. Health Program Services
Health Services Admin.
Baltimore, Md.

251
Chief, Office of Grants Administration
Public Health Service
JFK Federal Building
Boston, Mass. 02203

252
Procurement Officer
U.S. Public Health Service Hospital
4400 Avenue N
Galveston, Texas 77550

253
General Services Officer
U.S. Public Health Service Hospital
210 State Street
New Orleans, La. 70118

254
Supply Management Officer
U.S. Public Health Service Hospital
6500 Hampton Blvd.
Norfolk, Virginia 23508

255
Regional Health Administrator Region IX
Office of Management Support
50 Fulton Street
San Francisco, California 94102

256
General Services Officer
U.S. Public Health Service Hospital
1131 14th Ave. South
Seattle, Washington 98114

257
U.S. Public Health Service Hospital
Fed. Health Program Services, HSA
Bay St. & Vanderbilt Ave.
Staten Island, N.Y. 10304

258
Contracting Officer
U.S. Public Health Service Hospital
Health Services Administration
Carville, Louisiana 70721

259
Contracting Officer
U.S. Public Health Service Hospital
15th Ave. & Lake Street
San Francisco, California 94118

260
Chief, Research Contracts Branch
Office of Contracts & Grants, NIH
9000 Rockville Pike, Bldg. 31, Rm 1B34
Bethesda, Md. 20014

261
Chief, Research Contracts Branch
National Cancer Institute
9000 Rockville Pike, Bldg. 31, Rm. 10A20
Bethesda, Md. 20014

262
General Supply Officer
U.S. Public Health Service Hospital
77 Warren Street
Boston, Massachusetts 02135

265
Chief, Contracts Management Section
Nat'l Inst. of Neurological Disease and Stroke
9000 Rockville Pike, Bldg. 31, Rm. 8A34
Bethesda, Md. 20014

266
Chief, Contracts Management Branch
Nat'l Institute of Allergy and Infectious Diseases
9000 Rockville Pike, Bldg. 31, Rm. 1B40
Bethesda, Md. 20014

267
Chief, Contracts Office
Nat'l Institute of Arthritis, Metabolism & Digestive Disease
9000 Rockville Pike, Bldg. 31, Rm. 2B19
Bethesda, Md. 20014

268
Chief, Contracts Operations Branch
Nat'l Heart & Lung Institute
5333 Westbard Avenue, Room 5A11
Bethesda, Md. 20014

271
Chief, Contracts Management Branch
Nat'l Institute on Drug Abuse, ADAMHA
11400 Rockville Pike, Room 209
Rockville, Maryland 20852

274
Director, Procurement & Materiel Mgmt. Office
Nat'l Institute of Dental Research
5333 Westbard Ave. Westwood Bldg., Rm. 551
Bethesda, Md. 20014

275
Chief, Contracts Management Section
Nat'l Inst. of Child Health and Human Development
Landow Building, Room C-619
Bethesda, Md. 20014

276
Chief, Office of Contracts Management
National Library of Medicine
8600 Rockville Pike
Bethesda, Md. 20014

277
Chief, Division of General Services
Alcohol, Drug Abuse, and Mental Health Administration
5600 Fisher's Lane, Room 6-105
Rockville, Maryland 20852

278
Chief, Grants & Contracts Management Branch
Nat'l Institute of Mental Health
5600 Fisher's Lane
Rockville, Maryland 20852

279
Chief, Procurement Section
Warehouse Annex
St. Elizabeth's Hospital
Washington, D.C. 20032

280
Supply Management
NIDA Addiction Research Center
P.O. Box 12390, Leestown Pike
Lexington, Kentucky 40511

281
Chief, Contract Management Branch
Nat'l Inst. of Alcohol Abuse and Alcoholism
5600 Fisher's Lane, Room 16C21
Rockville, Md. 20852

282
Director, Division of Materiel Mgmt.
Admin. Services Center, PHS
5600 Fisher's Lane, Room 3B26
Rockville, Md. 20852

283
Dir., Div. Grants & Contracts Mgmt.
OAM, ADAMHA
Parklawn Bldg., Room 13C20
5600 Fisher's Lane
Rockville, Maryland 20852

285
Contracting Officer
Public Health Service
Supply Services Center
Perry Point, Maryland

285
Contracting Officer
United Southeastern Tribes
Indian Health Service
Sarasota, Florida

291
Regional Contracting Officer
Public Health Service, DHEW
J.F.K. Federal Office Bldg.
Boston, Massachusetts 02203

292
Regional Contracting Officer
Public Health Service, DHEW
26 Federal Plaza, Room 3304
New York, New York 10007

293
Regional Contracting Officer
Public Health Service, DHEW
P.O. Box 13716
Philadelphia, Pennsylvania 19101

294
Regional Contracting Officer
Public Health Service, DHEW
50 Seventh Street NE., Room 426
Atlanta, Georgia 30323

295
Regional Contracting Officer
Public Health Service, DHEW
300 South Wacker Drive
Chicago, Illinois 60606

296
Regional Contracting Officer
Public Health Service, Room 8C32
1114 Commerce Street
Dallas, Texas 75202

297
Regional Contracting Officer
Public Health Service, DHEW
601 East 12th Street
Kansas City, Missouri 64106

298
Regional Contracting Officer
Public Health Service, DHEW
1961 Stout Street, Fed. Bldg.
Denver, Colorado 80202

299
Regional Contracting Officer
Public Health Service, DHEW
50 Fulton Street
San Francisco, California 94102

300
Director, Contracts & Grants Division
Office of Education
400 Maryland Ave. SW.
Washington, D.C. 20202

301
Regional Contracting Officer
U.S. Office of Education, DHEW
1321 Second Ave.
Seattle, Washington 98101

310
Regional Contracting Officer
Office of Education, Region I
Room 2303, J.F.K. Federal Office Bldg.
Boston, Mass. 02203

312
Regional Contracting Officer
U.S. Office of Education, DHEW
3535 Market Street
Philadelphia, Penn. 19101

320
Regional Contracting Officer
U.S. Office of Education, DHEW
26 Federal Plaza, Room 3947
New York, New York 10007

340
Regional Contracting Officer
U.S. Office of Education, DHEW
50 Seventh Street NE., Room 426
Atlanta, Georgia 30323

351
Regional Contracting Officer
U.S. Office of Education
300 South Wacker Dr., 32d Floor
Chicago, Illinois 60606

361
Regional Contracting Officer
U.S. Office of Education, Rm. 1002
1114 Commerce Street
Dallas, Texas 75202

370
Regional Contracting Officer
U.S. Office of Education, DHEW
601 East 12th Street
Kansas City, Missouri 64106

381
Regional Contracting Officer
U.S. Office of Education, DHEW
1961 Stout Street, Fed. Bldg.
Denver, Colorado 80202

391
Regional Contracting Officer
U.S. Office of Education, DHEW
50 Fulton Street
San Francisco, California 94102

400
Chief, Grants and Contracts Management Division
Nat'l Institute of Education
1200 Nineteenth St.
Washington, D.C. 20208

500
Chief, Contract Branch, Division of General Serv.
330 Independence Ave. SW., Rm. 4217
Washington, D.C. 20201

504
Regional Contracting Officer
Social Rehabilitation Service
50 Seventh Street NE., Room 426
Atlanta, Georgia 30323

600
Chief, Procurement Section
Social Security Admin.
6301 Security Blvd., Room S-220
Baltimore, Md. 21235

604
Regional Contracting Officer
Social Security Administration
50 Seventh St. NE., Room 426
Atlanta, Georgia 30323

611
Director, Div. of Direct Reimbursement
Bureau of Health Insurance, SSA
6401 Security Blvd., Rm. 1-A-5, East Bldg.
Baltimore, Md. 21235

613.
Director, Bureau of Disability Insurance, SSA
Dickinson Tower Bldg., Rm. T6C14
1500 Woodlawn Drive
Baltimore, Maryland 21241

630
Regional Representative
Disability Insurance, SSA, HEW
1321 Second Ave., Arcade Plaza Bldg. M/S 618
Seattle, Washington 98101

631
Regional Representative
Disability Insurance, SSA, HEW
Room 1105, J.F.K. Fed. Bldg.
Boston, Mass. 02203

632
Regional Representative
Disability Insurance, SSA, HEW
26 Federal Plaza, Room 755
New York, New York 10007

633
Regional Representative
Disability Insurance, SSA, HEW
P.O. Box 8788
Philadelphia, Pennsylvania 19101

634
Regional Representative
Disability Insurance, SSA, HEW
50 Seventh Street NW., Room 628
Atlanta, Georgia 30323

635
Regional Representative
Disability Insurance, SSA, HEW
300 South Wacker Drive, 18th Floor
Chicago, Illinois 60606

636
Regional Representative
Disability Insurance, SSA, HEW
212 N. St. Paul St., Rm. 625, Corrigan Tower
Dallas, Texas 75201

637
Regional Representative
Disability Insurance, SSA, HEW
12th & Grand Ave., 6th Floor, 12 Grand Bldg.
Kansas City, Missouri 64106

638
Regional Representative
Disability Insurance, SSA, HEW
19th & Stout Sts., Rm. 11037
Denver, Colorado 80202

639
Regional Representative
Disability Insurance, SSA, HEW
1390 Market St., Room 250
San Francisco, California 94102

AUTHORITY: 5 U.S.C. 301, 40 U.S.C. 486(c).

Effective Date: This amendment shall be effective on January 28, 1975.

Dated: January 21, 1975.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.75-2513 Filed 1-27-75;8:45 am]

CHAPTER 9—NUCLEAR REGULATORY COMMISSION

PART 9-7—CONTRACT CLAUSES

PART 9-16—PROCUREMENT FORMS

Standard Clauses and Contract Forms

These revisions to the AECPR's are being made to make the Safety and Health Clause mandatory as to text and to provide an alternative clause for non-GOCO contracts where the NRC elects not to assert its statutory authority to prescribe general occupational safety and health standards.

1. In Part 9-7, the Table of Contents is revised as follows:

Subpart 9-7.50 Use of Standard Clauses

* * * * *

9-7.5004-12 Safety and Health.

* * * * *

9-7.5006-47 [Reserved]

* * * * *

AUTHORITY: Sec. 161 of the Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205 of the Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486.

Subpart 9-7.50 Use of Standard Clauses

2. In Subpart 9-7.50, Use of Standard Clauses, § 9-7.5004-12, [Reserved], is revised as follows:

§ 9-7.5004-12 Safety and Health.

(a) The clause set forth herein shall be included in all contracts and subcontracts for, and be made applicable to, work to be performed at a government-owned contractor-operated (GOCO) facility where the Nuclear Regulatory Commission has elected to assert its statutory authority to enforce occupational safety and health standards applicable to the working conditions of contractor and subcontractor employees.

SAFETY AND HEALTH

The contractor shall take all reasonable precautions in the performance of the work under this contract to protect the safety and health of employees and of members of the public and shall comply with all applicable safety and health regulations and requirements (including reporting requirements) of the Commission. In the event that the contractor fails to comply with said regulations or requirements of the Commission, the Contracting Officer may, without prejudice to any other legal or contractual rights of the Commission, issue an order stopping all or any part of the work; thereafter a start order for resumption of the work may be issued at the discretion of the Contracting Officer. The contractor shall make no claim for an extension of time or for compensation or damages by reason of or in connection with such work stoppage.

(b) The clause set forth herein shall be included in those contracts or subcontracts for, and be made applicable to, work to be performed at a facility where the Nuclear Regulatory Commission does not elect to assert its statutory authority to enforce occupational safety and health standards applicable to the working conditions of contractor and subcontractor employees, but does need to enforce radiological safety and health standards pursuant to provisions of the contract or subcontract rather than by reliance upon Nuclear Regulatory Commission licensing requirements (including agreements with states under section 274 of the Atomic Energy Act).

RADIATION PROTECTION AND NUCLEAR CRITICALITY

The contractor shall take all reasonable precautions in the performance of work under this contract to protect the safety and health of employees and of members of the public against the hazards of ionizing radiation and radioactive materials and shall comply with all applicable radiation protection and nuclear criticality safety standards and requirements (including reporting requirements) of the Commission. In the event that the contractor fails to comply with said standards and requirements of the Commission, the Contracting Officer may, without prejudice to any other legal or contractual rights of the Commission, issue an order stopping all or any part of the work; thereafter a start order for resumption of the work may be issued at the discretion of the Contracting Officer. The contractor shall make no claim for an extension of time or for compensation or damages by reason of or in connection with such work stoppage.

Subpart 9-7.5 Use of Standard Clauses

§ 9-7.5006-47 [Reserved]

3. In Subpart 9-7.50, Use of Standard Clauses, § 9-7.5006-47, Safety, health, and fire protection, is deleted and reserved as follows:

Subpart 9-16.4 Forms for Advertised Construction Contracts

4. In Subpart 9-16.4, Forms for Advertised Construction Contracts, § 9-16.404-50, NRC authorized additions to Standard Form 19, paragraph (b)(1) is revised as follows:

§ 9-16.404-50 NRC authorized additions to Standard Form 19.

* * * * *

(b) * * *

(1) Safety and health (§ 9-7.5004-12).

* * * * *

5. In Subpart 9-16.4, Forms for Advertised Construction Contracts, § 9-16.404-52, NRC additions to Standard Form 23A General Provisions (Construction Contract) (October 1969 edition), paragraph (a)(23) is revised as follows:

§ 9-16.404-52 NRC additions to Standard Form 23A General Provisions (Construction Contract) (October 1969 edition).

(a) * * *

23. Safety and health (§ 9-7.5004-12).

* * * * *

Subpart 9-16.7 Forms for Negotiated Architect-Engineer Contracts

6. In Subpart 9-16.7, Forms for Negotiated Architect-Engineer Contracts, § 9-16.703-50, Terms, conditions, and provisions, paragraph 22 is revised as follows:

§ 9-16.703-50 Terms, conditions, and provisions.

* * * * *

22. Safety and health (§ 9-7.5004-12).

* * * * *

Subpart 9-16.50 Contract Outlines

7. In Subpart 9-16.50, Contract Outlines, § 9-16.5002-4, Outline of a cost-plus-a-fixed-fee-construction contract, Article XVI is revised as follows:

§ 9-16.5002-4 Outline of a cost-plus-a-fixed-fee-construction contract.

* * * * *

Article XVI—*Safety and health*. Insert contract clause set forth in § 9-7.5004-12.

* * * * *

8. In Subpart 9-16.50, Contract Outlines, § 9-16.5002-5, Outline of a cost-plus-a-fixed-fee architect-engineer contract, Article XVII is revised as follows:

§ 9-16.5002-5 Outline of a cost-plus-a-fixed-fee architect-engineer contract.

* * * * *

Article XVII—*Safety and health*. Insert contract clause set forth in § 9-7.5004-12.

* * * * *

9. In Subpart 9-16.50, Contract Outlines, § 9-16.5002-9, Outline of cost-type contract for research and development with educational institutions, Article B-17 is revised as follows:

§ 9-16.5002-9 Outline of cost-type contract for research and development with educational institutions.

* * * * *

Article B-17 *Safety and Health*.

If applicable, include one or both of the clauses set forth in § 9-7.5004-12.

* * * * *

Effective date. This amendment is effective January 28, 1975.

Dated at Germantown, Maryland this 17th day of January 1975.

For the Nuclear Regulatory Commission.

JOSEPH L. SMITH,
Director, Division of Contracts.

[FR Doc.75-2425 Filed 1-27-75;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19848; RM-2089]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, FM Broadcast Stations, Monte Rio, California

By the Commission: 1. The Commission has before it the notice of proposed rule making in this proceeding and the filings in response to it.

2. At issue is a proposed first assignment, of a Class A channel, at Monte Rio, California. In issuing the notice we observed that Channel 249A could be assigned without affecting other assignments. Although we noted that the proposal would bring a first FM service to a part of the area it would serve, we stated that it was not necessary to determine exactly the number who would receive such service, as even the opponent Redwood Empire Stereocasters ("Redwood") acknowledged that there would be some first service. We did ask for more data, however, on the need for an assignment to Monte Rio (or to another community in the vicinity). These were points raised in an opposition pleading that had been filed by Redwood, the licensee of an FM station at Santa Rosa, California, approximately 20 miles away.

3. At the time we issued the notice, we lacked a local map depicting the Monte Rio area and lacked sufficient information about the economy of the area. The points are related, as Monte Rio was a small enough community in 1970 that it was not separately enumerated by the Census Bureau, and thus presumably had a population under 1,000. Petitioner, Communications Associates ("C.A.") estimated a population of 1,200 and Redwood[1] in its opposition a population of 900. C.A. argued that there was no reason to be concerned that this might be too low a figure because Monte Rio is in the Russian River tourist area and benefits from the influx of tourists. Information on this point and on the business activity in the area, earlier lacking, has been supplied in response to the notice.

4. While it is true that Monte Rio is indeed small, it is located in an area which appears to be a significant tourist center. To judge it based on the permanent population alone is to ignore reality. In parallel cases we have made assignments to small communities in order to bring sufficient service to those tourist areas. There seems to be no question that this area is not now adequately served. Such signals as are received emanate from rather distant stations. Since there is a heavy influx of tourists which has been shown to extend over much of the year, there is no reason to question further the need for an assignment to Monte Rio or its environs or the ability of the area to support a station.

5. There remains the question of where to assign the channel, and on this point we need to consider the coverage which a station in this area would provide. Monte Rio is centrally located and assigning the channel there would bring a first FM service to a significant area. While there is nothing to demonstrate that the assignment must be made to Monte Rio rather than another community in the area, there is equally little to suggest that another choice would be preferable. This being the case, we shall follow C.A.'s urgings and assign the channel to Monte Rio, to bring it a first local outlet and a first FM service to much of the Russian River area.

6. Accordingly, pursuant to authority contained in sections 4(i), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, *It is ordered*, That the FM Table of Assignments (§ 73.202(b) of the Commission's rules and regulations) is amended to read as follows as concerns Monte Rio, California effective March 7, 1975.

City	*Channel No.*
Monte Rio, Calif.	249A

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

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

Adopted: January 15, 1975.

Released: January 22, 1975.

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

[FR Doc.75-2452 Filed 1-27-75;8:45 am]

[1] Redwood objected to the C.A. proposal but did not subsequently file comments in opposition to the proposal in the Notice.

[Docket No. 19975; RM-2137]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, FM Broadcast Stations: Jeffersontown, Kentucky

By the Commission: 1. The Commission has before it for consideration the proposal to assign Channel 269A to Jeffersontown, Kentucky, as a first FM assignment upon which notice of proposed rule making was released herein on March 20, 1974 (39 FR 11111), in response to a petition of Charles N. Cutler, a prospective applicant for the proposed assignment. Supporting comments were filed by the petitioner in which he affirms his intention to apply for use of Channel 269A if assigned to Jeffersontown, and if authorized, to construct the station promptly. No opposing or other formal comments on the proposal were received. Two letters received from Billy R. Evans, Manager, WQXE Radio, Elizabethtown, Kentucky, and from Peter C. L. Boyce, New Albany, Indiana, also advise of their interest in applying for the proposed Jeffersontown FM assignment.

2. Jeffersontown (population, 9,701) is located in Jefferson County (population, 695,055), approximately eight miles east of Louisville, Kentucky (population, 261,472), also located in Jefferson County. Jefferson County is a part of the Louisville (Ky.-Ind.) Urbanized Area (population, 739,369) and of the Louisville (Ky.-Ind.) Standard Metropolitan Statistical Area (SMSA), of which Louisville is the central city.[1] The Louisville SMSA, the 39th ranking SMSA in size, according to 1973 Census reports, had a 1973 population of 867,330.[2]

3. While Jeffersontown has no local broadcast outlet or FM channel assigned, it receives an abundance of aural broadcast service from the 21 AM and FM stations serving the Louisville SMSA and Urbanized Area. These stations include the 15 Louisville stations (eight AM, five of which are unlimited time operations, five FM stations, three of which are Class B stations, and two noncommercial educational FM stations); the Class A FM station at St. Matthews, Kentucky (population 13,152), which is within the corporate limits of Louisville; the two daytime-only AM stations and the noncommercial educational FM station at New Albany, Indiana (population 38,402), located in Floyd County across the Ohio River from Louisville, and the Class IV AM station and Class B FM station in the neighboring Indiana community of Jeffersonville (population 20,008) in Clark County.

4. In both his petition and comments on the Jeffersontown Channel 269A proposal, Cutler urges that Jeffersontown is large and important enough to warrant a first FM assignment for a first local broadcast outlet of its own. The supporting showing provided in his petition, which has already been adequately discussed in the Notice, is directed to showing that Jeffersontown is a fast growing community;[3] that it "has a life of its own" and "is not a close-in suburb of Louisville", despite its proximity; that Jeffersontown, an incorporated city, has its own government (mayor-council), with full range of municipal services, and its own school system, post office, banks, stores, shopping centers and churches upon which Jeffersontown residents rely for services, shopping and local information; and that it is unrealistic to expect the Louisville broadcast stations to meet the local broadcast needs of Jeffersontown in any meaningful way in view of the distance between the two cities, as well as the many suburbs located closer to Louisville than Jeffersontown.

5. Analysis of the petitioner's showing as to the technical feasibility of a Jeffersontown Channel 269A assignment, indicates that the proposed assignment would require no changes in existing assignments and would conform with mileage separation requirements provided that the transmitting antenna for a Jeffersontown Channel 269A station is located at least five miles east of Jeffersontown to meet the required 15-mile spacing from FM Station WLRS (Ch. 272A) at Louisville.

6. The petitioner's preclusion study indicates that a Jeffersontown Channel 269A assignment would foreclose possible future assignments only on Channel 269A in a very limited area east of Jeffersontown. As the Notice pointed out, this precluded area contains three other communities (all in Kentucky) with populations of over 2,000 persons without FM assignments where Channel 269A could alternatively be assigned if not assigned to Jeffersontown. These communities include Eminence (population, 2,225), the largest city in Henry County (population, 10,910), located about 30 miles northeast of Louisville, which has AM Station WSTL, a daytime-only operation, for a local outlet; Mt. Washington (population, 2,020), located in Bullitt County (population, 26,090), about 16 miles southeast of Louisville, which has no broadcast outlet; and Shelbyville (population, 4,182), the seat of Shelby County (population, 18,999), located about 25 miles east of Louisville, which has a daytime-only AM station (WCND) for a local outlet. While the petitioner's petition and comments do not indicate whether any FM channel or channels other than Channel 269A would be available for assignment to these three communities, even though such information was called for in the Notice, an independent staff study indicates that there is no other FM channel available which could be assigned to any of them without disturbing an existing assignment or assignments.

7. The petitioner contends that section 307(b) of the Communications Act, which requires a fair, efficient, and equitable distribution of radio service, dictates that Jeffersontown be preferred over Shelbyville and Eminence for the requested Channel 269A assignment since they each have an AM (daytime-only) station for a local outlet whereas Jeffersontown has none and they are both smaller in population than Jeffersontown. As for Mt. Washington, which also is smaller than Jeffersontown and has no local broadcast outlet, the petitioner submits that it would be idle to provide it with an FM assignment in view of its size without some assurance that there was active interest in applying for an FM assignment to serve the community and in the absence of any indicated basis for assuming that the community would provide a sufficient economic base to support an FM station.

8. Upon consideration, we have decided that Jeffersontown warrants the requested Channel 269A assignment. While Jeffersontown is located in the Louisville SMSA and Louisville Urbanized Area and receives considerable aural service from the Louisville and other stations located therein, we do not believe that a community of its size (population, 9,701) should be barred from having an FM assignment and an opportunity for a local broadcast outlet of its own because of this consideration if the assignment would serve a valid need and demand there for a first local broadcast service. The petitioner's showing convinces us that an FM assignment to Jeffersontown would. Since it also appears that Jeffersontown is the largest community without a local broadcast service or FM assignment in the area where a Channel 269A assignment would be technically feasible, we believe that the public interest and the objectives of section 307(b) of the Act are served by assigning Channel 269A to Jeffersontown, Kentucky.

9. Accordingly, in view of the foregoing, and pursuant to authority contained in sections 4(i), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, *It is ordered*, That, effective March 7, 1975, the FM Table of Assignments, Section 73.202(b) of the Commission's rules and regulations, is amended, as concerns Jeffersontown, Kentucky, to read as follows:

City	*Channel No.*
Jeffersontown, Ky	269A

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

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

Adopted: January 15, 1975.

Released: January 22, 1975.

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

[FR Doc.75-2453 Filed 1-27-75;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER C—ACCOUNTS, RECORDS AND REPORTS

[No. 32153 (Sub-No. 5)]

PART 1201—UNIFORM SYSTEM OF ACCOUNTS FOR RAILROAD COMPANIES

Accounting for Accumulated Depreciation on Improvements to Leased Property

By notice of proposed rulemaking served August 3, 1973, and published in the FEDERAL REGISTER on August 8, 1973 (39 FR 21436) this Commission announced that it had under consideration a revision to the Uniform System of Accounts for Railroad Companies. This proposed revision relates to accounting for depreciation accumulated on improvements made by the lessee to leased

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

[2] The Louisville SMSA consists of Jefferson County and Bullitt (pop., 26,090) and Oldham (pop., 14,687) counties in Kentucky and Clark (pop., 75,876) and Floyd (pop., 55,622) counties in Indiana. Prior to 1973, Bullitt and Oldham counties were not a part of the Louisville SMSA.

[3] Jeffersontown had a 182.7 percent increase in population over the 1960–1970 period (from 3,431 to 9,701). Over the same ten-year period, Louisville had a 7.5 percent decline in population (from 390,639 to 361,472) and Jefferson County as a whole had a 13.8 percent population increase (from 610,947 to 695,055).

property where such improvements are properly includible in asset Account 732, "Improvements on Leased Property."

Under the present system of accounts, Account 785, "Accrued Depreciation; Leased Property," includes depreciation accumulated on both property leased from others, and any improvements subsequently made by the lessee to this leased property. Account 785 is classified on the balance sheet as a liability. Actually, only the portion of the account relating to depreciation accrued on leased property, not the improvements represents the lessee's liability for unsettled amounts due the lessor.

The intent of this proceeding is to segregate accumulated depreciation applicable to improvements made on leased property and transfer it to the asset side of the balance sheet as a contra (or reduction) account for the related investment in improvements to leased property. By placing the depreciation with related assets balance sheet presentation is improved. This treatment is consistent with that accorded other depreciable property (carrier and noncarrier) and with generally accepted accounting principles as pronounced in Accounting Principles Board Opinion No. 12, "Omnibus Opinion—1967," on classification and disclosure of depreciable assets. The amount transferred from account 785 for past accruals and the future annual accruals for depreciation on the improvements would be included in new account 733, "Accrued Depreciation; Improvements on Leased Property." Account 785 would then include only the lessee's unsettled liability to the lessor and be renamed "Accrued Liability; Leased Property."

The notice of proposed rulemaking provided that any person desiring to participate could do so by filing written statements of fact, views, and arguments within a prescribed time. Comments were received from four railroads and one industry association. All respondents either expressly supported or did not disagree in principle with the accounting theory behind initiation of this proposal. However, there were exceptions taken which centered on the practical problems to be encountered on implementing the change. The comments are summarized below.

The Association of American Railroads (AAR) and the Southern Railway System strongly support the proposal as a further step to align the Uniform System of Accounts with generally accepted accounting principles. AAR points out that the proposed revised text of Account 785 does not specify the accounting for retirement of nondepreciable leased property, and suggests such a reference be incorporated.

Louisville & Nashville Railroad Company (L&N), while agreeing in concept with the proposal, objects to the retitling of Account 785 from "Accrued Depreciation; Leased Property," to "Accrued Liability; Leased Property," arguing that the account does not, in fact, represent the lessee's liability to the lessor in some lease agreements. The carrier would prefer calling the account "Accumulated Depreciation; Leased Property" and reclassifying the account in the balance sheet under the caption "Reserves."

L & N further states that it would be extremely difficult to segregate depreciation bases and related depreciation on leased property still in service and the improvements made to that property. Also, L & N indicates that it would be difficult to identify property retired in the past through Account 732.

Penn Central Transportation Company (PCTC) and Reading Company (Reading), both debtors in reorganization proceedings under section 77 of the Bankruptcy Act, likewise cite impracticability as the reason for their opposition. They further state that any figure arrived at for proposed Account 733, "Accured Depreciation; Improvements on Leased Property," would at best be inexact and arbitrary. Reading also asserts that additional personnel would be required which would strain the debtor's already weak cash position.

The principal objection voiced by the respondents centers on the practical problems of identifying that portion of Account 785 which is applicable to improvements made on leased property. Three respondents (L&N, PCTC, and Reading), while agreeing with the accounting theory behind this change, expressed reservations on this aspect. We realize that implementation of this change will inherently involve research into property records in order to isolate property held under lease from others, and the subsequent additions to and retirements of that property.

For those carriers which anticipate problems in segregating the components of Account 785, the Bureau of Accounts of this Commission can provide assistance. The basic information needed is:

1. The ledger value by primary account of the lessers, property that is under lease to the lessee.

2. The ledger value by primary account of the gross improvements, a portion of which may have been included in Account 732 of the lessee, of additions to and retirements from the account since the Federal inventory date by year.

The analysis of the activity in these accounts will yield the appropriate ratio for each primary account which in turn can be applied to the balances in Account 732 to determine accrued depreciation on the property. The information needed for this program should be readily available from the property records required to be maintained by the carriers.

AAR's suggestion to amend the text of proposed Account 785 to cover accounting for retirements of non-depreciable leased property has merit. However, we believe the text is clear where it refers to including the liability for property retired in this account. Therefore, no further changes are considered necessary.

L & N has stated that it believes Account 785 should not be renamed "Accrued Liability; Leased Property" because in their judgment such accrued depreciation applicable to a lessor's property does not represent a liability to a lessor. We disagree with the carrier's contention. The account is designed to contain amounts due lessors where settlement is not made on a current basis. The amounts may be accrued based on depreciation but nonetheless represent obligation to the lessor for use of the property.

The modification of the accounting regulations as proposed in this Report has the objective of improving balance sheet presentation. We believe the changes as contained in the Appendix accomplish this by (1) associating accumulated depreciation on improvements to leased property with the related asset, and (2) permitting the liability account to reflect only unsettled amounts due lessors.

We find that Part 1201 of Chapter X of Title 49 of the Code of Federal Regulations should be amended as detailed in the Appendix to this Report; and that such rules are reasonable and necessary to the effective enforcement of the provisions of Part I of the Interstate Commerce Act, as amended; that such rules are otherwise lawful and, to the extent so found in this report, consistent with the public interest and the National Transportation Policy; and that this decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

At a General Session of the Interstate Commerce Commission held at its office in Washington, D.C., on the 9th day of January, 1975.

Consideration having been given to the matters involved in this proceeding, and the said Commission, on the date hereof, having made and filed a report herein containing its findings and conclusions, which report is hereby made a part hereof:

It is ordered, That Part 1201 of Title 49 of The Code of Federal Regulations be, and it is hereby revised to read as shown in the Appendix to the above mentioned report.

It is further ordered, That the prescribed amendments shall be effective January 1, 1975.

And it is further ordered, That service of this order shall be made on all railroads; and to the Governor of every State and to the Public Utilities Commission or Boards of each State having jurisdiction over transportation; and that notice of this Order shall be given to the general public by depositing a copy in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and by filing a copy with the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

(49 U.S.C. 20)

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

LIST OF GENERAL BALANCE SHEET ACCOUNTS

1. After Line Item "732 Improvements on Leased Property" the following is added:

733 Accrued Depreciation; Improvements on Leased Property.

2. Line Item "785 Accrued Depreciation: Leased Property" is amended to read:

785 Accrued Liability: Leased Property.

INSTRUCTIONS FOR DEPRECIATION ACCOUNTS

3. Paragraph (a) of instruction 5-4 is amended by changing the reference in the third sentence from 'Account 785, "Accrued Depreciation; Leased Property"' to 'Account 785, "Accrued Liability; Leased Property."'

GENERAL BALANCE SHEET ACCOUNTS

4. After the text of Account 732, "Improvements on Leased Property," the following new account number, title and text are added:

733 Accrued Depreciation; Improvements on Leased Property.

(a) This account shall be credited with amounts concurrently charged to operating expenses or other authorized accounts for depreciation accrued on improvements to leased property, the cost of which is included in account 732, "Improvements on leased property."

(b) The service value of each unit of property retired (and also of each minor item, less than a unit, retired and not replaced) for which this depreciation reserve has been established shall be charged to this account.

(c) Instructions for depreciation accounts, rates of depreciation, and records to be maintained as contained in instruction 5 for owned property shall also apply to improvements on leased property.

5. The title and text of Account 785, "Accrued Depreciation; Leased Property," are amended to read as follows:

785 Accrued Liability; Leased Property.

(a) This account shall be credited with amounts concurrently charged to operating expenses or other accounts to cover the estimated accrued liability on leased road and equipment when settlement between the accounting carrier and the lessor is not made currently. Amounts recorded herein shall include unsettled rent, based on depreciation or other factors, and liability for property retired.

(b) This account shall be divided to show the liability to (1) affiliated companies (See Definition (4), and (2) others.

6. Account 799 "Form of General Balance Sheet Statement" is amended as follows:

* * * * *

732 * * *

733 Accrued Depreciation; Improvements on Leased Property.

* * * * *

784 * * *

785 Accrued Liability; Leased Property.

* * * * *

[FR Doc.75-2519 Filed 1-27-75;8:45 am]

Title 21—Food and Drugs

CHAPTER II—DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

Placement of Pemoline in Schedule IV

On November 1, 1974, the Administrator of the Drug Enforcement Administration issued notice of a proposed rulemaking that § 1308.14 of Title 21 of the Code of Federal Regulations (CFR) be amended to include pemoline (Cylert) in Schedule IV of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 801-966). This notice was published in the FEDERAL REGISTER on Thursday, November 7, 1974 (39 FR 39451), and provided that all interested persons may submit comments, objections and requests for a hearing on the matter no later than December 9, 1974.

The notice further provided that if objections submitted do not present reasonable grounds, the proposed rulemaking shall be finalized and no hearing shall be held, and the party submitting such objections will be so notified by registered mail.

A Motion, dated November 15, 1974, requesting an additional thirty days within which to comment, object or request a hearing on the proposed rulemaking, was filed by Ciba-Geigy Corporation and was received by the Administrator on November 18, 1974. On November 27, 1974, the Administrator granted this Motion and extended the comment period to January 9, 1975, upon the condition that no further extensions would be permitted. Ciba-Geigy was notified of this action by a letter dated November 27, 1974.

On January 9, 1975, Ciba-Geigy filed a letter, dated January 8, 1975, with the Hearing Clerk, Office of the Administrative Law Judge, DEA, objecting to the notice of proposed rulemaking concerning pemoline and requesting a hearing on the matter. The letter was reviewed by the Administrator, who has determined that it fails to present reasonable grounds for the proposed rulemaking concerning pemoline not to be finalized. Ciba-Geigy has been notified of this action by a letter dated January 27, 1975.

No other objections or requests for a hearing having been received, and based upon the investigations and review of the Drug Enforcement Administration and upon the scientific and medical evaluation and recommendation of the Secretary of Health, Education and Welfare, received pursuant to sections 201(a) and 201(b) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 811(a) and 811(b)), the Administrator of the Drug Enforcement Administration finds that:

1. Based on information now available, pemoline has a low potential for abuse relative to the drugs or other substances currently listed in Schedule III.

2. Pemoline will, upon the approval of New Drug Application by the FDA, have a currently accepted medical use in treatment in the United States.

3. Abuse of pemoline may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.

Therefore, under the authority vested in the Attorney General by section 201(a) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 811(a)), and delegated to the Administrator of the Drug Enforcement Administration by § 0.100 of Title 28 of the Code of Federal Regulations, the Administrator orders that, upon approval of the New Drug Application for Cylert by FDA, § 1308.14 of Title 21 of the Code of Federal Regulations (CFR) be amended to read:

§ 1308.14 Schedule IV.

* * * * *

(d) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

* * * * *

(3) Pemoline (including organometallic complexes and chelates thereof) ---- 1530

* * * * *

The issuing of a letter approving the New Drug Application for pemoline, by FDA, has occurred simultaneously with the issuing of this order, which is effective on January 28, 1975.

Dated: January 27, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-2722 Filed 1-27-75;8:48 am]

proposed rules

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

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

[21 CFR Part 9]

FIDUCIARY POWERS OF NATIONAL BANKS AND COLLECTIVE INVESTMENT FUNDS

Proposed Rulemaking

Notice is given that the Comptroller of the Currency, pursuant to the authority contained in section 1(j) of Pub. L. 87-722, 76 Stat. 668, 12 U.S.C. 92a, and R.S. 5240, as amended, 12 U.S.C. 481, is considering the adoption of revisions of and additions to Part 9 relating to the fiduciary powers of national banks.

The proposed amendment will authorize national banks collectively to invest on a short-term basis, funds held as a fiduciary, to the extent not prohibited by law, in the variable amount note of a single borrower, provided the borrower is not a bank or bank holding company or an affiliate or subsidiary thereof. The proposed amendment gives specific regulatory authority for the employment of an investment device long used in the fiduciary industry and previously approved by the Comptroller of the Currency pursuant to § 9.18(c)(5) of Part 9. However, banks, bank holding companies and their affiliates will no longer be able to borrow trust funds from national banks in this manner.

Persons desiring to comment on the proposed amendment should do so in writing no later than March 31, 1975. Comments should be addressed to Dean E. Miller, Deputy Comptroller for Trusts, The Office of the Comptroller of the Currency, The Administrator of National Banks, Washington, D.C. 20219.

Part 9 of 12 CFR would be amended by redesignating subparagraph (c)(2) of § 9.18 as subdivision (c)(2)(i), by adding a semi-colon and the word "or" in lieu of the period at the end thereof, and by adding a new subdivision (c)(2)(ii). Changes in the text would be as follows:

§ 9.18 Collective investment.

* * * * *

(c) * * *

(2)(i) In a single real estate loan, a direct obligation of the United States, or an obligation fully guaranteed by the United States, or in a single fixed amount security, obligation or other property, either real, personal or mixed, of a single issuer; or

(ii) On a short-term basis in a variable amount note of a single borrower of prime credit, other than a bank or bank holding company or affiliate or subsidiary of a bank or bank holding company: *Provided*: That the bank owns no participation in the loan or obligation and has no interest in any investment therein except in its capacity as fiduciary.

* * * * *

Dated: January 21, 1975.

[SEAL] JAMES E. SMITH,
Comptroller of the Currency.

[FR Doc.75-2487 Filed 1-27-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 982]

FILBERTS GROWN IN OREGON AND WASHINGTON

Proposed Revision of Free and Restricted Percentages for the 1974-75 Fiscal Year

Notice is given of a proposal to revise the free and restricted percentages applicable to filberts grown in Oregon and Washington for the 1974-75 fiscal year, beginning August 1, 1974. Free and restricted percentages of 61 percent and 39 percent, respectively, were established on November 29, 1974 (39 FR 41510). It is proposed that these percentages be revised to 65 percent and 35 percent, respectively.

The free percentage prescribes that portion of the total merchantable supply which may be handled as inshell filberts. The restricted percentage prescribes that portion of the total merchantable supply which must be withheld from such handling. Restricted filberts may be shelled (for domestic or foreign consumption), exported, or disposed of in outlets determined by the Filbert Control Board to be noncompetitive with normal market outlets for inshell filberts.

The revised percentages would be established in accordance with § 982.41 of the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982), regulating the handling of filberts grown in Oregon and Washington, effective under the Aricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The Filbert Control Board, at a November 12, 1974, meeting estimated the total production of filberts for 1974 at 7,000 tons, of which 6,164 tons would be merchantable and the free and restricted percentages currently effective were established on the basis of those estimates. The Board, at a January 16, 1975, meeting revised its estimate of total production downward to 6,500 tons, of which an estimated 5,720 tons would be merchantable. The Board also increased its previous estimate of carryover not subject to regulation on August 1, 1974, from 1,629 tons to 1,695 tons. The downward revision in the production estimate makes necessary an increase in the free percentage in order to make available the same quantity of inshell filberts as were made available by the percentages established on November 29, 1974.

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, Administration Building, Washington, D.C. 20250, not later than February 14, 1975. All written submissions made pursuant to this notice should be in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during official hours of business (7 CFR 1.27(b)).

The revised percentages are based upon the following estimates for the 1974-75 fiscal year:

Inshell supply:

	Tons
(1) Total production	6,500
(2) Less substandard, etc	780
(3) Total merchantable production	5,720
(4) Carryover Aug. 1, 1974, subject to regulation	306
(5) Total merchantable supply (item 3 plus item 4)	6,026

Inshell requirements:

(6) Trade demand	5,200
(7) Carryover July 31, 1975	400
(8) Total	5,600
(9) Less carryover Aug. 1, 1974, not subject to regulation	1,695
(10) Inshell requirements	3,905

Percentages:

(11) Free percentage (item 10 divided by item 5)	65
(12) Restricted percentage (100 percent minus 65 percent)	35

The proposal is to revise § 982.224 (39 FR 41510) to read as follows:

§ 982.224 Free and restricted percentages for merchantable filberts during the 1974-75 fiscal year.

The following percentages are established for merchantable filberts for the fiscal year beginning August 1, 1974:

Free percentage	65
Restricted percentage	35

Dated: January 23, 1975.

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

[FR Doc.75-2436 Filed 1-27-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 52c]

MINORITY BIOMEDICAL SUPPORT PROGRAM

Notice of Proposed Rule Making

Correction

In FR Doc. 74-30283 appearing at page 45042 in the issue of Monday, December 30, 1974, the last line in the first complete paragraph in the second column now reading, "adopted effective on December 30, 1974." should read, "adopted effective upon publication in the FEDERAL REGISTER."

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Parts 21, 36]

[Docket No. 13243; Notice No. 74-39]

NOISE STANDARDS FOR PROPELLER DRIVEN SMALL AIRPLANES

Proposed Regulations Submitted to the FAA by the Environmental Protection Agency

Correction

In FR Doc. 74-30538 appearing at page 1061 in the issue of Monday, January 6, 1975 the signature on page 1069 reading "Charles R. Foot" should read "Charles R. Foster."

[14 CFR Part 71]

[Airspace Docket No. 74-RM-15]

FEDERAL AIRWAY

Proposed Alteration; Withdrawal

On October 31, 1974, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (39 FR 38390) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a north alternate to VOR Federal Airway V-200 between Meeker, Colo., and Kremmling, Colo.

Subsequent to the publication of the notice, it was determined by a flight inspection that the proposed north alternate airway would require an unduly high minimum en route altitude. For this reason, notice is hereby given that the proposal contained in Airspace Docket No. 74-RM-15 (39 FR 38390) is withdrawn.

This withdrawal of the notice of proposed rule making, however, does not preclude the FAA from issuing similar notices in the future or commit the FAA to any course of action.

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

Issued in Washington, D.C., on January 21, 1975.

GORDON E. KEWER,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-2417 Filed 1-27-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-RM-1]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Rugby, No. Dak. transition area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Federal Aviation Administration, Park Hill Station P.O. Box 7213, Denver, Colorado 80207. All communications received on or before February 27, 1975 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 10455 E. 25th Avenue, Aurora, Colorado 80010.

A new approach procedure has been established utilizing the 314° T (303° M) bearing of the Rugby non-Federal NDB for procedure turn and final approach course to runway 11 at Rugby Municipal Airport. An additional 1,200-foot transition area is required to provide controlled airspace protection for a portion of the procedure turn area.

In consideration of the foregoing, the FAA proposes the following airspace action:

In § 71.181 (40 FR 441) the description of the Rugby, No. Dak. 1,200-foot transition area is amended by adding:

RUGBY, NO. DAK.

"* * * and within 9.5 miles south and 4.5 miles north of the 314° T bearing from the Rugby, No. Dak. NDB, extending from the NDB to 18.5 miles northwest of the NDB."

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended, (49 U.S.C. 1348(a)), and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Aurora, Colorado, on January 27, 1975.

M. M. MARTIN,
Director, Rocky Mountain Region.

[FR Doc.75-2420 Filed 1-27-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-SW-3]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to designate a transition area at West Woodward, Okla.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before February 27, 1975 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Texas. An informal docket will also be available for examination at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

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

WEST WOODWARD, OKLA.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the West Woodward, Okla., Airport (latitude 36°26'12" N., longitude 99°31'30" W.), and within 5 miles either side of the Gage VORTAC 072°T (062°M) radial; extending from the 7-mile-radius area southwest to Gage VORTAC; excluding the Gage, Okla., control zone and transition area.

The proposed transition area will provide controlled airspace for aircraft executing approach/departure procedures proposed at the West Woodward, Okla., Airport.

Concurrently with this action, the West Woodward, Okla., Airport will be changed from VFR to IFR status.

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

Issued in Fort Worth, TX., on January 16, 1975

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.75-2119 Filed 1-27-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-GL-54]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Monee, Illinois.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018. All communications received within on or before February 27, 1975, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

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

An instrument approach procedure has been developed for the Sanger Airport, Monee, Illinois. Consequently, it is necessary to provide controlled airspace protection for aircraft executing this approach procedure by designating a transition area at Monee, Illinois.

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

In § 71.181 (39 FR 440), the following transition area is added:

MONEE, ILLINOIS

That airspace extending upward from 700 feet above the surface within a five mile radius of Sanger Airport (Latitude 41°22'39" N., Longitude 87°41'03" W.); within one and one-half miles either side of the 039° radial of the Peotone VORTAC extending from the five mile radius area to the VORTAC, excluding that portion that overlies the Chicago, Illinois transition area.

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

Issued in Des Plaines, Illinois, on January 9, 1975.

R. O. ZIEGLER,
Acting Director,
Great Lakes Region.

[FR Doc.75-2421 Filed 1-27-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-NE-56]

VOR FEDERAL AIRWAY

Proposed Alteration and Extension

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter and extend V-130 from Norwich, Conn., via Martha's Vineyard, Mass., to Hyannis, Mass.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, New England Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 12 New England Executive Park, Burlington, Mass. 01803. All communications received on or before February 27, 1975 will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, 800 Independence Avenue, SW., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The proposed amendment would extend V-130 from Norwich, Conn., direct to Martha's Vineyard, Mass., direct to Hyannis, Mass. If designated, the additional route would enhance the control of air traffic to and from the Cape and Island areas.

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

Issued in Washington, D.C., on January 21, 1975.

GORDON E. KEWER,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.75-2418 Filed 1-27-75;8:45 am]

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 74-10; Notice 13]

AIR BRAKE SYSTEMS

Construction Vehicles

This notice proposes an amendment of Standard No. 121, Air brake systems, 49 CFR 571.121, that would exempt a small category of oversize and construction vehicles from the applicability of the standard. This proposal expands the criteria for this specialized vehicle category in response to comments on an earlier exemption proposal (39 FR 40168, November 14, 1974).

The earlier proposal would have established permanent exemption from Standard No. 121 for any vehicle that has an overall width of 108 inches or more, or is equipped with an axle of 29,000 pounds gross axle weight rating (GAWR) or more, or two or more front steerable axles of 16,000 pounds GAWR or more, or any front steerable drive axle driven through a gear reduction contained within the wheel. The manufacturers of these specialized vehicles commented favorably on the proposal but pointed out some elements of the criteria which inadequately describe the vehicle category in question. As noted in the earlier proposal, the NHTSA tentatively determined that the specialized configuration of this small category makes compliance with the standard so difficult and expensive that an exemption from the standard is justified. It was also noted that the vehicle function in these cases generally results in restricted operation on the highway (e.g., at low speed, in permit operation, or during daylight hours) and that as a result vehicle exposure on the highway is limited.

It is apparent from the comments that the overwidth, 29,000-pound-GAWR, and gear-reduction criteria do not adequately describe the full range of these specialized vehicles. Bucyrus-Erie Company and Rockwell International Corporation stressed that vehicles with rear steerable drive axles or articulated steering, as well as those with front steerable drive axles, fall within this category. American-Coleman Company indicated that reliance on planetary-type design (as an indicator of low maximum speed) discriminated against some low-speed specialized vehicles which do not utilize gear reduction contained within the wheel. American-Coleman suggested that a better criterion to describe these vehicles would be their lack of passenger- or cargo-carrying capacity.

The NHTSA concludes that the category should be some-what enlarged to encompass the slow-moving vehicles which do not have a cargo- or passenger-carrying function. To accomplish this, the NHTSA would establish a combination criterion of vehicle configuration and maximum attainable speed. The combination is necessary so that any vehicles capable of maximum highway speeds would remain subject to the standard. An additional category for vehicles whose maximum attainable speed is 33 mph would be created to exempt construction and road maintenance vehicles which do not have all-wheel drive or planetary gear reduction but have the same specialized application.

Mack Trucks, Incorporated, suggested that the 29,000-pound axle criterion be reduced to 24,000 pounds, because all states require vehicle permits to operate

a vehicle with any GAWR in excess of 24,000 pounds. The NHTSA believes that its new proposal to exempt slow-moving and other heavy vehicles already deals adequately with the 24,000- to 29,000-pound GAWR axle category. In addition it has come to the attention of the NHTSA that some manufacturers are considering changing the ratings of their axles from 23,000 lbs to 24,000 lbs in order to avoid the requirements of the standard.

American-Coleman also requested that the 108-inch exemption be expanded to exclude vehicles in excess of 96 inches. The NHTSA notes, however, that many vehicles which use highways regularly exceed 96 inches and would be excluded under this suggestion. For this reason, this request is denied.

In a related matter, General Motors objected to modification of the definition of "overall width" from that presently in use in Standard No. 108, Lamps, reflective devices, and associated equipment. The NHTSA agrees that the present definition has not created interpretative difficulty and concludes that the newly-proposed definition offers no significant advantages. Accordingly, the proposal is withdrawn. In view of the general use of "overall width" as a term in several standards, the NHTSA instead proposes that the present definition be relocated in § 571.3, Definitions, of Part 571. The term would become "overall vehicle width" to distinguish it from the term "overall width" as defined in Standard No. 104, Windshield wiping and washing systems.

In conclusion, it is noted that the new criteria overlap somewhat with the earlier criteria proposed. The older criteria would remain in the standard so that the determination of whether a vehicle is subject to the standard can, in most cases, be made on the basis of axle type without having to determine the vehicle's maximum attainable speed.

In consideration of the foregoing, it is proposed that Standard No. 121 (49 CFR 571.121) be amended as follows:

1. S3. would be amended to read:

§ 571.121 Standard No. 121; Air Brake Systems (Effective Sept. 1, 1974).

* * * * *

S3. *Application.* This standard applies to trucks, buses, and trailers equipped with air brake systems. However, it does not apply to a fire fighting vehicle manufactured before September 1, 1975, or a heavy hauler trailer manufactured before September 1, 1976, or to any vehicle manufactured before September 1, 1976, that has a gross axle weight rating (GAWR) for any axle of 24,000 pounds or more, or to any vehicle which, in combination with another vehicle, constitutes a part of an "auto transporter" as defined in S4. In addition, the standard does not apply to any vehicle with at least one of the following characteristics: (1) an overall width of 108 inches or more, (2) a speed attainable in 2 miles of not more than 33 mph, (3) a speed attainable in 2 miles of not more than 45 mph, all-wheel drive, and no cargo- or passenger-carrying capacity, (4) an axle that has a GAWR of 29,000 pounds or more, (5) two or more front steerable axles with a GAWR of 16,000 pounds or more for each axle; or (6) a steerable drive axle driven through gear reduction contained within the wheel.

2. S4. would be amended by the addition of a new definition following "Auto transporter" to read:

* * * * *

"Speed attainable in 2 miles" means the speed attainable by accelerating at maximum rate from a standing start for 2 miles on a level surface.

* * * * *

3. Section 571.3 of Part 571 would be amended by addition of a new definition following "Outboard designated seating position" to read:

§ 571.3 Definitions.

* * * * *

"Overall vehicle width" means the nominal design dimension of the widest part of the vehicle, exclusive of signal lamps, marker lamps, outside rearview mirrors, flexible fender extensions, and mud flaps, determined with doors and windows closed and the wheels in the straight-ahead position.

* * * * *

Interested persons are invited to submit comments on the proposal. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street, SW., Washington, D.C. 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Comment closing date: February 15, 1975.

Proposed effective date: March 1, 1975.

(Sec. 103, 119, Pub. L. 89-563, 80 Stat 718 (15 U.S.C. 1392, 1407); delegations of authority at 49 CFR 1.51, and 49 CFR 501.8)

Issued on January 23, 1975.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

[FR Doc.75-2486 Filed 1-23-75;3:37 am]

COMMISSION ON CIVIL RIGHTS

[45 CFR Part 704]

FREEDOM OF INFORMATION

Proposed Revision of Fees

Pursuant to Pub. L. 93-502, enacted November 21, 1974, notice is hereby given of a proposed amendment to the Commission on Civil Rights [hereinafter referred to as Commission] regulations which establish the fees to be charged for retrieval and reproduction of records requested by members of the public. The proposed amendment would revise the fees schedule to conform to the criteria set forth in section 552(a)(4) of Title V, United States Code, as amended by Pub. L. 93-502.

Interested persons may comment upon the proposed amendment by submitting written data, views and arguments to the General Counsel, U.S. Commission on Civil Rights, 1121 Vermont Avenue, NW., Washington, D.C., 20425. All comments received by Friday, February 17, 1975, will be considered prior to the final action by the Commission on the proposed fees schedule. This short period for the receipt of comments is necessitated by the fact that the statutory amendment which the proposed amendment to the regulations is intended to implement are due to become effective on February 19, 1975, and the fact that the regulations as adopted must be distributed to the eight regional offices of the Commission. The Commission will consider comments received after the February 17, 1975, deadline to the extent practical in connection with amendments to the regulations in the future.

Accordingly, the Commission proposes the following amendment: In 45 CFR Part 704 § 704.1(e) is revised to read as follows:

§ 704.1 Material available pursuant to 5 U.S.C. 552.

(*e*) *Schedule of Fees:* (1) Photocopy reproductions from all types of copying processes, each reproduction image—$.03.

(2) Standard searching, per hour (minimum charge one-quarter hours)—$4.09.

(3) Searching requiring particular training or skills not required of clerical personnel, per hour (minimum one-half hour)—$8.88.

(4) The above search fee is not applicable to computerized record search: In situations involving the use of computers to locate and extract the requested information charges will be based only on the direct cost to the agency, including labor, material and computer time.

Dated at Washington, D.C., January 23, 1975.

ARTHUR S. FLEMMING,
Chairman.

[FR Doc.75-2527 Filed 1-27-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 327-4]

PENNSYLVANIA IMPLEMENTATION PLAN

Proposed Revision

On May 28, 1974, the Commonwealth of Pennsylvania submitted to the Regional Administrator amendments to the Pennsylvania State Implementation Plan for the attainment and maintenance of air quality standards. The proposed amendment consists of revisions of Chapter 141, "Fuel Usage and Emergency Variances." The major provisions of this amendment consist of:

1. Extending the authority of the State Department of Environmental Resources to issue fuel usage and emergency variances, for one year, or up until May 1, 1975.

2. Extending the time period for variances from "up to 120 days" to "up to 180 days."

3. Providing for a minimum authorized 10 day notice for a public hearing on fuel usage variances, but providing for a full 30 day notice period whenever possible.

The proposed amendment to the Pennsylvania Implementation Plan was publicly advertised and a hearing was held on April 26, 1974 in Harrisburg, Pennsylvania in accordance with 40 CFR Part 51, Requirements for Preparation, Adoption and Submittal of State Implementation Plans.

The public is invited to submit comments on whether the proposed amendment should be approved or disapproved as required by section 110 of the Clean Air Act and 40 CFR Part 51. Only comments received by February 27, 1975, will be considered. The Administrator's decision to approve or disapprove this proposed revision will be based on whether it meets the requirements of section 110 (a)(2)(A)-(H) of the Clean Air Act and 40 CFR Part 51.

Copies of the proposed amendment are available for public inspection during normal business hours at the Offices of EPA, Region III, Curtis Building, Second Floor, Sixth and Walnut Street., Philadelphia, Pennsylvania, 19106; at the Office of the Pennsylvania Department of Environmental Resources, Third and Locust Streets, Harrisburg, Pennsylvania, 17120; and at the Freedom of Information Center, EPA, 401 M Street, SW., Washington, D.C., 20460. All comments should be directed to Howard Heim, Acting Chief, Air Planning Branch, Air and Hazardous Materials Division, Environmental Protection Agency, Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania, 19106. (AH004 PA)

(42 U.S.C. 1857 c-5)

Dated: January 16, 1975.

DANIEL SNYDER III,
Regional Administrator.

[FR Doc.75-2502 Filed 1-27-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 0]

[Docket No. 20326]

FREEDOM OF INFORMATION ACT

Notice of Proposed Rule Making

By the Commission: 1. Pursuant to recent amendments to the Freedom of Information Act (Pub. L. 93-502, November 21, 1974, 5 U.S.C. 552), we are hereby inviting comment on a schedule of fees to cover the direct costs of search and duplication of records requested under the Act. Fees relating to the duplication of records are dealt with in §§ 0.465 and 0.467 of the rules and regulations, 47 CFR 0.465 and 0.467. No change in those provisions is being proposed, but comment on the existing provisions may be submitted.

2. Fees covering the costs of searching for records are contained in proposed § 0.466. Comment on the proposed rule or on alternatives favored by those commenting is invited.

3. Interested persons may file comments on the existing and proposed rules on or before February 5, 1975. Reply comments may not be filed. Comments are available for inspection in the Commission's Broadcast and Dockets Reference Room at its headquarters in Washington, D.C. All relevant and timely comments will be considered by the Commission prior to final action in this proceeding. In reaching its decision, the Commission may take into account relevant information in addition to the specific comments invited by this Notice. In accordance with the provisions of § 1.419 of the rules and regulations, an original and 14 copies of all comments shall be furnished the Commission.

Adopted: January 15, 1975.

Released: January 22, 1975.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] VINCENT J. MULLINS,

In Part O of Chapter I of Title 47 of the Code of Federal Regulations, § 0.466 is added, to read as follows:

§ 0.466 Search fee.

(a) Subject to the provisions of this section, a fee of $5.00 per hours, and for any fraction of an hour, is charged for recovery of the direct costs of searching for records requested under § 0.460 or § 0.461 [1] Sections 0.465 and 0.467 deal with charges for providing copies of records made available for inspection.

(b) No search fee will be charged if—

(1) The records are not located;

(2) The records are located but are not made available for inspection;

(3) The search does not exceed one hour in duration.

(c) The search fee will be waived or reduced by the General Counsel, upon a showing that waiver of reduction is in the public interest because furnishing the information is primarily of benefit to the general public.

(d) The fee charged will not exceed an amount based on the time normally required to locate records of the kind requested. (For example, the person making the request will not be charged for the extra time required to locate records which have been misplaced or misfiled.)

(e) In most cases, the request for inspection shall specify the maximum search fee that the person making the request is prepared to pay. See § 0.460 (d) and (e) and § 0.461(b).[1] If the specified maximum is reached before all of the records have been located, the search will be terminated and the person making the request will be so notified.

(f) When the search has been completed, the custodian of the records will give notice of the charges incurred to the person who made the request.

(g) The fee shall be paid to the Fee Unit, Financial Management Division, Office of Executive Director, or as otherwise directed by the Commission.

(h) Evidence of payment shall be presented to the custodian of the records before the records are made available for inspection.

(i) Records shall be inspected within 7 days after notice is given that they have been located and are available for inspection. After that period, they will be returned to storage, and additional charges may be imposed for again producing them.

(j) Record searches will not be undertaken on the request of any person who has incurred but has not paid charges for producing records.

[FR Doc.75-2451 Filed 1-27-75;8:45 am]

[1] A new § 0.460 and a revised § 0.461 are being written. Section 0.460 will deal with requests for inspection of records which are routinely available for public inspection and will require a written request, with a statement of the maximum search fee the requester is prepared to pay, where it appears that there will be an appreciable delay in locating the records, as where a large number of documents is requested. Section 0.461 will deal with requests for records which are not routinely available for inspection, and will require that all such requests be in writing and that they specify a maximum fee.

FEDERAL MEDIATION AND CONCILIATION SERVICE

[29 CFR Part 1401]

PUBLIC INFORMATION

Procedures and Cost for Obtaining Information

Pursuant to the Freedom of Information Act, 5 U.S.C., 552, as amended November 21, 1974 (Pub. L. 93-502), which requires each agency to establish procedures applicable to disclosure of public information, it is proposed to amend Chapter XII of Title 29 of the Code of Federal Regulations by amending Part 1401 to read as set forth below.

This amended Part 1401 contains the Federal Mediation and Conciliation Service's rules concerning the availability of items of information relating to the

agency or within its custody, and establishes the procedures and costs for obtaining information.

Interested persons are invited to submit comments, data or arguments until February 14, 1975 to: The Office of the General Counsel, Federal Mediation and Conciliation Service, 14th and Constitution Avenue, NW., Washington, D.C. 20427.

W. J. USERY, Jr.,
National Director.

The proposed amended Part 1401 reads as follows:

PART 1401—PUBLIC INFORMATION

Subpart A—Information or Testimony in Response to Subpoenas

Sec.
1401.1 Purpose and scope.
1401.2 Production of records or testimony by FMCS employees.
1401.3 Procedure in the event of a demand for production disclosure or testimony.

Subpart B—Production or Disclosure of Information

Sec.
1401.20 Purpose and scope.
1401.21 Information policy.
1401.22 Partial disclosure of records.
1401.23 Preparation of new records.
1401.24 Notices of dispute are disclosable.
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1401.33 Logging of written requests.
1401.34 Time for processing requests.
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1401.36 Fees—duplication cost and search.
1401.37 Annual report.

AUTHORITY: Sec. 202, 61 Stat. 153, as amended; 29 U.S.C. 172; Pub. L. 90-23, 81 Stat. 54-56 as amended by Pub. L. 93-502, 88 Stat. 1561-1565 (5 U.S.C. 552).

Subpart A—Information in Response to Subpoenas

§ 1401.1 Purpose and scope.

This subpart contains the regulations of the Service concerning procedures to be followed when a subpoena, order, or other demand of a court or other authority is issued for the production or disclosure of (a) any material contained in the files of the Service; (b) any information relating to material contained in the files of the Service; or (c) any information or material acquired by any person as a part of the performance of his official duties or because of his official status, while such person was an employee of the Service.

§ 1401.2 Production of records or testimony by FMCS employees.

(a) Public policy and the successful effectuation of the Federal Mediation and Conciliation Service's mission require that commissioners and employees maintain a reputation for impartiality and integrity. Labor and management or other interested parties participating in mediation efforts must have the assurance and confidence that information disclosed to commissioners and other employees of the Service will not subsequently be divulged, voluntarily or because of compulsion, unless authorized by the Director of the Service.

(b) No officer, employee, or other person officially connected in any capacity with the Service, currently or formerly, shall, in response to a subpoena, subpoena duces tecum, or other judicial or administrative order, produce any material contained in the files of the Service, disclose any information acquired as part of the performance of his official duties or because of his official status, or testify on behalf of any party to any matter pending in any judicial, arbitral or administrative proceeding, without the prior approval of the Director.

§ 1401.3 Procedure in the event of a demand for production, disclosure or testimony.

(a) Any request for records of the Service, whether it be by letter, by subpoena duces tecum or by any other written demand, shall be handled pursuant to the procedures established in Subpart B. of this part, and shall comply with the rules governing public disclosure.

(b) Whenever any subpoena or subpoena duces tecum calling for production of records or testimony as described above shall have been served upon any officer, employee or other person as noted in § 1401.2(b), he will, unless notified otherwise appear in answer thereto, and unless otherwise expressly directed by the Director, respectfully decline to produce or present such records or to give such testimony, by reason of the prohibitions of this section, and shall state that the production of the record(s) involved will be handled by the procedures established in this part.

Subpart B—Production or Disclosure of Information

§ 1401.20 Purpose and scope.

This subpart contains the regulations of the Federal Mediation and Conciliation Service providing for public access to information from records of the Service. These regulations implement the Freedom of Information Act, 5 U.S.C. 552, as amended by Pub. L. 93-502, and the policy of the FMCS to disseminate information on matters of interest to the public and to disclose to members of the public on request such information contained in records in its custody insofar as is compatible with the discharge of its responsibilities and the principle of confidentiality of dispute resolution by third party neutrals, consistent with applicable law.

§ 1401.21 Information policy.

(a) Except for matters specifically excluded by subsection 552(b) of Title 5, United States Code, or other applicable statute, all documents and records maintained by this agency or within the custody thereof shall be available to the public upon request filed in accordance with these regulations. To the extent permitted by other laws, the Service also will make available records which it is authorized to withhold under 5 U.S.C. 552(b) whenever it determines that such disclosure is in the public interest.

(b) Any document released for inspection under the provisions of this part may be manually copied by the requesting party. The Service shall provide facilities for copying such documents at reasonable times during normal working hours so long as it does not interfere with the efficient operation of the agency.

(c) The Service will also publish and maintain a current index, revised quarterly, providing identifying information for the public as to statements of policy and interpretation adopted by the agency and still in force but not published in the FEDERAL REGISTER, and administrative staff manuals and instructions to staff that affect a member of the public. The Service will also maintain on file all material published by the Service in the FEDERAL REGISTER and currently in effect.

(d) Records or documents prepared by the Service for routine public distribution, e.g., pamphlets, speeches, and educational or training materials, shall be furnished free of charge upon request to the Office of Information, Federal Mediation and Conciliation Service, 14th Street and Constitution Avenue, NW., Washington, D.C. 20427, as long as the supply lasts. The provisions of § 1401.36 shall not be applicable to such requests except when the supply of such material is exhausted and it is necessary to reproduce individual copies upon specific request.

(e) All existing FMCS records are subject to routine destruction according to standard record retention schedules.

§ 1401.22 Partial disclosure of records.

If a record contains both disclosable and nondisclosable information, the nondisclosable information will be deleted and the remaining record will be disclosed unless the two are so inextricably intertwined that it is not feasible to separate them or release of the disclosable information would compromise or impinge upon the nondisclosable portion of the record.

§ 1401.23 Preparation of new records.

(a) The Freedom of Information Act and the provisions of this part apply only to existing records that are reasonably described in a request filed with the Federal Mediation and Conciliation Service pursuant to the procedures established in §§ 1401.31-1401.34.

(b) The Director may, in his discretion, prepare new records in order to respond to a request for information when he concludes that it is in the public interest and promotes the objectives of the Labor-Management Relations Act, 1947, as amended.

§ 1401.24 Notices of dispute are disclosable.

Written notices of disputes received by the Service pursuant to sections 8(d)(3), 8(d)(A) and 8(d)(B) of the Labor-Management Relations Act, 1947, as amended,

are not exempt from disclosure. Parties at interest have the right to receive certified copies of any such notice of dispute upon written request to the regional director of the region in which the notice is filed.

§ 1401.30 Applicability of procedures.

Requests for inspection or copying of information from records in the custody of the FMCS which are reasonably identifiable and available under the provisions of this part shall be made and acted upon as provided in the following sections of this subpart. The prescribed procedure shall be followed in all cases where access is sought to official records pursuant to the provisions of the Freedom of Information Act, except with respect to records for which a less formal disclosure procedure is provided specifically in this part.

§ 1401.31 Filing a request for records.

(a) Any person who desires to inspect or copy any record covered by this part shall submit a written request to that effect to the appropriate office of FMCS which has custody of the record. Standard forms for making a request are not required.

(1) If the records are kept in Washington, D.C., the request shall be directed to the Director of the office, as specified in paragraph (b).

(2) If the records are kept in a field office, the request shall be directed to the office of the regional Director of the region within which the field office maintains custody of such records, as specified in paragraph (c).

(3) If the person making the request does not know where the record is located, he may direct his request to the Director of Administration, FMCS, listed in paragraph (b), below.

(b) The Washington, D.C. offices of FMCS referred to in paragraph (a)(1) of this section, located at 14th Street and Constitution Avenue, NW., Washington, D.C., 20427, are as follows:

(1) Office of the National Director (202) 961-3501.

(2) Office of the General Counsel (202) 961-3714.

(3) Office of Mediation Services (202) 961-3505.

(4) Office of Arbitration Services (202) 961-3513.

(5) Office of Administration (202) 961-3566.

(6) Office of Technical Services (202) 961-3553.

(7) Office of Information (202) 961-3518.

(c) The regional Directors' office referred to in paragraph (a)(2) of this section are:

Region 1—Room 2937, Federal Building, 26 Federal Plaza, New York, N.Y. 10007; (212) 264-1000.

Region 2—Room 401, Mall Building, Fourth and Chestnut Streets, Philadelphia, Pa. 19106; (215) 597-7680.

Region 3—Suite 400, 1422 West Peachtree Street, NW., Atlanta, Ga. 30309; (404) 526-2473.

Region 4—Room 1525, Superior Building, 815 Superior Avenue, NE., Cleveland, Ohio 44114; (216) 522-4800.

Region 5—Room 1402, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Chicago, Ill. 60604; (312) 353-7350.

Region 6—Room 3266, Federal Building, 1520 Market Street, St. Louis, Mo. 63103; (314) 622-4591.

Region 7—Room 13471, New Federal Office Building, 450 Golden Gate Avenue, P.O. Box 36007, San Francisco, Calif. 94102; (415) 556-4670.

§ 1401.32 Description of information requested.

(a) Each request should reasonably describe the records being sought, in a way that they can be identified and located. A request should include all pertinent details that will help identify the records sought.

(b) If the description is insufficient, the officer processing the request will so notify the person making the request and indicate the additional information needed. Every reasonable effort shall be made to assist in the identification and location of the records sought.

§ 1401.33 Logging of written requests.

(a) All requests for records should be clearly and prominently identified as a request for information under the Freedom of Information Act, and if submitted by mail or otherwise submitted in an envelope or other cover, should be clearly and prominently identified as such on the envelope or other cover.

(b) Upon receipt of a request for records, the officer processing the request shall enter it in a public log. The log shall state the date and time received, the name and address of the person making the request, the nature of the records requested, the action taken on the request, the date of the determination letter sent pursuant to § 1401.34 (b) and (d), the date(s) any records are subsequently furnished, the number of staff hours and grade levels of persons who spent time responding to the request, and the payment requested and received.

§ 1401.34 Time for processing requests.

(a) All time limitations established pursuant to this section shall begin as of the time at which a request for records is logged in by the officer processing the request pursuant to § 1401.33(b). An oral request for records shall not begin any time requirement. A written request for records sent to an office of FMCS other than the one having authority to grant or deny access to the records shall be redirected immediately to the appropriate officer for processing, and the time shall begin upon its being logged in there in accordance with § 1401.33(b).

(b) The officer passing upon the request for records shall, within ten (10) working days following receipt of the request, respond in writing to the requester, determining whether, or the extent to which, the agency shall comply with the request.

(1) If all of the records requested have been located and a final determination has been made with respect to disclosure of all of the records requested, the response shall so state.

(2) If all of the records have not been located or a final determination has not been made with respect to disclosure of all the records requested, the response shall state the extent to which the records involved shall be disclosed pursuant to the rules established in this part.

(3) If the request is expected to involve an assessed fee in excess of $50.00, the response shall specify or estimate the fee involved and shall require prepayment before the records are made available.

(4) Whenever possible, the response relating to a request for records that involves a fee of less than $50.00, shall be accompanied by the requested records. Where this is not possible, the records shall be forwarded as soon as possible thereafter, consistent with other obligations of the agency.

(c) In the following circumstances, the time for passing upon the request may be extended for up to an additional 10 working days by written notice to the person making the request, setting forth the reasons for such extension and the time within which a determination is expected to be made:

(1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request;

(2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or

(3) The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.

(d) If any request for records is denied in whole or in part, the response required by paragraph (b) of this section shall notify the requester of the denial. Such denial shall specify the reason therefor and also advise that the denial may be appealed to the Office of Deputy National Director of the agency as specified in § 1401.35.

§ 1401.35 Appeals from denials of request.

(a) Whenever any request for records is denied, a written appeal may be filed with the Deputy National Director, FMCS, Washington, D.C. 20427, within 30 days after the requester receives notification that the request has been denied or after the requester receives any records being made available, in the event of partial denial. The appeal shall state the grounds for appeal, including any supporting statements or arguments.

(b) Final action on the appeal shall be taken within 20 working days from the time of receipt of the appeal. Where novel and complicated questions have been raised or unusual difficulties have been encountered, the Deputy National Director may extend the time for final

action up to an additional 10 days, depending upon whether there had been an extension pursuant to subsection 1401.34(c) at the initial stage. In such cases, the applicant shall be notified in writing of the reasons for the extension of time and the approximate date on which a final response will be forthcoming.

(c) If on appeal the denial of the request for records is upheld in whole or in part, the Deputy National Director shall notify the applicant of the reasons therefor, and shall advise the requester of the provisions for judicial review under 5 U.S.C. 552(a)(4) and (6).

§ 1401.36 Fees—duplication cost and search.

(a) Unless waived in accordance with paragraph (d) of this section, the following schedule of fees shall be imposed for the production and copying of any record pursuant to this part.

(1) *Copy of records.* Twenty ($0.20) cents per copy per page.

(2) *Clerical searches.* $1.25 for each one-quarter hour or fraction thereof spent in excess of the first quarter-hour in searching for or producing a requested record, including time spent copying any record.

(3) *Nonclerical searches.* $3.50 for each one-quarter hour spent by professional or managerial personnel searching for or producing a requested record, including time spent copying any record.

(4) *Certification or authentication of records.* $2.00 per certification or authentication.

(5) *Forwarding material to destination.* Postage, insurance, and special fees will be charged on an actual cost basis.

(b) Rule of construction: In providing the foregoing fee schedule pursuant to the provisions of 5 U.S.C. 552(a)(3), it is the intent of this section to apply 29 U.S.C. 9(b) and the user charge statute (31 U.S.C. 483(a)) to cover those situations where the agency is performing for a requester services which are not required under the Freedom of Information Act.

(c) No fee shall be charged if a record requested is not found or for any record that is totally exempt from disclosure.

(d) The officer processing the request for records may, in his discretion, waive or reduce fees otherwise applicable under paragraph (a) of this section for services in producing and copying record information under the following circumstances:

(1) Where inability to pay is demonstrated and it is clear that a significant public interest would be served by providing the service free of charge.

(2) Where it is in the public interest because furnishing the information can be considered primarily as benefiting the general public.

(3) In making a determination of the broad public interest involved, the officer shall weigh the agency resources involved against the likely benefit to the public.

(e) Payment of fees: Payment shall be made by check or money order payable to "Federal Mediation and Conciliation Service," and shall be sent to the Director of the Office of Administration, FMCS, 14th and Constitution Avenue NW., Washington, D.C. 20427.

§ 1401.37 Annual report.

(a) The Office of the National Director shall annually, within 60 days following the close of each calendar year, prepare a report covering each of the categories of records to be maintained in accordance with 5 U.S.C. 552(d) for such calendar year and shall forthwith submit the same to the Speaker of the House of Representatives and the President of the Senate for referral to the appropriate committees of the Congress.

Signed at Washington, D.C. this 22d day of January 1975.

W. J. USERY, Jr.,
National Director.

[FR Doc.75-2441 Filed 1-27-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[10 CFR Part 2]

TREATMENT OF TRADE SECRETS AND CONFIDENTIAL OR PRIVILEGED COMMERCIAL OR FINANCIAL INFORMATION

Proposed Criteria; Extension of Time for Comments

On November 22, 1974, the Nuclear Regulatory Commission published in the FEDERAL REGISTER (39 FR 40960) a proposed amendment of § 2.790, "Public inspections, exemptions, requests for withholding," of 10 CFR Part 2, rules of practice concerning disclosure of "proprietary information".

Interested persons were invited to submit written comments or suggestions for consideration in connection with the proposed amendments by January 21, 1975. In response to requests from EBASCO Services, Inc., General Electric Company, and Westinghouse Electric Corporation—Power Systems, the Nuclear Regulatory Commission has extended the comment period to February 20, 1975. Copies of comments received may be examined in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

Dated at Washington, D.C. this 23rd day of January 1975.

For the Nuclear Regulatory Commission.

JAMES R. LINDSAY,
Acting Assistant Secretary of the Commission.

[FR Doc.75-2569 Filed 1-27-75;8:45 am]

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

[33 CFR Part 401]

SEAWAY REGULATIONS

Miscellaneous Amendments

Notice is hereby given that the Saint Lawrence Seaway Development Corporation, pursuant to provisions of its enabling act (33 U.S.C. 981 et seq.), acting jointly with the St. Lawrence Seaway Authority of Canada, proposes to amend Subpart A-Seaway Regulations of 33 CFR Part 401.

The Seaway Regulations and Rules were published initially in the FEDERAL REGISTER on July 1, 1958 (23 FR 5011-5013), to give users of the waterway essential information and directions for transiting. Each year, the regulations and rules have been reviewed and amended, using the experience gained from past navigation seasons in proposing necessary changes. The last major revision of the regulations and rules was published in the FEDERAL REGISTER on March 22, 1974 (39 FR 10899) when the regulations and rules were consolidated into one set of regulations to eliminate repetition of the regulations in the rules and vice versa, and for clarity.

The proposed amendments are as follows:

§ 401.9 [Amended]

In § 401.9(b)(2), it is proposed to delete reference to the frequency 156.45 MHz. Due to reallocation of frequency use, this frequency is now used for public correspondence and cannot be used for marine traffic control. This is also the reason for proposing deletion of the words "156.45 MHz (Channel 9)—Working (Canadian Stations other than Lakes Ontario and Erie)" in § 401.61; for changing the three references to "Ch. 9" in § 401.63 to read "Ch. 11"; for deleting 156.45 in Schedule I, The St. Lawrence Seaway Application for Vessel Pre-Clearance under Radiotelephone Equipment; and in Schedule III, Call In Table, for changing all references to "Ch. 9" to read "Ch. 11".

§ 401.43 [Amended]

In the table following § 401.43, Mooring table, it is proposed to add "Iroquois" as a separate heading over Iroquois Lock since Iroquois Lock is part of the Iroquois Canal, not the Wiley Dondero Canal.

§ 401.61 [Amended]

In § 401.61, Assigned frequencies, it is proposed to add "Sector 3" between "Canadian Stations" and "Lake Ontario" in the description of frequency 156.55 MHz (Channel 11) to more clearly identify the area in which Channel 11 is used.

§ 401.63 [Amended]

In the table following § 401.63, Radio procedure, the call in channel for Seaway Clayton and Seaway Sodus should be changed to "Ch. 13" to reflect a change in traffic control responsibilities. This change is being made to provide continuity of traffic control procedures throughout the Seaway system. This also necessitates changing Schedule III by deleting references to "Call Ch. 16 Work Ch. 13" and replacing them with "Ch. 13".

§ 401.81 [Amended]

In § 401.81(a), Reporting an accident, it is proposed to delete the words "that might affect its ability to transit safely and expeditiously," in order to require

a uniform reporting of accidents on the Seaway without depending on whether or not the Master considers his vessel's ability to transit is affected.

In the Schedule I, The St. Lawrence Seaway Application for Vessel Pre-Clearance, the word "Seaway" should be added between "a" and "Transit" in the first line of the extract of paragraph 75(3) for clarity.

In Schedule II, opposite "Junction of Canadian Middle Channel and Main Channel abreast of Ironsides Is.", it is proposed to change the speed in Column III to read "11 (9.5 knots)" since studies have indicated the desirability of a lower speed under any circumstances in this area.

In Schedule III, it is proposed to number each C.I.P. and Check Point for easier reference. Additionally, under Downbound Vessels, Message Content for C.I.P. 10-Entering Sector 2, items 3, 4, and 5 should be deleted since they were erroneously included in the last revision.

Interested parties may submit written data, views, or arguments in regard to the proposed amendments to the Saint Lawrence Seaway Development Corporation, P.O. Box 520, Massena, New York 13662 (Attention: General Counsel). Comments received not later than February 28, 1975 will be considered. All comments received will be available for examination by interested parties at the office of the Saint Lawrence Seaway Development Corporation, P.O. Box 520, Massena, New York 13662.

(68 Stat. 92-97, 33 U.S.C. 981-990, as amended, and Sec. 104, Pub. L. 92-340, 86 Stat. 424, 49 CFR 1.50a (37 F.R. 21943)).

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION,
[SEAL] D. W. OBERLIN,
Administrator.

[FR Doc.75-2483 Filed 1-27-75;8:45 am]

notices

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

DEPARTMENT OF STATE

Agency for International Development

[No. 99.1.3]

CHIEF, EXCESS PROPERTY DIVISION, ET AL.

Redelegation of Authority Regarding Excess Property

A. Pursuant to the authority delegated to me by Redelegation of Authority No. 99.1, dated May 1, 1973, from the Assistant Administrator for Program and Management Services, I hereby redelegate to certain officers the following authority:

1. To the Chief, Excess Property Division, and to the Chiefs, A.I.D. field offices of the Excess Property Division: So much of the function contained in section 608(a) of the Foreign Assistance Act of 1961, as amended (the Act), as consists of acquiring, storing, renovating, rehabilitating, packing, crating, handling, transporting, and other acts related thereto of property classified as domestic or foreign excess property pursuant to the Federal Property and Administrative Services Act of 1949, as amended, or other property, in advance of known requirements. The exercise of this function is subject to such limitations as to the funds made available and as to the furnishing of such property as are contained in section 608(a) of the Act.

2. To the Chief, Operations Branch: To maintain stock record accountability for and financial inventory controls over property acquired by the Agency for International Development pursuant to section 608(a) of the Act.

3. With respect to the reconditioning by a contractor listed in the General Services Administration regional term contract price schedules or the Department of the Army national maintenance contracts of property acquired by the Agency for International Development pursuant to section 608(a) of the Act:

a. To the Chief, Excess Property Division, and to the Chief, Field Service Branch:

(1) To execute purchase orders for services and supplies for reconditioning and spare parts support required in relation to an item being reconditioned.

(2) To approve the contractor's invoices for direct payment to the contractor.

b. To the Chiefs, A.I.D. field offices of the Excess Property Division: To inspect and accept each item completed by the contractor.

4. To the Chief, Excess Property Division: To execute purchase orders for small purchases as defined in section 1-3.600 of the Federal Procurement Regulations for services and supplies required to carry on the operations of the excess property program.

5. To the Chief, Excess Property Division, and to the Chiefs, A.I.D. field offices of the Excess Property Division: To make the determinations prescribed under section 607(b) of the Act.

B. The authorities herein redelegated to the officers named above may not be redelegated further by those officers, but may be exercised by persons authorized by them to perform the functions of their office in an "Acting" capacity.

C. The authorities herein redelegated are to be exercised in accordance with the Federal Property Management Regulations promulgated by the General Services Administration and with the policies, regulations, and procedures promulgated within the Agency for International Development.

D. Actions within the scope of this redelegation hertofore taken by the officials designated herein are hereby ratified and confirmed.

E. Redelegation of Authority No. 99.1.3, dated August 19, 1974 (39 FR 31333), is hereby revoked.

F. This redelegation of authority shall be effective immediately.

Dated: January 21, 1975.

HUGH L. DWELLEY,
Acting Director,
Office of Contract Management.

[FR Doc.75-2478 Filed 1-27-75;8:45 am]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

COMMISSIONER'S ADVISORY GROUP

Notice of Open Meeting

Notice is hereby given that pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92-463, a meeting of the Commissioner's Advisory Group will be held on February 25 and 26, 1975, beginning at 10 a.m. in Room 3313, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, D.C. 20224. The agenda will include various topics concerning the procedures and operations of the Internal Revenue Service.

The meeting will be open to the public. It is to be held in a room accommodating 50 people. In addition to discussion of agenda topics by Committee Members, there will be time for statements by non-members. Persons wishing to make oral statements should so advise the Executive Secretary prior to the meeting to aid in scheduling the time available. Any interested person may file a written statement for consideration by the Committee by sending it to the Executive Secretary, Room 2009, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, D.C. 20224.

DONALD C. ALEXANDER,
Commissioner.

[FR Doc.75-2516 Filed 1-27-75;8:45 am]

Office of the Secretary

[Dept. Circular, Public Debt Series—No. 4-75]

TREASURY BONDS OF 1995-2000

Dated and Bearing Interest From February 18, 1975; Due February 15, 2000

JANUARY 23, 1975.

I. INVITATION FOR TENDERS

Redeemable at the option of the United States at par and accrued interest on and after February 15, 1995.

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites tenders on a yield basis for $750,000,000, or thereabouts, of bonds of the United States, designated Treasury Bonds of 1995-2000. The interest rate for the bonds will be determined as set forth in Section III, paragraph 3, hereof. Additional amounts of these bonds may be issued at the average price of accepted tenders to Government accounts and to Federal Reserve Banks for themselves and as agents of foreign and international monetary authorities. Tenders will be received up to 1:30 p.m., e.s.t., Thursday, January 30, 1975, under competitive and noncompetitive bidding, as set forth in Section III hereof. The 5¾ percent Treasury Notes of Series A-1975 and 5⅞ percent Treasury Notes of Series E-1975, maturing February 15, 1975, will be accepted at par in payment, in whole or in part, to the extent tenders are allotted by the Treasury.

2. Deferred payment for 50 percent of the amount of bonds allotted may be made as provided in Section IV hereof. Delivery of bearer bonds will be made on February 18, 1975, except that delivery of that portion of the bonds on which payment is deferred will be made on March 3, 1975.

II. DESCRIPTION OF BONDS

1. The bonds will be dated February 18, 1975, and will bear interest from that date, payable on a semiannual basis on August 15, 1975, and thereafter on February 15 and August 15 in each year until the principal amount becomes payable. They will mature February 15, 2000, but may be redeemed at the option of the United States on and after February 15, 1995, in whole or in part, at par and accrued interest on any interest

day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption, the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds is subject to all taxes imposed under the Internal Revenue Code of 1954. The bonds are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. Book-entry bonds will be available to eligible bidders in multiples of those amounts. Interchanges of bonds of different denominations and of coupon and registered bonds; and the transfer of registered bonds will be permitted.

5. The bonds will be subject to the general regulations of the Department of the Treasury, now or hereafter prescribed, governing United States bonds.

III. TENDERS AND ALLOTMENTS

1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to the closing hour, 1:30 p.m., e.s.t., Thursday, January 30, 1975. Each tender must state the face amount of bonds bid for, which must be $1,000 or a multiple thereof, and the yield desired, except that in the case of noncompetitive tenders the term "noncompetitive" should be used in lieu of a yield. In the case of competitive tenders, the yield must be expressed in terms of an annual yield with two decimals, e.g., 7.11. Fractions may not be used. Noncompetitive tenders from any one bidder may not exceed $500,000.

2. Commercial banks, which for this purpose are defined as banks accepting demand deposits, may submit tenders for account of customers provided the names of the customers are set forth in such tenders. Others than commercial banks will not be permitted to submit tenders except for their own account. Tenders will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, and Government accounts. Tenders from others must be accompanied by payment (in cash or the notes referred to in Section I which will be accepted at par) of 5 percent of the face amount of bonds applied for.

3. Immediately after the closing hour tenders will be opened, following which public announcement will be made by the Department of the Treasury of the amount and yield range of accepted bids. Those submitting competitive tenders will be advised of the acceptance or rejection thereof. In considering the acceptance of tenders, those with the lowest yields will be accepted to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, an interest rate will be established at the nearest ⅛ of one percent necessary to make the average accepted price 100.00 or less. That will be the rate of interest that will be paid on all of the bonds. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price corresponding to the yield bid. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders, in whole or in part, including the right to accept tenders for more or less than the $750,000,000 of bonds offered to the public, and his action in any such respect shall be final. Subject to these reservations, noncompetitive tenders for $500,000 or less without stated yield from any one bidder will be accepted in full at the average price (in three decimals) of accepted competitive tenders.

4. All bidders are required to agree not to purchase or sell, or to make any agreements with respect to the purchase or sale or other disposition of any bonds of this issue at a specific rate or price, until after 1:30 p.m., e.s.t., Thursday, January 30, 1975.

5. Commercial banks in submitting tenders will be required to certify that they have no beneficial interest in any of the tenders they enter for the account of their customers, and that their customers have no beneficial interest in the banks' tenders for their own account.

IV. PAYMENT

1. Settlement for accepted tenders in accordance with the bids must be made or completed on or before February 18, 1975, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, except that a bidder may elect to defer payment for not more than 50 percent of the amount of bonds allotted until March 3, 1975. Payment must be in cash, notes referred to in Section I (interest coupons dated February 15, 1975, should be detached), in other funds immediately available to the Treasury by February 18, or by check drawn to the order of the Federal Reserve Bank to which the tender is submitted, or the United States Treasury if the tender is submitted to it, which must be received at such Bank or at the Treasury no later than: (1) Tuesday, February 11, 1975, if the check is drawn on a bank in the Federal Reserve District of the Bank to which the check is submitted, or the Fifth Federal Reserve District in the case of the Treasury, or (2) Monday, February 10, 1975, if the check is drawn on a bank in another district. Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at a Federal Reserve Bank. Accrued interest from February 18 to March 3, 1975, will be charged on the face amount of bonds on which payment is deferred, at the coupon yield established for the bonds. Where partial payment for bonds allotted is to be deferred, delivery of 5 percent of the total par amount of bonds allotted, adjusted to the next higher $1,000, will be withheld from all bidders required to submit a 5 percent payment with tenders, until payment for the total amount allotted has been completed. Payment will not be deemed to have been completed where registered bonds are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. In every case where full payment is not completed, the payment with the tender up to 5 percent of the amount of bonds allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. When payment is made with notes, a cash adjustment will be made to or required of the bidder for any difference between the face amount of notes submitted and the amount payable on the bonds allotted.

V. ASSIGNMENT OF REGISTERED NOTES

1. Registered notes tendered as deposits and in payment for bonds allotted hereunder are not required to be assigned if the bonds are to be registered in the same names and forms as appear in the registrations or assignments of the notes surrendered. Specific instructions for the issuance and delivery of the bonds, signed by the owner or his authorized representative, must accompany the notes presented. Otherwise, the notes should be assigned by the registered payees or assignees thereof in accordance with the general regulations governing United States securities, as hereinafter set forth. Bonds to be registered in names and forms different from those in the inscriptions or assignments of the notes presented should be assigned to "The Secretary of the Treasury for Treasury Bonds of 1995-2000 in the name

of (name and taxpayer identifying number)." If bonds in coupon form are desired, the assignment should be to "The Secreatry of the Treasury for coupon Treasury Bonds of 1995-2000 to be delivered to _____." Notes tendered in payment should be surrendered to the Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Washington, D.C. 20226. The notes must be delivered at the expense and risk of the holder.

VI. General Provisions

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make such allotments as may be prescribed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of bonds on full-paid tenders allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

William E. Simon,
Secretary of the Treasury.

[FR Doc.75-2623 Filed 1-24-75;10:21 am]

[Dept. Circular, Public Debt Series—No. 3-75]

TREASURY NOTES OF SERIES C-1981

Dated and Bearing Interest From February 18, 1975; Due February 15, 1981

I. Invitation for Tenders

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites tenders on a yield basis for $1,750,000,000, or thereabouts, of notes of the United States, designated Treasury Notes of Series C-1981. The interest rate for the notes will be determined as set forth in Section III, paragraph 3, hereof. Additional amounts of these notes may be issued at the average price of accepted tenders to Government accounts and to Federal Reserve Banks for themselves and as agents of foreign and international monetary authorities. Tenders will be received up to 1:30 p.m., e.s.t., Wednesday, January 29, 1975, under competitive and noncompetitive bidding, as set forth in Section III hereof. The 5¾ percent Treasury Notes of Series A-1975 and 5⅞ percent Treasury Notes of Series E-1975, maturing February 15, 1975, will be accepted at par in payment, in whole or in part, to the extent tenders are allotted by the Treasury.

II. Description of Notes

1. The notes will be dated February 18, 1975, and will bear interest from that date, payable on a semiannual basis on August 15, 1975, and thereafter on February 15 and August 15 in each year until the principal amount becomes payable. They will mature February 15, 1981, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. Book-entry notes will be available to eligible bidders in multiples of those amounts. Interchanges of notes of different denominations and of coupon and registered notes, and the transfer of registered notes will be permitted.

5. The notes will be subject to the general regulations of the Department of the Treasury, now or hereafter prescribed, governing United States notes.

III. Tenders and Allotments

1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to the closing hour, 1:30 p.m., e.s.t., Wednesday, January 29, 1975. Each tender must state the face amount of notes bid for, which must be $1,000 or a multiple thereof, and the yield desired, except that in the case of noncompetitive tenders the term "noncompetitive" should be used in lieu of a yield In the case of competitive tenders, the yield must be expressed in terms of an annual yield, with two decimals, e.g., 7.11. Fractions may not be used. Noncompetitive tenders from any one bidder may not exceed $500,000.

2. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, may submit tenders for account of customers provided the names of the customers are set forth in such tenders. Others will not be permitted to submit tenders except for their own account. Tenders will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, and Government accounts. Tenders from others must be accompanied by payment (in cash or the securities referred to in Section I which will be accepted at par) of 5 percent of the face amount of notes applied for.

3. Immediately after the closing hour tenders will be opened, following which public announcement will be made by the Department of the Treasury of the amount and yield range of accepted bids. Those submitting competitive tenders will be advised of the acceptance or rejection thereof. In considering the acceptance of tenders, those with the lowest yields will be accepted to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, an interest rate will be established at the nearest ⅛ of one percent necessary to make the average accepted price 100.00 or less. That will be the rate of interest that will be paid on all of the notes. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price corresponding to the yield bid. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders, in whole or in part, including the right to accept tenders for more or less than the $1,750,000,000 of notes offered to the public, and his action in any such respect shall be final. Subject to these reservations, noncompetitive tenders for $500,000 or less without stated yield from any one bidder will be accepted in full at the average price (in three decimals) of accepted competitive tenders.

4. All bidders are required to agree not to purchase or sell, or to make any agreements with respect to the purchase or sale or other disposition of any notes of this issue at a specific rate or price, until after 1:30 p.m., e.s.t., Wednesday, January 29, 1975.

5. Commercial banks in submitting tenders will be required to certify that they have no beneficial interest in any of the tenders they enter for the account of their customers, and that their customers have no beneficial interest in the banks' tenders for their own account.

IV. Payment

1. Settlement for accepted tenders in accordance with the bids must be made or completed on or before Tuesday, February 18, 1975, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt. Payment must be in cash, securities referred to in Section I (interest coupons dated February 15, 1975, should be detached), in other funds immediately available to the Treasury by February 18, 1975, or by check drawn to the order of the Federal Reserve Bank to which the tender is submitted, or the United States Treasury if the tender is submitted to it, which must be received at such bank or at the Treasury no later than: (1) Tuesday, February 11, 1975, if

the check is drawn on a bank in the Federal Reserve District of the Bank to which the check is submitted, or the Fifth Federal Reserve District in case of the Treasury, or (2) Monday, February 10, 1975, if the check is drawn on a bank in another district. Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at a Federal Reserve Bank. Payment will not be deemed to have been completed where registered notes are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. In every case where full payment is not completed, the payment with the tender up to 5 percent of the amount of notes allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. When payment is made with securities, a cash adjustment will be made to or required of the bidder for any difference between the face amount of securities submitted and the amount payable on the notes allotted.

V. ASSIGNMENT OF REGISTERED NOTES

1. Registered notes tendered as deposits and in payment for notes allotted hereunder are not required to be assigned if the notes are to be registered in the same names and forms as appear in the registrations or assignments of the notes surrendered. Specific instructions for the issuance and delivery of the notes, signed by the owner or his authorized representative, must accompany the notes presented. Otherwise, the notes should be assigned by the registered payees or assignees thereof in accordance with the general regulations governing United States securities, as hereinafter set forth. Notes to be registered in names and forms different from those in the inscriptions or assignments of the notes presented should be assigned to "The Secretary of the Treasury for Treasury Notes of Series C-1981 in the name of (name and taxpayer identifying number)." If notes in coupon form are desired, the assignment should be to "The Secretary of the Treasury for coupon Treasury Notes of Series C-1981 to be delivered to _____." Notes tendered in payment should be surrendered to the Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Washington, D.C. 20226. The notes must be delivered at the expense and risk of the holder.

VI. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make such allotments as may be prescribed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of notes on full-paid tenders allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

WILLIAM E. SIMON,
Secretary of the Treasury.

[FR Doc.75-2622 Filed 1-24-75;10:21 am]

[Dept. Circular, Public Debt Series—No. 2-75]

TREASURY NOTES OF SERIES D-1978

Dated and Bearing Interest From February 18, 1975; Due May 15, 1978

I. INVITATION FOR TENDERS

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites tenders on a yield basis for $3,000,000,000, or there abouts, of notes of the United States, designated Treasury Notes of Series D-1978. The interest rate for the notes will be determined as set forth in Section III, paragraph 3, hereof. Additional amounts of these notes may be issued at the average price of accepted tenders to Government accounts and to Federal Reserve Banks for themselves and as agents of foreign and international monetary authorities. Tenders will be received up to 1:30 p.m., e.s.t., Tuesday, January 28, 1975, under competitive and noncompetitive bidding, as set forth in Section III hereof. The 5¾ percent Treasury Notes of Series A-1975 and 5⅞ percent Treasury Notes of Series E-1975, maturing February 15, 1975, will be accepted at par in payment, in whole or in part, to the extent tenders are allotted by the Treasury.

II. DESCRIPTION OF NOTES

1. The notes will be dated February 18, 1975, and will bear interest from that date, payable on a semiannual basis on November 15, 1975, and thereafter on May 15 and November 15 in each year until the principal amount becomes payable. They will mature May 15, 1978, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. Book-entry notes will be available to eligible bidders in multiples of those amounts. Interchanges of notes of different denominations and of coupon and registered notes, and the transfer of registered notes will be permitted.

5. The notes will be subject to the general regulations of the Department of the Treasury, now or hereafter prescribed, governing United States notes.

III. TENDERS AND ALLOTMENTS

1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to the closing hour, 1:30 p.m., e.s.t., Tuesday, January 28, 1975. Each tender must state the face amount of notes bid for, which must be $1,000 or a multiple thereof, and the yield desired, except that in the case of noncompetitive tenders the term "noncompetitive" should be used in lieu of a yield. In the case of competitive tenders, the yield must be expressed in terms of an annual yield, with two decimals, e.g., 7.11. Fractions may not be used. Noncompetitive tenders from any one bidder may not exceed $500,000.

2. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, may submit tenders for account of customers provided the names of the customers are set forth in such tenders. Others will not be permitted to submit tenders except for their own account. Tenders will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, and Government accounts. Tenders from others must be accompanied by payment (in cash or the securities referred to in Section I which will be accepted at par) of 5 percent of the face amount of notes applied for.

3. Immediately after the closing hour tenders will be opened, following which public announcement will be made by the Department of the Treasury of the amount and yield range of accepted bids. Those submitting competitive tenders will be advised of the acceptance or rejection thereof. In considering the acceptance of tenders, those with the lowest yields will be accepted to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, an interest rate will be established at the nearest ⅛ of one percent necessary to make the average

accepted price 100.00 or less. That will be the rate of interest that will be paid on all of the notes. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price corresponding to the yield bid. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders, in whole or in part, including the right to accept tenders for more or less than the $3,000,000,000 of notes offered to the public, and his action in any such respect shall be final. Subject to these reservations, noncompetitive tenders for $500,000 or less without stated yield from any one bidder will be accepted in full at the average price (in three decimals) of accepted competitive tenders.

4. All bidders are required to agree not to purchase or sell, or to make any agreements with respect to the purchase or sale or other disposition of any notes of this issue at a specific rate or price, until after 1:30 p.m., e.s.t., Tuesday, January 28, 1975.

5. Commercial banks in submitting tenders will be required to certify that they have no beneficial interest in any of the tenders they enter for the account of their customers, and that their customers have no beneficial interest in the banks' tenders for their own account.

IV. PAYMENT

1. Settlement for accepted tenders in accordance with the bids must be made or completed on or before February 18, 1975, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, Washington, D.C. 20226. Payment must be in cash, securities referred to in Section I (interest coupons dated February 15, 1975, should be detached), in other funds immediately available to the Treasury by February 18, 1975, or by check drawn to the order of the Federal Reserve Bank to which the tender is submitted, or the United States Treasury if the tender is submitted to it, which must be received at such Bank or at the Treasury no later than: (1) Tuesday, February 11, 1975, if the check is drawn on a bank in the Federal Reserve District of the Bank to which the check is submitted, or the Fifth Federal Reserve District in the case of the Treasury, or (2) Monday, February 10, 1975, if the check is drawn on a bank in another district. Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at a Federal Reserve Bank. Payment will not be deemed to have been completed where registered notes are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. In every case where full payment is not completed, the payment with the tender up to 5 percent of the amount of notes allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. When payment is made with maturing securities, a cash adjustment will be made to or required of the bidder for any difference between the face amount of securities submitted and the amount payable on the notes allotted.

V. ASSIGNMENT OF REGISTERED NOTES

1. Registered notes tendered as deposits and in payment for notes allotted hereunder are not required to be assigned if the notes are to be registered in the same names and forms as appear in the registrations or assignments of the notes surrendered. Specific instructions for the issuance and delivery of the notes, signed by the owner or his authorized representative, must accompany the notes presented. Otherwise, the notes should be assigned by the registered payees or assignees thereof in accordance with the general regulations governing United States securities, as hereinafter set forth. Notes to be registered in names and forms different from those in the inscriptions or assignments of the notes presented should be assigned to "The Secretary of the Treasury for Treasury Notes of Series D-1978 in the name of (name and taxpayer identifying number)." If notes in coupon form are desired, the assignment should be to "The Secretary of the Treasury for coupon Treasury Notes of Series D-1978 to be delivered to _____." Notes tendered in payment should be surrendered to the Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Washington, D.C. 20226. The notes must be delivered at the expense and risk of the holder.

VI. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make such allotments as may be prescribed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of notes on full-paid tenders allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

WILLIAM E. SIMON,
Secretary of the Treasury.

[FR Doc.75-2580 Filed 1-21-75;10:21 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

AIR FORCE SYSTEMS COMMAND ELECTRONIC SYSTEMS DIVISION ADVISORY GROUP

Closed Meeting

JANUARY 22, 1975.

The Air Force Systems Command Electronic Systems Division Advisory Group meeting will be held at Headquarters, Electronic Systems Division, Command Management Center, Building 1606, Hanscom Air Force Base, Massachusetts. The dates and times are as follows:

February 27, 1975—8 a.m.-4 p.m.
February 28, 1975—8 a.m.-12 p.m.

The meeting will be closed to the public. The agenda will consist of classified briefings and discussions on matters listed in 5 U.S.C. 552(b)(1) and (4) concerning ongoing and planned military electronics programs under the cognizance of the Electronic Systems Division.

For further information, contact the Scientific Advisory Board Secretariat at 202-697-4648.

STANLEY L. ROBERTS,
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc.75-2458 Filed 1-27-75;8:45 am]

LANGLEY AIR FORCE BASE, VIRGINIA

Draft Environmental Statement; Justification for Late Notice of Public Hearing

JANUARY 23, 1975.

In 40 FR 3224, January 20, 1975, an informal public hearing was announced for January 29, 1975, concerning the draft environmental statement on a proposal to beddown F-15 fighter jets at Langley Air Force Base, Virginia.

Since notice of availability of the environmental statement was published in the FEDERAL REGISTER (40 FR 2467, January 13, 1975) and copies were made available in the locality affected, the late notice of the public hearing is considered reasonable under 44 U.S.C. 1508 and further delay in the date of the hearing would serve no useful purpose.

For further information, contact Colonel James E. Mathews, Staff Judge Advocate, 4500th Air Base Wing, Langley Air Force Base, Virginia 23665, 804-764-3276.

STANLEY L. ROBERTS,
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc.75-2457 Filed 1-27-75;8:45 am]

USAF SCIENTIFIC ADVISORY BOARD

Cancellation of Meeting

JANUARY 23, 1975.

The meeting (as published in 40 FR 2456, January 13, 1975) in Marietta, Georgia, on January 28-29, 1975, concerning the proposed modification to stretch the C-141 has been cancelled until further notice.

STANLEY L. ROBERTS,
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc.75-2456 Filed 1-27-75;8:45 am]

Office of the Secretary of Defense

DEFENSE INTELLIGENCE AGENCY SCIENTIFIC ADVISORY COMMITTEE

Closed Meeting

Pursuant to the provisions of section 10 of Pub. L. 92-463, effective January 5, 1973, notice is hereby given that a closed meeting of the DIA Scientific Advisory Committee will be held at the Pentagon on:

Wednesday & Thursday, 19-20 March 1975

The entire meeting commencing at 0900 hrs. is devoted to the discussion of classified information as defined in section 552(b), Title 5 of the U.S. Code, therefore will be closed to the public.

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

JANUARY 23, 1975.

[FR Doc.75-2431 Filed 1-27-75;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 74-26]

BURTON K. WEISER

Hearing

Notice is hereby given that on October 25, 1974, the Drug Enforcement Administration, Department of Justice, issued to Burton K. Weiser, D.O., Philadelphia, Pennsylvania, an Order to Show Cause as to why the Drug Enforcement Administration registration No. AW5508354, issued to him pursuant to section 303 of the Controlled Substances Act (21 U.S.C. 823) should not be revoked.

Thirty days having elapsed since said Order was received by Dr. Weiser, and written request for a hearing having been filed with the Drug Enforcement Administration, Notice is hereby given that a hearing in this matter will be held commencing at 10 a.m. on March 10, 1975, in Room 1210, Drug Enforcement Administration, 1405 Eye Street, NW., Washington, D.C. 20537.

Dated: January 22, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-2494 Filed 1-27-75;8:45 am]

[Docket No. 74-25]

CALVIN J. MAESTRO, M.D.

Hearing

Notice is hereby given that on November 19, 1974, the Drug Enforcement Administration, Department of Justice, issued to Calvin J. Maestro, M.D., Las Vegas, Nevada, an Order to Show Cause as to why the Drug Enforcement Administration registration No. AM4321319, issued to him pursuant to section 303 of the Controlled Substances Act (21 U.S.C. 823) should not be revoked.

Thirty days having elapsed since said order was received by Dr. Maestro, and written request for a hearing having been filed with the Drug Enforcement Administration, Notice is hereby given that a hearing in this matter will be held commencing at 10 a.m. on February 28, 1975, in the U.S. Court of Claims Hearing Room, Room 8549, 300 North Los Angeles Street, Los Angeles, California.

Dated: January 22, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-2496 Filed 1-27-75;8:45 am]

[Docket No. 74-14]

DANIEL EDWARD MacLEAN

Hearing

Notice is hereby given that on October 30, 1974, the Drug Enforcement Administration, Department of Justice, issued to Daniel Edward MacLean, Los Angeles, California, an Order to Show Cause as to why the Drug Enforcement Administration should not deny the Application for Registration under the Controlled Substances Act of 1970, of the Respondent executed on September 18, 1973, pursuant to section 303 of the Controlled Substances Act (21 U.S.C. 823).

Thirty days having elapsed since said Order was received by the Respondent and written request for a hearing having been filed with the Drug Enforcement Administration, Notice is hereby given that a hearing in this matter will be held commencing at 10 a.m. on February 26, 1975, in the U.S. Court of Claims Hearing Room, Room 8549, 300 North Los Angeles Street, Los Angeles, California.

Dated: January 22, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-2495 Filed 1-27-75;8:45 am]

[Docket No. 74-28]

YORK PHARMACY, INC.

Hearing

Notice is hereby given that on October 16, 1974, the Drug Enforcement Administration, Department of Justice, issued to York Pharmacy, Inc., Honolulu, Hawaii, an Order to Show Cause as to why the Drug Enforcement Administration registration No. AY1080910, issued to it pursuant to section 303 of the Controlled Substances Act (21 U.S.C. 823) should not be revoked.

Thirty days having elapsed since said order was received by York Pharmacy, and written request for a hearing having been filed with the Drug Enforcement Administration. Notice is hereby given that a hearing in this matter will be held commencing at 10 a.m. on March 4, 1975, in the U.S. Court of Claims Hearing Room, Room 8549, 300 North Los Angeles Street, Los Angeles, California.

Dated: January 22, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-2493 Filed 1-27-75; 8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial Number A 510]

ARIZONA

Termination of Proposed Withdrawal and Reservation of Lands

Notice of a Bureau of Reclamation Application A 510, for withdrawal and reservation of lands for implementation and construction of an irrigation system known as the Dixie Project, was published as FEDERAL REGISTER Document No. 67-106, 40 FR 95 in the issue of January 6, 1967. The applicant agency has cancelled its application involving the lands described in the FEDERAL REGISTER publication referred to above. Therefore, pursuant to the regulations contained in 43 CFR, Part 2091.2-5, such lands, at 10 a.m. on January 31, 1975, will be relieved of the segregative effect of the abovementioned application. However, the lands herein involved are included in Multiple Use Classification A 1351 for the West Hurricane-Virgin Resource Area and will remain segregated as provided in that classification.

Dated: January 20, 1975.

EDWARD F. SPANG,
State Director (Acting).

[FR Doc.75-2474 Filed 1-27-75;8:45 am]

[INT FES 75-10]

FORT MOHAVE LANDS, NEVADA

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Bureau of Land Management, Department of the Interior, has prepared a final environmental statement for a proposed transfer of 9,000 acres of national resource lands to the Division of Colorado River Resources, representing the State of Nevada. The lands are located in Clark County, Nevada.

The environmental statement considers the impact of the transfer of these Federal lands to the State of Nevada and their subsequent development.

Copies are available for inspection at the following locations:

Nevada State Office, Bureau of Land Management, 300 Booth Street, Reno, Nevada 89502.

Las Vegas District Office, 301 East Stewart, Las Vegas, Nevada 89101.

Director, Bureau of Land Management, Department of the Interior, Washington, D.C. 20240.

Public Library, Las Vegas, Nevada.

Public Library, Reno, Nevada.
State Library, Carson City, Nevada.

A limited number of copies of the statement are also available to the public, interested agencies, and groups at the Bureau of Land Management addresses listed above for the District, State, and Washington Offices.

Dated: January 23, 1975.

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

[FR Doc.75-2504 Filed 1-27-75;8:45 am]

Geological Survey

GENERAL ENVIRONMENTAL PROTECTION

Proposed Geothermal Resources Operational Order No. 4

Notice is hereby given that pursuant to 30 CFR 270.11, and in accordance with 30 CFR 270.41 et al., the Chief, Conservation Division, Geological Survey, proposes to approve GRO Order No. 4 for geothermal operations conducted in the Central and Western Regions as set forth below.

The purpose of proposed GRO Order No. 4 is to provide requirements to geothermal operators for general environmental protection measures.

Interested persons may submit written comments, suggestions, and objections concerning the proposed Order to the Chief, Conservation Division, U.S. Geological Survey, Mail Stop 650, 12201 Sunrise Valley Drive, Reston, Virginia 22092, with a copy to the Area Geothermal Supervisor, 345 Middlefield Road, Menlo Park, California 94025, on or before March 1, 1975.

W. A. RADLINSKI,
Acting Director.

GEOTHERMAL RESOURCES OPERATIONAL ORDER No. 4

GENERAL ENVIRONMENTAL PROTECTION REQUIREMENTS

This Order is established pursuant to the authority prescribed in 30 CFR 270.11 and in accordance with 30 CFR 270.41, 270.42, 270.43 and 270.44. The lessee shall comply with the provisions of this Order. All variances from the requirements specified in this Order shall be subject to approval pursuant to 30 CFR 270.48. References in this Order to approvals, determinations or requirements are to those given or made by the Area Geothermal Supervisor (Supervisor) or his delegated representative.

Protection of the environment includes the lessee's responsibility to assure that exploration and development operations will be conducted with the maximum protection of the environment; that disturbed lands will be rehabilitated; that precautions will be taken to protect the public health and safety; and, that the lessee shall fully comply with the spirit and objectives of the National Environmental Policy Act of 1969, other Federal environmental legislation and supporting Executive Orders.

Prevention and mitigation of environmental impacts from geothermal-related activity shall be accomplished through enforcement of applicable Federal, State and local standards, and the application of existing technology. The occurrence of unacceptable environmental impacts which cannot be corrected shall be construed as grounds for suspension of operations as deemed necessary by the Supervisor.

Monitoring of all potential environmental impacts may be conducted by the use of aerial surveys, inspections, periodic sampling, continuous recordings or by such other means or methods as deemed necessary or appropriate by the Supervisor. Due to the natural environmental differences among geothermal areas, the extent and frequency of such monitoring activities will be determined by the Supervisor on an individual basis. The lessee shall be responsible for the monitoring of readily identifiable localized environmental impacts associated with specific activities that are under the control of the lessee. In the event the Supervisor determines that the degree and adequacy of existing environmental protection regulations in certain areas are insufficient, the Supervisor may establish additional and more stringent requirements by issuance of subsequent Orders or modifying existing Orders.

The lessee, in accordance with the requirements of 30 CFR 270.76, shall file in duplicate with the Supervisor, on or before March 1 of each year, an annual report of compliance with environmental protection requirements.

1. *Aesthetics.* The lessee shall reduce visual impact where feasible by the careful selection of sites for operations and facilities on the leased lands. The design and construction of facilities shall be conducted in a manner such that the facilities will blend into the natural environmental setting of the area by the appropriate use of landscaping, vegetation, compatible color schemes and minimum profiles. Native plants or compatible vegetation shall be used, where possible, for landscaping and revegetation.

2. *Land Use and Restoration.* The lessee's operating plans shall be designed so that operations will result in the least disturbance of soil, streams, and native vegetation and such plans shall provide for the restoration and revegetation of all disturbed lands in a manner approved by the Supervisor and the appropriate land management agency. Land restoration shall include preparation and seeding with prescribed wildlife food and plant cover or improved and acceptable substitutes thereof which equal or enhance the food values for indigenous wildlife species and domesticated animals.

The lessee shall maintain the leased lands in a safe and workmanlike manner at all times and remove or store all supplies and scrap in an orderly fashion.

The lessee's operations under a geothermal lease shall not unreasonably interfere with or endanger operations under any lease, license, claim, permit or other authorized use on the same lands.

3. *Public Access.* The public shall have free and unrestricted access to geothermal leased lands, excepting however, where restrictions are necessary to protect public health and safety or where such public access would unduly interfere with the lessee's operations or the security thereof. The lessee shall provide warning signs, fencing, flag men, barricades or other safety measures deemed necessary by the Supervisor, to protect the public, wildlife and livestock from hazardous geothermal or related activities.

4. *Recreation.* The lessee shall be restricted from drilling and other operations in close proximity to established recreation sites and access routes thereto. If the natural setting provides adequate shielding of visual and aesthetic impacts, then the Supervisor at his discretion, with the consent of the land management agency, may allow the lessee to conduct operations near such recreation areas and access routes, provided however, that no operations shall be conducted within a buffer zone of 200 feet around established recreational areas. Recreational values shall be adequately protected by the lessee through planning and designing of site development to minimize the aesthetic degradation of the particular recreation area.

5. *Erosion Control.* The lessee's operations shall be conducted in a manner such that there is minimum disturbance to natural drainage. The lessee shall provide adequate erosion and drainage control to prevent silts from disturbed sites entering water courses for soil and natural conservation protection.

Mitigating measures to lessen environmental damage shall include reseeding of disturbed soils, chemical stabilization, and dust and erosion control on well sites, roads and construction areas.

6. *Biota.* The lessee shall employ such measures as are deemed necessary by the Supervisor to protect fish and wildlife and their habitat including, but not limited to, the installation of wildlife watering devices where roads, well sites, or other developments created by the lessee alter natural springs.

The Supervisor at his discretion may request and use the expertise of Federal and State agencies and others as appropriate for advice and assistance in protecting fish and wildlife resources and values. Fish and wildlife population surveillance may be conducted by an appropriate government agency to detect significant adverse trends for the Supervisor's guidance as a basis for requiring necessary corrective actions.

7. *Cultural Resources Preservation.* The lessee shall exercise due diligence in the conduct of his operations to protect and preserve significant archaeological, historical, cultural, paleontological and unique geologic sites. The lessee shall not disturb any known cemetery or burial ground of any group or culture.

Unknown sites uncovered by the lessee shall be immediately reported to the Supervisor and operations on the particular site shall cease until said site can be assessed for its archaeological value and preservation.

The necessary controls and stipulations for the protection and preservation of archaeological and historical sites determined by a qualified archaeologist to have a significant value shall be issued on an individual basis by the Supervisor as warranted.

The preservation, restoration, maintenance and nomination of all resources to the National Register of Historic Places shall be in accordance with the provisions of Executive Order 11593 (36 FR 8921) entitled "Protection and Enhancement of the Cultural Environment."

8. *Subsidence Detection.* In the event subsidence or seismic activity results from the production of geothermal resources, as determined by monitoring activities by the lessee or a governmental body, the lessee shall take such mitigating actions as required by the lease terms or by the Supervisor.

Monitoring of the land surface prior to and during geothermal resources production can be helpful in a determination of the general stability of the leased lands particularly in certain geothermal areas such as the Imperial Valley in California which is currently undergoing subsidence from natural causes wholly unrelated to the production of geothermal resources. Production data, pressures, reinjection rates and volumes shall be accurately recorded and filed monthly with the Supervisor as provided in 30 CFR 270.37.

Remedial action for the prevention of subsidence or seismicity—based upon the Supervisor's assessment of the significance of the problem—may entail reduction in production rates, suspension of production, or an escalation of reinjection of waste or other fluids.

A. *Surveys.* All required surveys shall be second order or better and shall be conducted under the direct supervision of a registered civil engineer or licensed land surveyor using equipment acceptable by the National Ocean Survey for second order surveys. All such work shall be coordinated with the county surveyor of the county in which the surveys and bench marks are to be established. Level lines and networks shall be tied to existing regional networks, where available, and resurveyed annually.

Adjusted survey data shall be filed with the Supervisor within 60 days after leveling is completed. The lessee of a commercially productive geothermal well or wells shall participate in any proposed or developed cooperative County-State subsidence detection program. All survey data filed with the Supervisor shall become part of the public domain.

B. *Bench Marks.* One or more wellsite bench marks shall be required at each completed well, prior to prolonged production, and said bench marks shall be located in a manner such that there is a minimal probability of destruction or damage to said bench marks. Wellsite bench marks shall be tied to existing regional networks. Additional bench marks between the wellsites and the regional network shall be at half-mile intervals or as otherwise specified by the Supervisor.

Acceptable bench marks include, but are not limited to, a brass rod driven to refusal or 9 metres (about 30 feet) and fitted with an acceptable brass plate, and a permanent structure with an installed acceptable brass plate.

C. *Reservoir Data.* Initial reservoir pressure and static equilibrium reservoir temperature shall be reported to the Supervisor in duplicate on Well Completion or Recompletion Report (Form 9-330C) for all completed wells within 30 days after the completion of measurements or tests conducted for the purpose of obtaining such data. Initial production test data including steam-water ratio, surface pressure and temperature, and quality and quantity of well effluent shall also be filed with the Supervisor on Form 9-330C within 30 days after a well is completed.

D. *Seismic Monitoring.* The installation of seismographs or other like instruments in producing geothermal areas for the purpose of monitoring potential seismic activity may be initiated from time to time by appropriate public agencies. The lessee and the appropriate public agency should take care not to unreasonably interfere with or endanger each other's respective operations. The Supervisor shall coordinate such monitoring programs between the appropriate public agency conducting the program and the lessee.

9. *Pollution and Waste Disposal.* The lessee shall comply with all applicable Federal and State standards with respect to the control of all forms of air, land, water and noise pollution, including the control of erosion and the disposal of liquid, solid and gaseous wastes. The Supervisor may, at his discretion, establish additional and more stringent standards and, if he does so, the lessee shall comply with those standards. Plans for disposal of well effluents must be approved by the Supervisor before action is taken under them. Immediate corrective action shall be taken in all cases where pollution has occurred.

The lessee shall remove or dispose of all waste including human waste, trash, refuse and extraction and processing waste generated in connection with the lessee's operations in a manner acceptable to the Supervisor.

The lessee shall provide safeguards to minimize potential accidental fires and shall instruct field personnel in fire prevention methods. The lessee shall maintain firefighting equipment in working order at strategic locations on the leased lands.

A. *Pollution Prevention.* In the conduct of all geothermal operations, the lessee shall not contaminate any natural waters, adversely affect the environment or materially damage the aesthetic values of the leased or adjacent property.

(1) *Liquid Disposal.* Liquid well effluent or the liquid residue thereof containing substances, including heat, which may be harmful or injurious in any manner shall be reinjected into the geothermal resources zone or such other formation as is approved by the Supervisor.

Drilling fluids shall be disposed of at approved disposal sites or in such other manner as approved by the Supervisor.

(2) *Solid Waste Disposal.* Drill cuttings, sand, precipitates and other solids shall be disposed of as directed by the Supervisor either on location or at other approved disposal sites. Mud and chemical containers and other solid waste materials shall be disposed of in specified places.

(3) *Gas Disposal.* Noncondensible gases such as carbon dioxide, ammonia and hydrogen sulfide may be vented or ejected into the atmosphere, provided however, that the volume and the measured concentration of such vented gas or gases shall not violate Federal, State or local air pollution standards.

(4) *Pits and Sumps.* Pits and sumps shall be lined with impervious material and purged of environmentally harmful chemicals and precipitates before back-filling. In no event shall the contents of a pit or sump be allowed to contaminate streams, lakes and ground waters or adversely affect the natural environment of the area or damage the aesthetic values of the property. When no longer used or useful, pits and sumps shall be back-filled and the premises restored to a near natural state or an improvement thereon as prescribed by the Supervisor.

(5) *Production Facilities Maintenance.* Production facilities shall be operated and maintained at all times in a manner necessary to prevent pollution. The lessee's field personnel shall be instructed in the proper maintenance and operations of production facilities for the prevention of pollution.

B. *Inspections and Reports.* Lessees shall comply with the following pollution inspection and reporting requirements.

(1) *Pollution Inspections.* Drilling and production facilities shall be inspected daily by the lessee. Appropriate preventative maintenance shall be performed as necessary to prevent failures and malfunctions which could lead to pollution. Suspended wells, completed nonproducing (idle) wells and areas or fields not under production shall be inspected at intervals as prescribed by the Supervisor. Necessary repairs or maintenance shall be made as required.

(2) *Pollution Reports.* All minor leakage or spills in violation of Federal, State or local pollution standards shall be reported orally within 24 hours to the appropriate Geothermal District Supervisor, and shall be followed within 10 days thereof by a written report stating the cause and corrective action taken.

All substantial spills or leakage of pollutants and those of any size or quantity which cannot be immediately controlled or any significant effect on the environment created by the lessee's operations shall be reported orally within 24 hours to the Supervisor. The lessee shall then submit a written report, within 30 days, stating the cause and the corrective action taken.

Emissions into the atmosphere of noncondensible or toxic gases such as hydrogen sulfide and ammonia shall be reported as hereinabove required for minor or substantial leakage.

C. *Injection.* The use of any subsurface formation, including the geothermal resources zone, for well effluent disposal, the residue thereof or for the injection of fluids for other purposes such as subsidence prevention, shall not be permitted until the lessee has submitted a plan of injection covering the proposed injection project and has subsequently received the Supervisor's written approval thereof.

(1) *Plan of Injection.* The plan of injection shall include the quantity, quality and source of the proposed injection fluid; the means and method by which the fluid is to be injected; a structure map contoured on the intended injection zone; and cross-sections showing producing well locations and the proposed injection well location(s). A copy of the lessee's plan of injection shall be submitted to adjacent lessees if required.

(2) *Injection Report.* The lessee shall file in duplicate with the Supervisor a Monthly Water Injection Report on a form prescribed by and available from the Supervisor. The subject report shall be filed on or before the last day of the month following the month for which the report is filed.

(3) *Inspection.* Injection wells and facilities shall be inspected at intervals as prescribed by the Supervisor to ascertain that all injected fluids are confined to the approved injection zone. A spinner survey, a radioactive tracer survey and a cement bond log may be required on each injection well within 30 days after injection begins. The lessee shall furnish to the Supervisor two legible exact copies of any and all such surveys and logs. In the event of a casing failure, inadequate annular cement or other mechanical failure, the lessee shall without unreasonable delay repair, suspend or abandon the well.

(4) *New Wells.* The drilling of new injection wells in accordance with an approved plan of injection shall be in conformance with the provisions of GRO Order No. 2. An Application for Permit to Drill, Form 9-331C, shall be filed in triplicate for each injection well.

(5) *Conversions.* The conversion of an existing well to an injection well in accordance with or modification of an approved plan of injection shall be in conformance with the requirements of GRO Order No. 2. The lessee shall demonstrate to the satisfaction of the Supervisor by appropriate testing and logging that the well is mechanically sound and suitable for injection purposes. A Sundry Notice, Form 9-331, shall be filed in triplicate for each conversion.

10. *Water Quality.* The primary responsibility for water quality and pollution control has been delegated to the States where such States have standards approved by the Environmental Protection Agency. Such States must meet basic Federal requirements prohibiting the deterioration of waters whose existing quality is higher than established water quality standards. The lessee shall comply with the State water quality control organization's requirements in such States as have federally approved standards. The Supervisor, at his discretion, may establish additional and more stringent standards and, if so, the lessee shall comply with such standards.

The lessee shall file, in duplicate, water analysis reports with the Supervisor. Such analyses shall include a determination of arsenates, borates, radioactive content and radioactivity of the produced fluids. In the

event that a health hazard exists, the Supervisor shall issue an Order requiring appropriate health and safety precautions and periodic monitoring. Such Order shall require the suspension of production if radioactivity is present and cannot be held to an acceptable level.

11. *Noise Abatement.* The lessee shall minimize noise during exploration, development and production activities. The method and degree of noise abatement shall be as approved by the Supervisor.

The lessee shall conduct noise level measurements during exploration, development and production operations to determine the potential objectionability to nearby residents as well as the potential health and safety danger due to noise emissions.

Noise level measurements and accompanying data shall be filed with the Supervisor. Such data shall provide the basis for operational and noise control decisions by the Supervisor and shall be based on an assessment of the noise with respect to established local, State or Federal criteria including adjustments for the area involved and the time of day of the noise occurrence.

The lessee shall comply with Federal occupational noise exposure levels applicable to geothermal activity under the Occupational Safety and Health Act of 1970 as set forth in 29 CFR 1910.95 incorporated herein by reference or with State standards for protection of personnel where such State standards are more restrictive than Federal standards.

A. *Noise Measurement Conditions.* Outdoor measurements shall be made at least 10 feet from structures, facilities or other sound reflecting sources and from 3 to 4 feet above ground level. Extreme weather conditions, electrical interference and unusual background noise levels shall be avoided or given due consideration when measuring sound levels.

B. *Noise Measurements.* The lessee shall monitor and measure noise levels using an octave band noise analyzer with an A-weighted frequency response or a standard sound level meter that conforms to the requirements set forth in USA Standard Specifications for General Purpose Sound Level Meters USASI S1.4-1961 or the latest approved revision thereof. Bandpass filters shall conform to the requirements of USASI S1.11-1966. The lessee shall measure noise level frequency distribution as required by the Supervisor. Sound levels shall be measured in conformance with the USA Standard-Method for the Physical Measurement of Sound USASI S1.2-1962.

C. *Noise Criteria.* In the absence of more restrictive criteria as may be established in this paragraph, the lessee shall not exceed a noise level of 65 dB(A) for all geothermal-related activity including but not limited to exploration, development or production operations as measured at the lease boundary line or one-half mile from the source, whichever is greater, using the A-weighted network of a standard Sound Level Meter. Provided, however, that the permissible noise level may be exceeded, with the Supervisor's approval, under emergency conditions or if written permission is obtained by the lessee from all parties affected by the noise which is in excess of 65 dB(A).

D. *Noise Assessment.* The lessee shall be responsible for taking such noise level measurements as are deemed necessary by and in the presence of the Supervisor. The background noise level shall serve as the criterion for the rating and assessment, by the Supervisor, of the objectionableness of noise emission from a particular source. The background or ambient noise is defined hereby as the minimum sound level at the relevant place and time in the absence of the source noise and shall include consideration for the type of land use, the season and the time of day.

E. *Attenuation.* To attenuate objectionable noise, the lessee shall utilize properly designed muffling devices as required by the Supervisor.

F. *Relationships.* Reference levels and relationships for noise measurements shall be as follows:

(1) Reference sound pressure for airborne sounds shall be 20 MN/m² (20 micronewtons per square metre).

(2) Reference power shall be 10^{-12} watts.

(3) Sound levels shall be measured using a standard Sound Level Meter with an "A" frequency response characteristic (weighting network).

(4) Sound level meter controls shall be set for as uniform a frequency response as possible when measuring sound pressure levels.

(5) Octave band noise levels shall be reported in equivalent A-weighted levels.

B. *Record of Sound Measurements.* A record of sound level measurements shall be filed in duplicate with the Supervisor and shall include the following data:

(1) Date and time.

(2) Name of observer.

(3) Description of primary noise source emitter under test.

(4) Kind of operation and operating conditions.

(5) Description of secondary noise sources including location, type and kind of operation.

(6) Type and serial numbers on all microphones, sound level meters and octave band analyzers used. Length and type of microphone cables.

(7) Position of observer.

(8) Direction of arrival of sound with respect to microphone orientation.

(9) Approximate temperature of microphone.

(10) Results of maintenance and calibration tests.

(11) Weighting network and meter speed used.

(12) Measured overall response and band levels at each microphone position and extent of meter fluctuation.

(13) Background overall response and band levels at each microphone position with primary noise source not operating.

(14) Cable and microphone corrections.

(15) Any other pertinent data such as personnel exposed directly and indirectly, time pattern of the exposure, attempts at noise control and personnel protection.

Effective: ----------

REID T. STONE,
Area Geothermal Supervisor.

Approved:

RUSSELL G. WAYLAND,
Chief, Conservation Division.

[FR Doc.75-2435 Filed 1-27-75;8:45 am]

GRASS CREEK, WYOMING

Known Leasing Area (Coal)

Pursuant to authority contained in the Act of March 3, 1879 (43 U.S.C. 31), as supplemented by Reorganization Plan No. 3 of 1950 (43 U.S.C. 1451, note), and 203 Departmental Manual No. 1, and Secretary's Order No. 2948, Federal lands within the State of Wyoming have been classified as subject to the competitive coal leasing provisions of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 201). The name of the area, effective date, and total acreage are as follows:

(50) WYOMING

Grass Creek (Wyoming) Known Leasing Area (Coal); September 27, 1974; 1,360 acres.

A diagram showing the boundaries of the area classified for competitive leasing has been filed with the appropriate land office of the Bureau of Land Management. Copies of the diagram and the land description may be obtained from the Regional Conservation Manager, U.S. Geological Survey, Building 25, Denver Federal Center, Denver, Colorado 80225.

Dated: January 20, 1975.

V. E. MCKELVEY,
Director.

[FR Doc.75-2481 Filed 1-27-75;8:45 am]

SYSTEM DESIGN ANALYSIS

Intention To Develop an OCS Order and Standard; Correction

In reference to the earlier notice entitled "Notice of Intention to Develop an OCS Order and Standard Concerning Systems Design Analysis" published in the FEDERAL REGISTER (40FR2597), the third paragraph should be changed to read as follows:

The required data submittal from the operator to the U.S. Geological Survey will be a synopsis in the form of a matrix of the analysis which has been performed. The purpose of this matrix is to rank the criticality of those devices, the failure of which could result in environmental pollution, fires, explosions, personnel injury, or loss of life. It is anticipated that the format and content of the matrix will be established by the accompanying Standard. The synopsis will be submitted to the Geological Survey as early as possible in the equipment design phase, thus allowing necessary time for Geological Survey review and approval prior to the final design review of the equipment by the operating company.

HENRY W. COULTER,
Acting Director.

[FR Doc.75-2475 Filed 1-27-75;8:45 am]

VALE HOT SPRINGS, OREGON

Known Geothermal Resources Area

Pursuant to the authority vested in the Secretary of the Interior by sec. 21 (a) of the Geothermal Steam Act of 1970 (84 Stat. 1566, 1572; 30 U.S.C. 1020), and delegations of authority in 220 Departmental Manual 4.1H, Geological Survey Manual 220.2.3, and Conservation Division Supplement (Geological Survey Manual) 220.2.1G, the following described lands are hereby defined as an addition to the known geothermal resources areas:

(37) OREGON

VALE HOT SPRINGS KNOWN GEOTHERMAL RESOURCES AREA WILLAMETTE MERIDIAN, OREGON

T. 20 S., R. 45 E.,
SECS. 2, 3, 10, 11.

The area described aggregates 2,523 acres, more or less.

Dated: January 22, 1975.

WILLARD C. GERE,
Conservation Manager,
Western Region.

[FR Doc.75-2482 Filed 1-27-75;8:45 am]

National Park Service

[Order No. 1]

ADMINISTRATIVE OFFICER, ET AL., BUFFALO NATIONAL RIVER, HARRISON, ARKANSAS

Delegation of Authority

Sec. 1 *Administrative Officer.* The Administrative Officer may execute and approve contracts not in excess of $10,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds.

Sec. 2 *Supervisory Park Ranger.* Supervisory Park Ranger may issue purchase orders not in excess of $1,000 for supplies or equipment in accordance with applicable regulations and statutory authority and subject to availability of appropriated funds.

Sec. 3 *Facility Manager.* The Facility Manager may issue purchase orders not in excess of $1,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

(National Park Service Order No. 77, 38 FR 7478, dtd. March 22, 1973, as amended. Southwest Region Order No. 5, 37 FR 7722, as amended)

DONALD M. SPALDING,
Superintendent,
Buffalo National River.

[FR Doc.75-2429 Filed 1-27-75;8:45 am]

[Order No. 3]

ADMINISTRATIVE OFFICER, ET AL., GETTYSBURG NATIONAL MILITARY PARK, PENNSYLVANIA

Delegation of Authority

Section 1. *Administrative Officer.* The Administrative Officer may execute, approve and administer contracts not in excess of $25,000 for supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds. This authority may be exercised by the Administrative Officer in behalf of any area administered by Gettysburg National Military Park.

Section 2. *Administrative Technician.* The Administrative Technician may issue purchase orders not in excess of $2,000 for supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds. This authority may be exercised by the Administrative Technician in behalf of any area administered by Gettysburg National Military Park.

Section 3. *Revocation.* This order supersedes Order No. 2 dated May 12, 1972 and published in 37 FR 11735 on June 13, 1972, as amended.

(National Park Service Order No. 77, (38 FR 7478) as amended; Mid-Atlantic Region Order No. (39 FR 3694)

Dated: October 11, 1974.

JOHN R. EARNST,
Superintendent, Gettysburg
National Military Park.

[FR Doc.75-2430 Filed 1-27-75;8:45 am]

Bureau of Reclamation

[INT FES 75-11]

HUNTINGTON CANYON GENERATING STATION, UTAH

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Bureau of Reclamation, Department of the Interior, in cooperation with the Forest Service, Department of Agriculture, has prepared a final environmental statement concerning the construction of a second 415-MW coal-fired generating unit at the Utah Power and Light Company's Huntington Canyon Generating Station, near Price, Utah, and construction of a 345-KV, 75-mile-long transmission line from the station to Sigurd, Utah. The purpose of the proposed second unit is to satisfy power demands expected to develop in the near future and to maintain power reserves at a level sufficient to avoid interruption of service.

A draft environmental statement on the proposed action (INT DES 74-51) was filed with the Council on Environmental Quality and released to the public on May 1, 1975. A public hearing on the draft environmental statement was held in Salt Lake City, Utah, on June 18, 1974. Comments received at the public hearing and by mail are included and answered in the final environmental statement.

Copies of the final environmental statement are available for inspection at the following locations:

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

Division of Engineering Support, Technical Services and Publications Branch, Bureau of Reclamation, E&R Center, Denver Federal Center, Denver, Colorado 80225, Telephone (303) 234-3007.

Office of the Regional Director, Bureau of Reclamation, 125 S. State Street, Salt Lake City, Utah 84111, Telephone (801) 524-5409.

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

Dated: January 23, 1975.

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

[FR Doc.75-2505 Filed 1-27-75;8:45 am]

Office of the Secretary

[INT FES 75-9]

LIVESTOCK GRAZING MANAGEMENT FOR NATIONAL RESOURCE LANDS

Availability of Final Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental statement for livestock grazing management.

The Statement addresses itself to the livestock grazing management program on lands administered by the Bureau of Land Management. It discusses the environmental impacts of livestock grazing and considers alternative levels of management.

Copies are available for inspection at the following locations:

Alaska State Office: 555 Cordova Street, Anchorage, Alaska 99501.

Arizona State Office: Federal Building, Room 3022, Phoenix, Arizona 85025.

California State Office: 2800 Cottage Way, Room E-2841, Sacramento, California 95825.

Colorado State Office: 1600 Broadway, Room 700, Denver, Colorado 80202.

Idaho State Office: Federal Building, Room 398, 550 West Fort Street, Boise, Idaho 83702.

Montana State Office: (N. Dak., S. Dak.) Federal Building, 316 North 26th Street, Billings, Montana 59101.

Nevada State Office: (Federal Building, 300 Booth Street, Reno, Nevada 89502.

New Mexico State Office: Federal Building, P.O. Box 1449, Santa Fe, New Mexico 87501.

Oregon State Office: (Washington) 729 Northeast Oregon Street, P.O. Box 2965, Portland, Oregon 97208.

Utah State Office: Federal Building, 125 South State Street, Salt Lake City, Utah 84111.

Wyoming State Office: (Nebr., Kansas) 2120 Capitol Avenue, P.O. Box 1828, Cheyenne, Wyoming 82001.

Washington, D.C.: Office of Public Affairs, Room 5625, Interior Building, Washington, D.C. 20240.

For All Other States: Eastern States Office: Robin Building, 7981 Eastern Avenue, Silver Spring, Maryland 20910.

Copies may be obtained by writing the Director (130), Bureau of Land Management, Department of the Interior, Washington, D.C. 20240.

Dated: January 22, 1975.

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

[FR Doc.75-2506 Filed 1-27-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

NATIONAL ADVISORY COMMITTEE ON GRAINS—WHEAT, FEED GRAINS AND SOYBEANS

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of the meeting of the National Advisory Committee on Grains—Wheat, Feed Grains and Soybeans. This meeting will be held on

February 12–13, 1975. The session will commence with a joint meeting of the Grain and Cotton Advisory Committees in Room 218–A of the Administration Building, United States Department of Agriculture at 9 a.m., February 12, 1975. Following the joint meeting, the Grain Advisory Committee will meet to discuss the current domestic and foreign supply-demand situation and the 1975 supply outlook. The committee sessions will be open to the public. Any member of the public may file a written statement with the committee before or within one week following the meeting.

The names of committee members, agenda, summary of the meeting, and other information pertaining to the meeting may be obtained from: Kenneth T. Benjamin, Director, Grain Division, ASCS, South Building, Room 5741, Washington, D.C., Telephone: 202–44–77954.

Signed at Washington, D.C., on January 23, 1975.

KENNETH T. BENJAMIN,
Executive Secretary, National Advisory Committee on Grains.

[FR Doc.75-2509 Filed 1-27-75;8:45 am]

NATIONAL COTTON ADVISORY COMMITTEE

Public Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of a meeting of the National Cotton Advisory Committee on February 12–13, 1975, beginning at 9 a.m., on February 12, in Room 218–A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250.

The purpose of the meeting is to consider the various aspects of the cotton situation including the production, marketing and consumption of cotton, both in the U.S. and abroad, as well as cotton programs and the outlook ahead. The meeting will be open to the public. Any member of the public may file a written statement with the Committee, before or within one week following the meeting.

The names of the members of the Committee, agenda, summary of the meeting and other information pertaining to the meeting may be obtained from Terrance G. Harman, Director, Cotton, Rice & Oilseeds Division, Room 5725–S, U.S. Department of Agriculture, Washington, D.C. 20250.

Signed at Washington, D.C. on January 23, 1975.

TERRANCE G. HARMAN,
Executive Secretary, National Cotton Advisory Committee.

[FR Doc.75-2510 Filed 1-27-75;8:45 am]

Forest Service

SUPERIOR NATIONAL FOREST

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for a Land-for-Land Exchange Proposed by Inland Steel Company in the Superior National Forest, USDA–FS–FES–(Adm)–74–44.

The environmental statement concerns a proposed land exchange between Inland Steel Company and the United States.

This final environmental statement was transmitted to CEQ on January 22, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Room 3231
12th St. & Independence Ave., SW
Washington, D.C. 20250

USDA, Forest Service
Eastern Region
633 West Wisconsin Avenue
Milwaukee, Wisconsin 53203

USDA, Forest Service
Superior National Forest
Federal Building
Duluth, Minnesota 55801

USDA, Forest Service
Virginia Ranger District
Virginia, Minnesota 55792

USDA, Forest Service
Aurora Ranger District
Aurora, Minnesota 55705

A limited number of single copies are available upon request to Forest Supervisor, Superior National Forest, P.O. Box 338, Duluth, Minnesota 55801.

Copies of the environmental statement have been sent to various Federal, state, and local agencies as outlined in the CEQ Guidelines.

R. MAX PETERSON,
Deputy Chief for Programs and Legislation.

JANUARY 22, 1975.

[FR Doc.75-2439 Filed 1-27-75;8:45 am]

UMPQUA NATIONAL FOREST, OREGON

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 management of Dumont, Quartz and Last Creek Roadless Areas, Umpqua National Forest, Oregon. USDA–FS–R–6–DES–(Adm)–75–06.

The environmental statement concerns a proposal for management direction of three roadless areas within the Umpqua National Forest, Douglas County, State of Oregon.

This draft environmental statement was transmitted to CEQ on January 3, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Room 3231
12th St. & Independence Ave., SW.
Washington, D.C. 20250

USDA, Forest Service
Pacific Northwest Region
319 S.W. Pine Street
Portland, Oregon 97204

Umpqua National Forest
Federal Office Building
Roseburg, Oregon 97470

A limited number of single copies are available upon request to Forest Supervisor, Umpqua National Forest, P.O. Box 1008, Roseburg, Oregon 97470.

Copies of the environmental statement have been sent to various Federal, state, and local agencies as outlined in the CEQ guidelines.

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 environmental 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, Umpqua National Forest, P.O. Box 1008, Roseburg, Oregon 97470. Comments must be received by March 21, 1975, in order to be considered in the preparation of the final environmental statement.

R. MAX PETERSON,
Deputy Chief, Forest Service.

JANUARY 22, 1975.

[FR Doc.75-2438 Filed 1-27-75;8:45 am]

Office of the Secretary

FEED GRAIN DONATIONS

Cheyenne River Indian Lands in South Dakota

Pursuant to the authority set forth in section 407 of the Agricultural Act of 1949 as amended (7 U.S.C. 1427) and Executive Order 11336, I have determined that:

1. The chronic economic distress of the needy members of the Cheyenne River Indian Lands in South Dakota has been materially increased and become acute because of severe and prolonged drought creating a serious shortage of livestock feeds. These lands are reservations or other lands designated for Indian use and are utilized by members of the Indian tribes for grazing purposes.

2. The use of feed grain or products thereof made available by the Commodity Credit Corporation for livestock feed for such needy members of the tribes will not displace or interfere with normal marketing of agricultural commodities.

Based on the above determinations, I hereby declare the reservations and grazing lands of these tribes to be acute distress areas and authorize the donation of feed grain owned by the Commodity Credit Corporation to livestockmen who are determined by the Bureau of Indian Affairs, Department of the Interior, to be needy members of the tribe utilizing such lands. These donations by the Commoidty Credit Corporation may

commence upon signature of this notice and shall be made available through the duration of the existing emergency or to such other time as may be stated in a notice issued by the Department of Agriculture.

Signed at Washington, D.C. on January 23, 1975.

EARL L. BUTZ,
Secretary.

[FR Doc.75-2512 Filed 1-27-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

ADVISORY COMMITTEE ON EAST-WEST TRADE

Meeting

The Advisory Committee on East-West Trade will meet from 9:30 a.m. to 12:30 p.m. on March 14, 1975, in Room 4830 of the Main Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D.C. (Public entrance to the building is on 14th Street between Constitution Avenue and E Street, NW.)

The Committee was established in February 1974 to advise the Department, through the Deputy Assistant Secretary for East-West Trade, on ways to facilitate and coordinate the expansion of two-way trade with countries having centrally planned economies.

The agenda for the meeting is:

(1) Review of order-ranking of industry problems.

(2) Review of comments on Contracts study.

(3) Review of trade promotion activities and comments on possible publication.

(4) Overview of export control activities.

(5) Review of items submitted by the public.

The meeting will be open to public observation; and within the limits of time available a period will be set aside for oral comments or questions by the public which do not exceed 5 minutes. More extensive questions or comments should be submitted in writing before March 10. Other public statements regarding committee affairs may be submitted at any time before or after the meeting. Approximately 20 seats will be available for the public (including 5 seats reserved for media representatives) on a first-come first-served basis.

Copies of the minutes will be available on request 15 days after the meeting.

Inquiries may be addressed to the Committee Control Officer, Robert Frothingham, III, Liaison Officer, Trade Development Assistance Division, Office of East-West Trade Development, Bureau of East-West Trade, Domestic and International Business Administration, Room 4818, Main Commerce Building, telephone: 202/967-3353.

Dated: January 20, 1975.

ARTHUR T. DOWNEY,
Deputy Assistant Secretary for East-West Trade.

[FR Doc.75-2426 Filed 1-27-75;8:45 am]

EVANSTON HOSPITAL, ET AL.

Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER. Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00292-00-46040. Applicant: Evanston Hospital, 2650 Ridge Avenue, Evanston, IL 60201. Article: Universal Camera. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is intended to be used for investigation of tissue changes in various human diseases and experimental animals, e.g., kidney, lung, and tumors. In addition, the article will be used in the training of pathology residents. Application received by Commissioner of Customs: December 31, 1974.

Docket number: 75-00293-33-43780. Applicant: The University of Texas System Cancer Center, 6723 Bertner Drive, Houston, Texas 77025. Article: Cervitron-II, Intrauterine Applicator, Vaginal Applicator and ^{137}Cesium Sources. Manufacturer: Nuclear Engineering and Equipment, S.A., Switzerland. Intended use of article: The article will be used to investigate the physical and biological properties of the high energy radiations produced in research to develop the articles for use in radiation therapy for cancer patients. The article will also be used to teach medical physicists, dosimetrists, and residents in radiotherapy. Application received by Commissioner of Customs: December 31, 1974.

Docket number: 75-00294-00-46040. Applicant: University of California, Lawrence Berkeley Laboratory, East End of Hearst Avenue, Berkeley, California 94720. Article: Field Emission Gun. Manufacturer: JOEL Ltd., Japan. Intended use of article: The article is intended to be used to provide a necessary and essential improvement in both intensity and coherence of illumination for an existing electron microscope being used for the following: (1) Investigation of the loss of resolution and the loss of image quality and due to processes of radiation damage that occur in the electron bean, for biological specimens (sic), (2) High resolution microscopy of single atoms, and (3) Routine biological electron microscopy of thin sectioned material, negatively stained material, etc. Application received by Commissioner of Customs: December 31, 1974.

Docket number: 75-00296-75-77000. Applicant: Battelle Memorial Institute, Pacific Northwest Laboratories, PO Box 999. Article: Fast Neutron Spectrometer, Model LC-7 and Preamplified Ortec Model 120-3F and accessories. Manufacturer: Technion Research & Development Foundation, Ltd., Israel. Intended use of article: The article is intended to be used to measure the energy spectra of neutrons emitted from certain fission products called delayed-neutron emitters. Application received by Commissioner of Customs: December 31, 1974.

Docket number: 75-00297-33-46500. Applicant: University of Tennessee, Department of Ornamental Horticulture, PO Box 1071, Knoxville, Tennessee 37901. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for research on the tunica-corpus structure of shoot apical meristems, the origin of leaf primordia from the apical dome; primary tissue differentiation resulting from apical meristem activity; and the transformation of shoot apices from vegetative to reproductive structures. The article will be used to section shoot apex samples embedded in epoxy plastic, in precise planes longitudinal to the growth axis, for observation of cellular ultrastructure in the electron microscope and histogenic organization in the light microscope. The article will also be used to train students interested in ultramicrotomy of plant tissues in the use of the article on an individual basis. Application received by Commissioner of Customs: December 31, 1974.

Docket number: 75-00298-98-41200. Applicant: Syracuse University Purchasing Department, Skytop Offices, Syracuse, New York 13210. Article: Reflex Klystron. Manufacturer: Varian of Canada Ltd., Canada. Intended use of article: The article is intended to be used to permit extending the magnetic field and temperature domain in research in which electron spin resonance will be induced in silicon at cryogenic temperatures and at magnetic field of approximately 70 KOe. Other semiconductors, such as germanium, III-V and II-VI compound semiconductors, will also be similarly investigated. Application received by Commissioner of Customs: December 31, 1974.

Docket number: 75-00299-99-90000. Applicant: University of Mississippi Medical Center, 2500 North State Street, Jackson, Mississippi 39216. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used to demonstrate and analyze certain physical properties of normal cerebral tissues and a wide variety of pathological lesions involving the brain and related structures without patient hazard or

even discomfort. The article will also be used to teach technologists and physicians how to make the computerized radiological images now possible. It will be used to teach Radiologists, Neurologists, Neurosurgery (SIC) and other physicians, as well as medical students how to interpret these images. Finally, it will be used to teach these professionals how to integrate the knowledge gained into current medical practice with the object of decreasing patient morbidity and mortality, and to increase the quality of medical care. Application received by Commissioner of Customs: December 31, 1974.

Docket number: 75-00300-33-46500. Applicant: University of California at San Diego, Department of Biology, P.O. Box 109. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to carry out experiments on the behavior of plasma membranes and membranes of various organelles in regard to such phenomena as the immune response, pino- and phagocytosis, secretion, ion pumping, and the movement of proteins within and across membranes. In addition, the modification of these phenomena under the influence of various chemicals will be studied. Application received by Commissioner of Customs: December 31, 1974.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.75-2455 Filed 1-27-75;8:45 am]

National Oceanic and Atmospheric Administration

FLIPPER'S SEA SCHOOL

Issuance of a Permit To Take Marine Mammals

On October 4, 1974, notice was published in the FEDERAL REGISTER (39 FR 35828), that an application had been filed with the National Marine Fisheries Service by Flipper's Sea School, Marathon Shores, Florida Keys, Florida 33052 for a permit to take eleven (11) Atlantic bottlenosed dolphins (*Tursiops truncatus*) for the purpose of public display.

Notice is hereby given that on January 13, 1975, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service, issued a permit to take six bottlenosed dolphins to Flipper's Sea School subject to certain conditions set forth therein. The permit is available for review by interested persons in the Office of the Director, National Marine Fisheries Service, Washington, D.C. 20235 and in the Office of the Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702.

Dated: January 13, 1975.

JACK W. GEHRINGER,
Acting Director, National Marine Fisheries Service.

[FR Doc.75-2444 Filed 1-27-75;8:45 am]

INSTITUTE OF MARINE SCIENCE

Modification of Permit

Notice is hereby given that, pursuant to the provisions of § 216.33(d) and (e) of the regulations governing the taking and importing of marine mammals (39 FR 1851, January 15, 1974), the Scientific Research Permit issued to Robert Elsner, Institute of Marine Science, University of Alaska, Fairbanks, Alaska 99701, on July 3, 1974, is modified in the following manner:

Of the one hundred-ten (110) animals to be taken by killing, as authorized by the Permit, thirty (30) may be captured, held in captivity and subsequently killed in the course of the research activities described in the application and supplementary documentation.

This modification is effective January 28, 1975.

The Permit, as modified, and documentation pertaining to the modification, is available for review in the Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235; and the Office of the Regional Director, National Marine Fisheries Service, Alaska Region, P.O. Box 1668, Juneau, Alaska 99801.

Dated: January 20, 1975.

JACK W. GEHRINGER,
Acting Director, National Marine Fisheries Service.

[FR Doc.75-2442 Filed 1-27-75;8:45 am]

LINCOLN PARK ZOOLOGICAL GARDENS

Issuance of Permit for Marine Mammals

On October 21, 1974, notice was published in the FEDERAL REGISTER (39 FR 37409) that an application had been filed with the National Marine Fisheries Service by the Lincoln Park Zoological Gardens, Chicago, Illinois 60614, for a permit to take seven California sea lions (*Zalophus californianus*) and two Pacific harbor seals (*Phoca vitulina richardii*) for the purpose of public display.

Notice is hereby given that, on January 14, 1975, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service issued a permit for the above mentioned taking to the Lincoln Park Zoological Gardens, subject to certain conditions set forth therein. The Permit is available for review by interested persons in the Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, and the Offices of the Regional Director, National Marine Fisheries Service, Northeast Region, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930, and the Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Dated: January 14, 1975.

JACK W. GEHRINGER,
Acting Director, National Marine Fisheries Service.

[FR Doc.75-2447 Filed 1-27-75;8:45 am]

LITTLE ROCK ZOO

Issuance of Permit to Take Marine Mammals

On September 17, 1974, notice was published in the FEDERAL REGISTER (39 FR 33386), that an application had been filed with the National Marine Fisheries Service by the Little Rock Zoo, Little Rock, Arkansas 72201, for a permit to take two (2) California sea lions (*Zalophus californianus*) for the purpose of public display.

Notice is hereby given that on January 15, 1975, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service issued a permit for the above mentioned taking to the Little Rock Zoo, subject to certain conditions set forth therein.

The Permit is available for review by interested persons in the Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, and in the Offices of the Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702, and the Regional Director, National Marine Fisheries Service, Southwest Region 300 South Ferry Street, Terminal Island, California 90731.

Dated: January 15, 1975.

JACK W. GEHRINGER,
Acting Director, National Marine Fisheries Service.

[FR Doc.75-2445 Filed 1-27-75;8:45 am]

ST. LOUIS ZOOLOGICAL PARK

Issuance of a Permit To Take Marine Mammals

On October 4, 1974, notice was published in the FEDERAL REGISTER (39 FR 35830) that an application had been filed with the National Marine Fisheries Service by the St. Louis Zoological Park, Forest Park, St. Louis Missouri, 63110 for a public display permit to take three California sea lions (*Zalophus californianus*).

Notice is hereby given that on January 17, 1975, and as authorized by the

provisions of the Marine Mammal Act of 1972 (16 U.S.C. 1361–1407), the National Marine Fisheries Service, issued a permit for the above mentioned taking to the St. Louis Zoological Park, subject to certain conditions set forth therein.

The Permit is available for review by interested persons in the Office of the Director, National Marine Fisheries Service, Washington, D.C. 20235, and in the Offices of the Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida, 33702, and the Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Dated: January 17, 1975.

JACK W. GEHRINGER,
Acting Director, National Marine Fisheries Service.

[FR Doc.75-2443 Filed 1-27-75;8:45 am]

THEATER OF THE SEA, INC.

Issuance of a Permit for Marine Mammals

On September 17, 1974, notice was published in the FEDERAL REGISTER (39 FR 33386), that an application had been filed with the National Marine Fisheries Service by Theater of the Sea, Inc., P.O. Box 407, Islamorada, Florida 33036, for a Permit to take 3 Atlantic bottlenosed dolphins (*Tursiops truncatus*) for the purpose of public display.

Notice is hereby given that, on January 15, 1975, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407), the National Marine Fisheries Service issued a permit authorizing the above mentioned taking to Theater of the Sea, Inc. subject to certain conditions set forth therein. This Permit is available for review by interested persons in the Office of the Director, National Marine Fisheries Service, Washington, D.C. 20235 and in the Office of the Regional Director, Southeast Region, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702.

Dated: January 15, 1975.

JACK W. GEHRINGER,
Acting Director, National Marine Fisheries Service.

[FR Doc.75-2446 Filed 1-27-75; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-713; NDA 6-198, etc.]

GILLETTE MEDICAL EVALUATION LABORATORIES, ET AL.

New Drug Applications; Notice of Withdrawal of Approval

In this notice the Food and Drug Administration is withdrawing approval of seventeen new drug applications, effective February 7, 1975.

The holders of the new drug applications listed herein have not submitted annual reports of experience with the drugs as required and have advised the Food and Drug Administration that the new drugs involved were never marketed or marketing has been discontinued. The applicants have requested withdrawal of approval of the new drug applications, and waive their opportunity for a hearing.

NDA No.	Drug	Firm
6-198	Gillette Lather/ Brushless Shave Cream with hexachlorophene.	Gillette Medical Evaluation Laboratory, 1413 Research Blvd., Rockville, Md. 20850.
6-331	Tagathen Tablets (chlorothen citrate).	Lederle Laboratories, a Division of American Cyanamid Co., Pearl River, N.Y. 10965.
6-520	Novocain Solution, 20% (procaine HCl).	Winthrop Laboratories, 90 Park Ave., New York, N.Y. 10016.
7-099	Boyle A-H Tablets (pyrilamine maleate).	Boyle & Co., 6330 Chalet Dr., Los Angeles, Calif. 90022.
7-171	Pyranisamine Maleate Tablets, 25 mg.	Invenex Pharmaceuticals, Division of the Mogul Corp. (Ohio), P.O. Box 122, Grand Island, N.Y. 14072.
7-193	Antihistamine Coated Tablets (pyranisamine maleate).	KV Pharmaceutical Co., 2503 South Hanley Rd., St. Louis, Mo. 63144.
7-652	Bena-Fedrin (ephedrine with diphenhydramine).	Parke, Davis & Co., Joseph Campau at the River, Detroit, Mich. 48232.
8-208	Statomin Tablets (pyrilamine maleate).	Bowman Pharmaceuticals, Inc., 119 Schroyer Ave. SW., Canton, Ohio 44702.
9-870	Nysacetol Tablets, 5 gr. (acetaminophen).	USV Pharmaceutical Corp., 1 Searsdale Rd., Tuckahoe, N.Y. 10707.
11-150	Atropolygyl (ophthalmic solution).	Almay, Inc., Apex, N.C. 27502.
11-395	Reflexol Cough Medicine (sugar syrup).	International Playtex Corp., Division of Rapid American Corp., 888 7th Ave., New York, N.Y. 10019.
11-396	Reflexol Cough Medicine (sugar free).	Do.
11-696	Aristocort Topical Creams, 0.1 percent and 0.025 percent (triamcinolone acetonide).	Lederle Laboratories.
12-367	Aristoderm Foam	Do.
12-604	Aristocort Cream, 0.5 percent.	Do.
13-408	TPM Silicone Rubber Compound.	R. P. Monaghan, D.D.S., P.O. Box 247, Overton, Tex. 75684.
16-285	Potassium Chloride Enteric Coated Tablets.	Stanley Drug Products, Inc., Division of Sperti Drug Products, Inc., P.O. Box 3108, Portland, Oreg. 97208.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505(e), 52 Stat. 1053 as amended; 21 U.S.C. 355(e)), and under authority delegated to the Director of the Bureau of Drugs (21 CFR 2.121), approval of the new drug applications listed above, and supplements thereto, is hereby withdrawn on the grounds that the applicants have failed to make reports under section 505(j) of the Act (21 U.S.C. 355(j)) and § 310.300 or § 310.302 (e) and (f) of the new drug regulations (21 CFR 310.300 and 310.302(e) and (f)).

This order shall become effective on February 7, 1975.

Dated: January 17, 1975.

CARL M. LEVENTHAL,
Acting Director, Bureau of Drugs.

[FR Doc.75-2330 Filed 1-27-75;8:45 am]

[GRASP 5G0048]

TRANSFRESH CORP.

Petition for Affirmation of GRAS Status

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (Secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784–1788; 21 U.S.C. 321(s), 348, 371(a)) and the regulations for affirmation of GRAS status (21 CFR 121.40), published in the FEDERAL REGISTER of December 2, 1972 (37 FR 25705), notice is given that a petition (GRASP 5G0048) has been filed by Transfresh Corp., P.O. Box 1788, Salinas, CA 93901, and placed on public display at the office of the Hearing Clerk, Food and Drug Administration, proposing affirmation that TECTROL gas atmospheres containing carbon dioxide, oxygen, nitrogen, and up to 10 percent carbon monoxide are generally recognized as safe (GRAS) for the shelf life extension of red meats and poultry.

Preliminary review of this petition by the Food and Drug Administration indicates that it may not meet the GRAS criteria (21 CFR 121.3) published in the FEDERAL REGISTER of June 25, 1971 (36 FR 12093), and as proposed for amendment in the FEDERAL REGISTER of September 23, 1974 (39 FR 34194).

Interested persons may, on or before March 31, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate) regarding this proposal. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: January 16, 1975.

HOWARD R. ROBERTS,
Acting Director, Bureau of Foods.

[FR Doc.75-2432 Filed 1-27-75;8:45 am]

Office of the Secretary

HEALTH RESOURCES ADMINISTRATION

Designation of Health Service Areas

Pursuant to the requirements of section 1511(b)(1) of the Public Health Service Act, as amended by the National Health Planning and Resources Development Act of 1974, Pub. L. 93-641, notice is hereby given that the Governors of the 50 States and the Commonwealth of Puerto Rico, and the Mayor of the District of Columbia have been notified by

letter of January 21, 1975, of the initiation of proceedings to establish health service areas throughout the United States in accordance with section 1511 of the PHS Act. No notice has been sent to the Governors or other Chief Executive Officers of the Virgin Islands, Guam, the Trust Territory of the Pacific Islands and American Samoa since section 1536 of the Act provides that no health service areas shall be established within them.

The notices sent to the Governors and the Mayor include the criteria and procedures to be used in the designation of health service areas. Except for the HEW Regional Office and the name of its Regional Director, and the listing of certain agencies within each State that are required to be consulted on the designation of health service areas pursuant to section 1511(b)(2) of the Act, all such letters are identical.

A copy of the notification letter, a list of addresses, and a list of the specific agencies with which consultation is required in each State (as required by law and contained in the letter of notification) are shown in the Appendix. Further guidelines to be provided the Governors are available at each HEW Regional Office.

Dated: January 13, 1975.

CHARLES C. EDWARDS,
Assistant Secretary for Health.

Approved: January 21, 1975.

CASPAR W. WEINBERGER,
Secretary.

APPENDIX

JANUARY 21, 1975.

DEAR GOVERNOR .....: Pub. L. 93-641, the National Health Planning and Resources Development Act of 1974, was signed into law by President Ford on January 4, 1975. A copy of the Conference Report which contains the Act, is enclosed; and certain of its major provisions are summarized below.

This new Act calls for the establishment of State health planning and development agencies and local Health Systems Agencies (HSAs). In addition to providing Federal grant funds for the support and operation of State and local planning and development agencies, it includes a new program for health facilities construction and modernization and authorizes funds in HSAs for developing health resources in implementing their plans. The new program would replace the Comprehensive Health Planning, Regional Medical Programs, and the Hill-Burton Facilities Construction authorities.

The network of HSAs to be established and supported under this Act will be responsible for areawide health planning and development throughout the country in health service areas designated by you and the other Governors. Each HSA is required to prepare a health systems plan and an annual implementation plan; to provide technical and financial assistance for the development of health resources which implement the plans; to review proposed Federal health project grants; to assist States in review of health services and facilities needs; and, to coordinate with appropriate planning and regulatory entities for the purpose of improving the health of the area's residents, increasing accessibility, acceptability, continuity, and quality of health services in the area, restraining increases in the costs of providing health services and preventing unnecessary duplication of health resources.

Prior to the establishment of HSAs, the law requires that health service areas be designated throughout the United States. Once these are designated, but only then, will the HSAs be established.

By this letter I am requesting you, in accordance with Section 1511 of the PHS Act, to submit to (name), the Regional Director, HEW Region ____, in (city), within 120 days of enactment, that is by May 3, 1975, at the latest, health service area designations for your State which in your judgment meet the requirements for such areas as set forth in the Act.

These requirements are in summary as follows:

(1) The area shall be a geographic region appropriate for the effective planning and development of health services, determined on the basis of factors including population and the availability of resources to provide all necessary health services for residents of the area;

(2) To the extent practicable, each area must include at least one center for the provision of highly specialized health services;

(3) Each area must have a population of not less than 500,000 or more than 3 million, except that an area may be less than 500,000 if the area comprises an entire State which has a population of less than 500,000 or more than 3 million if the area includes a standard metropolitan statistical area with a greater population.

The Act also permits the area to be less than 500,000 to a minimum of 200,000 under "unusual circumstances" and below 200,000 in "highly unusual circumstances," both as determined by the Secretary. In making such determinations the Secretary will take into consideration, among other pertinent factors: (a) low population density over a large area; (b) rate of population growth in recent years; (c) major geographic barriers or natural isolation; and, (d) health services utilization and referral patterns;

(4) The area boundaries must, to the maximum extent feasible, be appropriately coordinated with those of Professional Standards Review Organization (PSROs), existing regional planning areas, and State planning and administrative areas;

(5) Furthermore, the boundaries of a health service area shall be established so that, in the planning and development of health services to be offered within the health service area, any economic or geographic barrier to the receipt of such services in nonmetropolitan areas is taken into account. Determinations of boundaries are to reflect the differences in health planning and health services development needs between nonmetropolitan and metropolitan areas;

(6) Each standard metropolitan statistical area must be entirely within the boundaries of a single health service area. This requirement can be waived where each Governor determines, with the approval of the Secretary, that in order to meet the other requirements summarized above, a health service area may contain only part of the standard metropolitan statistical area.

Where appropriate, you may designate proposed health service areas that are located both in State and an adjoining State or States in cooperation with the Governors of those adjoining States.

The Act further requires that in developing proposed health service areas you consult with and solicit the views of your State CHP agency and each existing areawide CHP agency and Regional Medical Program in your State, in addition to the chief executive officer or agency of each of your State's political subdivisions. (A list of the CHP agencies and RMPs serving your State is enclosed.) Any comments received from these entities with respect to such designations are to be submitted to the Secretary together with the proposed boundary designations.

The Act provides that I must designate as health service areas those areas now served by agencies funded under section 314(b) if they meet all of the requirements listed above unless you determine that other areas are more appropriate for the effective planning and development of health resources.

Finally, the Act provides that no areas are to be designated for States which have no county or municipal public health institution or department and which have prior to the date of the enactment of this law maintained a health planning system which complies with the purposes of Title XV of the Public Health Service Act as amended.

Your proposed health service areas will be reviewed pursuant to the procedures set forth in Section 1511 of the Act. Proposed designations submitted by you and other Governors will generally receive my approval if they meet the explicit requirements of the Act as summarized above.

If any proposed boundaries do not meet such requirements, the Act requires me, after consultation with the affected Governors, to revise such boundaries. Further, if there are areas in the United States which are not included within the boundaries of proposed health service areas as submitted by you and the other Governors, the Act requires that I revise such boundaries as necessary to meet the statutory requirement for the establishment of health service areas throughout the United States.

Section 1511(b)(3)(A) of the Act requires my designation of health service areas to be accomplished within 210 days of enactment of this law. This designation will be made by publication of a notice in the FEDERAL REGISTER, and you will be notified promptly.

Because of the exigencies of time, it is important that you notify the aforementioned HEW Regional Director at your earliest convenience and not later than February 5, the name of the State official or staff person to whom you have assigned working responsibility for carrying out this area designation process on your behalf. The HEW Regional Office in turn will immediately forward to that person additional details, more specific guidelines, and instructions with respect to that process, including the format for submitting proposed health service area designations and the procedures for reviewing proposed designations.

I fully appreciate the enormous task placed upon you and your staff through the enactment of this important legislation and seek your cooperation in completing the initial step in its implementation, designation of health service areas, within the legislatively prescribed period. You have my assurance that the Regional Director, the Regional Health Administrator, and their staff are ready to work with you in implementing this provision of the National Health Planning and Resources Development Act of 1974.

Sincerely,

CASPAR W. WEINBERGER,
Secretary.

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Director, West Virginia RMP
Centennial House
258 Stewart Street
Morgantown, West Virginia 26505

Director
Ohio Valley RMP
P.O. Box 4098
Lexington, Kentucky 40504

WISCONSIN

Coordinator
Wisconsin Regional Medical Program
5721 Odana Road
Madison, Wisconsin 53719

WYOMING

Executive Director
Intermountain RMP
50 North Medical Drive
Salt Lake City, Utah 84112

Regional Director
Mountain States RMP
P.O. Box 5796
Boise, Idaho 83705

[FR Doc.75-2515 Filed 1-27-75; 8:45 am]

HEALTH RESOURCES ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority Amendments

Part 7 (Health Resources Administration) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (39 FR 1456, January 9, 1974), is amended in Section 7-B Organization and Functions as follows:

Change the title Bureau of Health Services Research (7C00) to read National Center for Health Services Research (7C00).

Notice is hereby given that the National Center for Health Services Research and the National Center for Health Statistics are statutorily established by Title I of the Health Services Research, Health Statistics, and Medical Libraries Act of 1974 (Pub. L. 93-353). These two National Centers are located within the Health Resources Administration of the Public Health Service as bureau-level organizations.

Dated: January 21, 1975.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.75-2440 Filed 1-27-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Hazardous Materials Regulations Board

[Docket No. HM-103; Notice No. 73-10A]

HAZARD INFORMATION SYSTEM AND MISCELLANEOUS PROPOSALS

Public Hearing

On December 10, 1974, Notice 73-10A (39 FR 43091) under Docket HM-103 was published in the FEDERAL REGISTER (1) proposing a "Hazardous Materials Manifest;" (2) proposing adoption of all or part of the draft revision to Compressed Gas Association's Pamphlet C-7 dated July 1974; and (3) announcing a public hearing to receive comments on any proposals made under Docket HM-103. It was stated in the Notice that additional information and the location of the hearing would be announced in the Federal Register during the last week of January 1975.

The hearing will convene at 9:30 a.m. on February 11, 1975 in room 300 of Federal Office Building 10A (commonly referred to as the FAA Building) located at 800 Independence Avenue, SW., Washington, D.C.

At least 20 persons have indicated their desire to make oral presentations at the hearing; therefore, it is scheduled for two days, February 11, and 12, 1975. The order of presentation (determined by date of notification) will be as follows:

A representative of—

1. National Fertilizer Solutions Assoc.
2. American Trucking Associations, Inc.
3. Nuclear Regulatory Commission.
4. Distilled Spirits Council of the United States, Inc.
5. E. I. Du Pont De Nemours & Company.
6. National Paint and Coatings Assoc.
7. Manufacturing Chemists Association.
8. Stauffer Chemical Company.
9. American Petroleum Institute.
10. Monsanto Company.
11. Chemical Specialties Manufacturers Association, Inc.
12. Union Carbide Corporation.
13. Council for Safe Transportation of Hazardous Articles.
14. Diamond Shamrock Chemical Company.
15. Association of American Railroads.
16. Reichhold Chemicals, Inc.
17. Quickway Staput, Inc.
18. PPG Industries, Inc.
19. National Transportation Safety Board.
20. Air Products & Chemicals, Inc.

The Board's representative in charge of the hearing may adjust the order of presentations and agree to hear the presentations of others upon request.

Issued in Washington, D.C. on January 23, 1975.

ALAN I. ROBERTS,
Secretary, Hazardous Materials Regulations Board.

[FR Doc.75-2497 Filed 1-27-75;8:45 am]

ARMS CONTROL AND DISARMAMENT AGENCY

GENERAL ADVISORY COMMITTEE ON ARMS CONTROL AND DISARMAMENT

Committee Renewal

Notice is hereby given in accordance with paragraph 7(a) of Office of Management and Budget Circular No. A-63, Revised, dated March 27, 1974, as amended by Transmittal Memorandum No. 1, that the General Advisory Committee on Arms Control and Disarmament has been renewed effective January 5, 1975.

Dated: January 22, 1975.

FRED C. IKLE,
Director.

[FR Doc.75-2433 Filed 1-27-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 26878; Docket 25864]

AYHAN KAYMAK V. SATURN AIRWAYS, INC., ET AL.

Postponement of Hearing

Notice is hereby given that, at the request of the Bureau of Enforcement, in which the other parties have concurred, the hearing in the above-captioned cases (40 FR 2251, January 10, 1975) has been postponed to permit the Bureau to prepare an offer of settlement, reached in principle by the parties, and to submit the offer to the Board. Although the request was for a postponement of "approximately one month," the hearing has been postponed indefinitely.

The Bureau is to act promptly to advise the Judge if the offer is not formalized; or, if submitted, of the decision of the Board; and, at that time, is to request that the cases be rescheduled for hearing if a hearing is required.

Dated at Washington, D.C., January 22, 1975.

[SEAL] FRANK M. WHITING,
Administrative Law Judge.

[FR Doc.75-2490 Filed 1-27-75;8:45 am]

[Docket 25280; Agreement C.A.B. 24900, Agreement C.A.B. 24901; Order 75-1-94]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Commodity Rates

Issued under delegated authority January 23, 1975.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the Joint Traffic Conferences of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreements name additional specific commodity rates as set forth below, reflecting reductions from general cargo rates; and were adopted pursuant to unprotested notices to the carriers and promulgated in IATA letters dated January 14, 1975.

CAB agreement	Specific commodity item No.	Description and rate
24900	4746	Oil Drilling Machinery, 329 cents per kg., minimum weight 200 kgs., 227 cents per kg., minimum weight 500 kgs., 222 cents per kg., minimum weight 1,000 kgs., from Houston/Dallas to Saigon/Bangkok.
24901	1407	Floral and Nursery Stock and Seeds, N.E.S., Excluding cut flowers, 108 cents per kg., minimum weight 1,000 kgs., from Copenhagen to New York.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the subject agreements are adverse to the public interest or in violation of the Act, provided that approval is subject to the conditions hereinafter ordered.

Accordingly, *It is ordered*, That: Agreement C.A.B. 24900 and Agreement C.A.B. 24901 are approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publications; provided further that tariff filings shall be marked to become effective on not less than 30 days' notice from the date of filing.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

JAMES L. DEEGAN,
Chief, Passenger and Cargo Rates Division, Bureau of Economics.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-2489 Filed 1-27-75;8:45 a.m.]

[Docket No. 25280; Order 75-1-46]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Correction

In FR Doc. 75-1522 appearing at page 2866 in the issue of Thursday, January 16, 1975, the third, fourth and fifth lines of footnote 13 on page 2867 should read as follows.

"Periodicals, Floral Products and Seafood," Order 72-11-78, November 20, 1972, the Board stated, "Because of their inherently".

[Docket 24314]

NORDAIR LTEE.—NORDAIR LTD., HAMILTON—PITTSBURGH RENEWAL APPLICATION

Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on February 24, 1975, at 10:00 a.m. (local time) in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Frank M. Whiting.

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 February 13, 1975.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., January 21, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-2491 Filed 1-27-75;8:45 am]

SHULMAN AIR FREIGHT, INC.

Application for Tariff Filing Authority Pick-up and Delivery Zone

JANUARY 21, 1975.

In accordance with Part 222 (14 CFR Part 222) of the Board's economic regulations (effective June 12, 1964), notice is hereby given that the Civil Aeronautics Board has received an application, Docket 27419, from Shulman Air Freight, Inc., 20 Olney Avenue, Cherry Hill, New Jersey 08002, for authority to provide pick-up and delivery service between all points in the United States for hazardous materials.

Under the provisions of § 222.3(c) of Part 222, interested persons may file an answer in opposition to or in support of this application by February 12, 1975. An executed original and nineteen copies of such answer shall be addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. It shall set forth in detail the reasons for the position taken and include such economic data and facts as are relied upon, and shall be served upon the applicant and state the date of such service.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-2492 Filed 1-27-75;8:45 am]

COMMISSION ON CIVIL RIGHTS

ARKANSAS STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Arkansas State Advisory Committee (SAC) to this Commission will convene at 9:30 a.m. on February 15, 1975, in the Hotel Sam Peck, Persian Room, 625 Capitol Avenue, Little Rock, Arkansas 72201.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Southwestern Regional Office of the Commission, Room 231, New Moore Building, 106 Broadway, San Antonio, Texas 78205.

The purpose of this meeting are SWRO activities, Economic Recession Project, ERA project.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., January 23, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[F.R. Doc.75-2448 Filed 1-27-75;8:45 a.m.]

VIRGINIA STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Virginia State Advisory Committee (SAC) to this Commission will convene at 7 p.m. on February 28, 1975, at the John Marshall Hotel, 5th and Franklin Streets, Richmond, Virginia 23220.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Mid-Atlantic Regional Office of the Commission, Room 510, 2120 L Street, NW., Washington, D.C. 20037.

The purpose of this meeting is to plan 1975 SAC activities and recharter the Advisory Committee.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., January 23, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.75-2449 Filed 1-27-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 327-6]

CIBA-GEIGY CORP.

Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 5F1575) has been filed by CIBA-GEIGY Corp., P.O. Box 11422, Greensboro, NC 27409, proposing establishment of a tolerance for negligible residues of the herbicide profluralin (*N*-(cyclopropylmethyl)-trifluoro-2, 6-dinitro-*N*-propyl-*p*-toluidine) in or on the raw agricultural commodity group seed and pod vegetables (dry and succulent) and their fodder and forage at 0.1 part per million.

The analytical method proposed in the petition for determining residues of the herbicide is a gas chromatographic procedure using an electron capture detector.

Dated: January 23, 1975.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.75-2500 Filed 1-27-75;8:45 am]

[FRL 327-1; OPP-180026B]

DEPARTMENT OF AGRICULTURE

Specific Exemption for Control of Oriental Fruit Fly

Pursuant to the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973), notice is hereby given that the Environmental Protection Agency (EPA) has granted a specific

exemption to the U.S. Department of Agriculture (hereafter referred to as the "Applicant") to use a toxicant, viscid bait consisting of 88 percent methyl eugenol, 5 percent Naled and 7 percent Thixcin E; a toxicant bait consisting of 4 parts Staley's No. 7 protein bait and 1 part Malathion; and a Diazinon (50 percent wettable powder) spray in a program to eradicate small populations of the oriental fruit fly in recently established infestations located in San Diego County and the municipalities of San Diego, La Jolla, and Los Angeles, California. This exemption was granted in accordance with, and is subject to, the provisions of 40 CFR Part 166, issued December 3, 1973 (38 FR 33303), which prescribes requirements for exemption of Federal and State agencies for the use of pesticides under emergency conditions.

All interested parties are referred to the application on file in the Office of the Director, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M St., SW., Room 347, East Tower, Washington, D.C. 20460. The statements contained in the application are briefly summarized below.

Background. According to the Applicant, the oriental fruit fly (*Dacus dorsalis* H.) is one of the most destructive pests of fruits and vegetables; it attacks over 150 crop species, including apricots, pears, avocados, figs, peaches, peppers, and tomatoes, as well as ornamental plants. The Applicant feels that this insect thus poses a serious economic threat to the fruit and vegetable industries in the United States. The Applicant states that the oriental fruit fly has been detected in California numerous times in the last 13 years, but eradication has always been possible in the past by male annihilation techniques. The current infestation of this pest is more extensive and complex than previous infestations; therefore, additional supplemental control measures are needed. The Applicant has exercised its prerogative in availing itself of a crisis exemption and so notified the Administrator on September 24, 1974. On October 7, 1974, the Applicant promulgated a quarantine for a portion of San Diego County to impede the dispersal of the oriental fruit fly. Finally, in accordance with § 166.8 of 40 CFR Part 166, the Applicant subsequently requested a specific exemption, since treatment pursuant to the crisis exemption was to continue for more than a total of 15 (fifteen) days. The Applicant further requested that approval of the specific exemption include treatment to any area of the United States where the pest may be detected.

Conclusion. In light of the above information, the Applicant has been granted a specific exemption to use during calendar year 1975 the pesticides listed above for control of the oriental fruit fly in recently established infestations in San Diego, La Jolla, and Los Angeles. This specific exemption is subject to the provisions listed in the application initially submitted by the Applicant on March 1, 1974, and amended on June 13, September 30, and October 29, 1974, with the following additional provisions:

(1) The pesticide treatments shall be limited to the California infestation delineated above.

(2) The amounts of pesticides to be used in the control program will be 5, 100, and 500 pounds of actual diazinon, naled, and malathion, respectively.

It should be noted that if the Administrator, EPA, determines that the Applicant is not complying with the requirements set forth or if such action is necessary to protect man or the environment, the exemption shall be immediately withdrawn.

Dated: January 21, 1975.

JAMES L. AGEE,
Assistant Administrator for Water and Hazardous Materials.

[FR Doc.75-2409 Filed 1-27-75;8:45 am]

[FRL 327-7; OPP-32000/178, 179, and 180]

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, DC 20460.

On or before March 31, 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 this 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 March 31, 1975.

Dated: January 22, 1975.

DOUGLAS D. CAMPT,
Acting Director, Registration Division.

APPLICATIONS RECEIVED (OPP-32000/178)

EPA File Symbol 9087-O. Aspen Industries, Inc., PO Box 177, Route 218 Lake Rd., Tully Ny 13159. TABEX SUPER SHOCK. Active Ingredients: Calcium Hypochlorite 70%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5011-RUU. Aire-Mate, A Div. of Carmel Chemical Corp., 525 Park, Westfield IN 46074. AIRE-MATE BACTERIOSTATIC DETERGENT SUPER CONCENTRATE. Active Ingredients: Monoethanolamine Dodecylbenzene Sulfonate 53.00%; Isopropyl Alcohol 10.50%; Ortho-benzyl-para-chlorophenol 7.50%; Tetrasodium Ethylene Diamine Tetraacetate 2.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 35348-R. Portion-Pac Chemical Corp., 360 E. Grand Ave., Chicago IL 60610. PORTION-PAC FORMULA 904 GERMICIDAL DETERGENT. Active Ingredients: n-alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 6.25%; N-alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 6.25%; Tetrasodium ethylenediamine tetraacetate 3.60%; Sodium Sesquicarbonate 3.00%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 1016-70. Union Carbide Corp., Agricultural Prod., PO Box 1906, Salinas CA 93901. UNION CARBIDE SEVIN 4 OIL CARBARYL INSECTICIDE. Active Ingredients: Carbaryl (1-naphthyl methylcarbamate) 49.0%; Petroleum oils 46.25%. Method of Support: Application proceeds under 2(b) of interim policy.

APPLICATIONS RECEIVED (OPP-32000/179)

EPA File Symbol 9630-A. Mooney Chemicals, Inc., 2301 Scranton Rd., Cleveland OH 44113. 8% ZINC NAP-ALL. Active Ingredients: Zinc Naphthenate (Zinc as metal 8%) 63%; Mineral Spirits 37%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10765-U. Nadco, Inc., 335 Murfreesboro Rd., Nashville TN 37210. AQUA-CIDE COMPOSITION. Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 2217-AGR. PBI-Gordon Corp., 300 S. Third St., Kansas City KS 66118. GORDON'S GREEN-RENE TURF FUNGICIDE. Active Ingredients: 4,6-Dichloro - N-(2-chlorophenyl)-1,3,5-triazin-2-amine 50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 18185-G. Petway Prod. Corp., 350 Fifth Ave., New York NY 10001. PETWAY FLEA & TICK SPRAY FOR DOGS. Active Ingredients: Pyrethrins 0.060%; Piperonyl Butoxide, Technical 0.480%; Petroleum Distillate 0.636%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 18185-U. Petway Prod. Corp., 350 Fifth Ave., New York NY 10001. PETWAY FLEA & LICE SPRAY FOR CATS. Active Ingredients: Pyrethrins 0.060%; Piperonyl Butoxide, Technical 0.480%; Petroleum distillate 0.636%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3367-TA. Reily Chemical Co., 450 Mandeville St., New Orleans LA 70117. TOTAL 200. 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%; Tetrasodium ethylenediamine tetraacetate 1.00%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 11715-UE. Speer Products, Inc., 105 S. Parkway West, PO Box 9383, Memphis TN 38109. SPEER ROSE & FLOWER SPRAY. Active Ingredients: Pyrethrins 0.020%; N-octyl bicycloheptene dicarboximide 0.300%; Rotenone 0.100%; Other Cube Resins 0.200%; Methoxychlor Technical 0.300%; Dichlone (2,3-Dichloro-1,4-Naphthoquinone) 0.120%; 2-(1-Methylheptyl) - 4,6 - dinitrophenol crotonate 0.113%; Other related nitrophenols chiefly 1 - methylheptyl-4,6-dinitrophenol 0.012%; Petroleum distillate 0.115%. Method of Support: Application proceeds under 2(c) of interim policy.

APPLICATIONS RECEIVED (OPP-32000/180)

EPA File Symbol 34896-G. Old South Sales Co., PO Box 33, Andalusia AL 36920. DEAD READY RAT & MOUSE BAIT. Active Ingredients: Warfarin (3-Alpha-Acetonylbenzyl) - 4 - Hydroxycoumarin 0.025%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34956-R. Royal Chemical Corp., 3032 Fleetbrook, Memphis TN 38116. ROYAL ALGAE-RID. Active Ingredients: Poly [oxyethylene (dimethyliminio) ethylene(dimethyliminio)ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 34956-E. Royal Chemical Corp., 3032 Fleetbrook, Memphis TN 38116. ROYAL TOWERCIDE. Active Ingredients: Poly [oxyethylene (dimethyliminio) ethylene(dimethyliminio)ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 11715-UU. Speer Products, Inc., PO Box 9383, 105 S. Parkway W., Memphis TN 38109. SPEER INDUSTRIAL PRESSURIZED SPRAY. Active Ingredients: Pyrethrins 0.5%; Piperonyl Butoxide, Technical 4.0%; Petroleum Distillate 5.3%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11715-UG. Speer Products, Inc., PO Box 9383, 105 S. Parkway W., Memphis TN 38109. SPEER ONE-SHOT HI-PRESSURE INSECTICIDE FOGGER. Active Ingredients: Pyrethrins 0.50%; Piperonyl Butoxide, Technical 1.00%; N-octyl bicycloheptene dicarboximide 1.67%; Petroleum distillate 11.83%. Method of Support: Application proceeds under 2(c) of interim policy.

[FR Doc. 75-2501 Filed 1-27-75;8:45 am]

[FRL 326-8]

ROCKAWAY TOWNSQUARE SHOPPING CENTER

Approval and Promulgation of Implementation Plan; Withdrawal of Opportunity for Public Comment on Indirect Source Application

On December 19, 1974 (39 FR 43870) the Regional Administrator for the Region II office of the Environmental Protection Agency (EPA) published preliminary approval of and offered opportunity for public comment on application for an indirect source permit by the developers of the proposed Rockaway Townsquare Shopping Center in Rockaway Township, Morris County, New Jersey. The public comment period was to extend for thirty days from the date of publication of the notice.

On December 30, 1974 (39 FR 45014) the Administrator of EPA published in the FEDERAL REGISTER a notice postponing until further notice, and at least until July 1, 1975, the effective date of the Indirect Source regulation. As a result of this action, the opportunity for public comment on both the application and the EPA preliminary decision is hereby withdrawn.

Dated: January 22, 1975.

ROGER STRELOW,
Assistant Administrator for Air and Waste Management.

[FR Doc.75-2405 Filed 1-27-75;8:45 am]

[FRL 327-3]

STATE OF VIRGINIA

Discharge of Pollutants to Navigable Waters

The Commonwealth of Virginia has submitted a request for approval of its state program for control of discharges of pollutants pursuant to section 402 of the Federal Water Pollution Control Act, 33 U.S.C.A. sections 1251-1376 (1973 Supp.) (referred to herein as the "Act"). The Commonwealth of Virginia is proposing that the Virginia State Water Control Board, 2111 North Hamilton Street, Richmond, Virginia (telephone (804) 770-1411), operate this program for control of discharges into navigable waters of the Commonwealth in compliance with the Act.

A public hearing to consider Virginia's request was held on December 16, 1974, in the Colony House Executive Motor Inn, Richmond, Virginia. Notice of the Richmond hearing appeared in the Federal Register on November 19, 1974. An informal, follow-up public meeting was held at EPA Offices in the District of Columbia, 401 M Street SW., on January 15, 1975.

At the January 15 public meeting EPA announced that the period for submission of written comments would be extended for an additional 30 days. In a letter dated January 16, 1975, Mr. Russell E. Train, Administrator of the Environmental Protection Agency, advised Governor Mills Godwin of Virginia that EPA would delay final decision on the Virginia program pending (1) finalization by Virginia of permit program Regulation Number 6, (2) execution by Virginia and EPA's Region III Office of a final memorandum of agreement detailing federal-State procedures for coordination of permit review and issuance, and (3) receipt and consideration of public comments received during the 30-day period following the January 15, 1975, public hearing.

All interested persons wishing to comment upon the Commonwealth's request or its program submission are invited to submit written comments either in person or by mail, to the Environmental Protection Agency, Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106 (telephone (215) 597-9800).

All comments received by February 14, 1975, will be considered by the Environmental Protection Agency in taking final action on Virginia's request for state program approval.

The Virginia request and program description have been and will continue to be available for inspection by the public at the Virginia State Water Control Board or at the United States Environmental Protection Agency, Region III Office, at the previously mentioned addresses.

Please bring the foregoing to the attention of persons who you know would be interested.

Dated: January 23, 1975.

ALAN G. KIRK II,
Assistant Administrator for Enforcement and General Counsel.

[FR Doc.75-2503 Filed 1-27-75;8:45 am]

[FRL 326-7; Dockets No. 336 et al.]

VELSICOL CHEMICAL CORP.

Pesticide Products Containing Heptachlor or Chlordane; Objections and Request for Hearing

Notice is hereby given, pursuant to § 164.8 of the rules of practice (40 CFR 164.8) issued under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136 et seq., 1973 Supp.), that objections and requests for a hearing were filed by Velsicol Chemical Corporation, the sole manufacturer of the pesticides heptachlor and chlordane, 54 other registrants and 3 representatives of users thereof in connection with the Administrator's notice of intent to cancel registrations of pesticide products containing heptachlor and chlordane, dated November 18, 1974 (39 FR 41298). These proceedings have been consolidated for hearing.

For information concerning the issues involved and other details of these proceedings, interested persons are referred to the dockets of these proceedings on file with the Hearing Clerk, Environmental Protection Agency, Room 1019 East Tower, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460.

HERBERT L. PERLMAN,
Chief Administrative Law Judge.

JANUARY 22, 1975.

[FR Doc.75-2406 Filed 1-27-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20010, File No. BRCT-10; Docket No. 20011, File No. BPCT-4540]

CBS INC. (WCAU-TV); FIRST DELAWARE VALLEY CITIZENS TELEVISION, INC.

Construction Permit for New Television Broadcast Station

By the Review Board: 1. The above-captioned mutually exclusive applications were designated for hearing by Commission Order, 39 FR 15158, published May 1, 1974. Now before the Review Board is a third motion to enlarge issues, filed October 23, 1974, by CBS Inc. (CBS) Philadelphia, Pennsylvania, requesting the addition of a Rule 1.65 issue against First Delaware Valley Citizens Television, Inc. (First Delaware) Philadelphia, Pennsylvania.[1]

2. CBS bases its request on the alleged failure of First Delaware to amend its application to report (1) that Donald G. Barnhouse will be the General Manager of the station if First Delaware's application is granted;[2] and (2) that Mrs. Marjorie Duckrey, a director and two percent shareholder of First Delaware, has been a member of the Board of Trustees [Directors] of the Philadelphia Tribune, a bi-weekly Philadelphia newspaper, since June, 1973.[3] Petitioner contends that both of these interests are of such a nature as to fall within the reporting requirements of § 1.65 of the Commission's rules, citing Lamar Life Broadcasting Co., 26 FCC 2d 940, 20 RR 2d 1014 (1970), and United Television Co., Inc., 33 FCC 2d 424, 23 RR 2d 644 (1972) in support. In its comments, the Broadcast Bureau supports addition of a comparative Rule 1.65 issue, absent a compelling explanation by the applicant for its failure to report these matters.

3. First Delaware opposes the motion on both procedural and substantive grounds. First, it argues that the petition is not timely filed because CBS has been aware of First Delaware's integration proposal since the deposition session of June 27, 1974, and was advised of the action taken at the August 22, 1974 stockholders' meeting at the August 28, 1974 deposition session.[4] Furthermore, First Delaware argues, good cause has not been shown for the delay. Moreover, First Delaware contends that CBS has failed to support its motion with affidavits of persons having knowledge of the facts as required by § 1.229(c) of the Commission's rules. On the merits, First Delaware asserts that the failure to report the business interest of Mrs. Duckrey was unintentional and, in any event, is not of sufficient magnitude to warrant an evidentiary inquiry because Mrs. Duckrey has no ownership interest in the newspaper and devotes little time to it; First Delaware cites H & H Broadcasting Co., 43 FCC 2d 245, 28 RR 2d 817 (1973) and Payne of Virginia, Inc., 28 FCC 2d 66, 21 RR 2d 535 (1971) in support. First Delaware next asserts that there is no requirement that an applicant set forth its integration proposal in its application; this information, it asserts, will be submitted at the hearing. Therefore, according to First Delaware, its decision to propose Barnhouse as its General Manager need not have been reported. In reply, CBS argues that, contrary to First Delaware's assertion of undue delay, it filed its motion concerning Mr. Barnhouse in a timely fashion since it did not receive the minutes of the stockholders' meeting adopting the integration proposal until September 17, 1974, and Mr. Barnhouse did not testify that he would be the General Manager until October 11, 1974.[5] Furthermore, CBS reasserts its contention that the information concerning Barnhouse's position as General Manager of the station and Mrs. Duckrey's membership on the Board of Trustees of the Tribune should have been reported to the Commission.[6]

4. The Review Board is of the view that the failure to report the position of Mr. Barnhouse as General Manager of the station and the interest of Mrs. Duckrey dating from 1973 in a newspaper in the proposed city of license raise questions of noncompliance with § 1.65 of the Commission's rules.[7] Contrary to First Delaware's assertions, the application requires that an applicant "state the name(s) and position of the person(s) who determines the day-to-day programming, makes decisions, and directs the operation of the station covered by this application and whether he is employed full-time in the operation of the station." FCC Form 301, section IV-B, Question 21; cf. Lorain Community Broadcasting Co., 13 FCC 2d 106, 13 RR 2d 382 (1968). The choice of Mr. Barnhouse as First Delaware's prospective General Manager rendered the information contained in its application no longer substantially accurate and therefore it should have been promptly reported. Also we do not agree with the applicant's argument that Mrs. Duckrey's membership on the Tribune's Board of Trustees is insignificant. See Lake Erie Broadcasting Co., 34 FCC 2d 354, 24 RR 2d 64 (1972). The application also specifically requires the disclosure of this information. See FCC Form 301, Section 11, Table II. We believe these failures are of sufficient significance to warrant an evidentiary inquiry.[8] However, it also appears that there was no intention to conceal these facts or deceive the Commission in view of the disclosure of these matters by the applicant in its deposition testimony before the Commission. Therefore, the issue will be added on a comparative basis only. See WPIX, Inc., 38 FCC 2d 661, 26 RR 2d 37 (1972) and cases cited therein.

5. *Accordingly, it is ordered*, That the petition for leave to file a supplement to the opposition to CBS Inc.'s third motion to enlarge issues, filed November 20, 1974, by First Delaware Valley Citizens Television, Inc., is denied; and

6. *It is further ordered*, That the third motion to enlarge issues, filed October 23, 1974, by CBS Inc., is granted to the extent indicated below, and is denied in all other respects; and the issues in this proceeding are enlarged to include the following issue:

To determine whether First Delaware Valley Citizens Television, Inc. has failed to comply with Commission Rule 1.65 by its failure to report information regarding its proposed General Manager and the business interests of one of its principals and, if so, the effect thereof upon the applicant's comparative qualifications to be a Commission licensee.

Adopted: January 13, 1975.

Released: January 15, 1975.

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

[FR Doc.75-2454 Filed 1-27-75;8:45 am]

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[1] Also before the Board are the following related pleadings: (a) Broadcast Bureau's comments, filed November 6, 1974; (b) opposition, filed November 7, 1974, by First Delaware; (c) reply, filed November 15, 1974, by CBS; (d) petition for leave to file a supplement to (b), filed November 20, 1974, by First Delaware; and (e) comments to (d), filed November 27, 1974, by CBS.

[2] CBS notes that the First Delaware application states that: "the day-to-day programming and policy decisions of the station will be made by the station's General Manager and Program Director, neither of whom have been selected as yet."

[3] Petitioner supports its request by attaching an excerpt of the minutes of the August 22, 1974 First Delaware shareholders' meeting, which, it states, indicates that First Delaware made a "definite commitment" to offer the position of General Manager to Mr. Barnhouse. Petitioner also cites the deposition testimony of Mr. Barnhouse and Mrs. Duckrey, taken on October 11, 14, and 15, 1974, which, it states, support its claims.

[4] First Delaware also contends that CBS has had a copy of the pertinent minutes of the stockholders' meeting since September 17, 1974.

[5] CBS attaches to its reply the October 11, 1974 deposition of Barnhouse.

[6] In its petition for leave to file a supplement to its opposition, First Delaware submits a copy of a signed but unverified statement from Mrs. Duckrey, claiming that her failure to report her position on the Tribune's Board of Trustees was one of oversight and inadvertence and that she will resign the position if First Delaware is the successful applicant. This unauthorized, supplemental pleading does not contain new information but only the unnotarized statement of Mrs. Duckrey. In accordance with our usual practice, we will therefore deny it and dismiss the supplement contained therein and the comments responsive to it filed by CBS. In re Filing of Supplemental Pleadings Before the Review Board, 40 FCC

[7] Since it appears that the facts upon which the enlargement request is based were not entirely known to CBS until the October 11, 14, and 15 depositions of Mr. Barnhouse and Mrs. Duckrey, and the petition has been filed within a reasonable time after those dates, we believe that good cause for its acceptance has been shown. United Television Co., Inc., 33 FCC 2d 424, 23 RR 2d 644 (1972).

[8] The applicant's failure to amend in this case is, in our view, readily distinguishable from the situations in Payne of Virginia, Inc., and H & H Broadcasting Co., supra. In those cases, the applicant either voluntarily amended its application or the associations in question dated back more than five years.

[Canadian List No. 336]

CANADIAN BROADCAST STATIONS

Notification List

DECEMBER 16, 1974.

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Canadian standard broadcast stations modifying the assignments of Canadian broadcast stations contained in the Appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

Call letters	Location	Power kW	Antenna	Schedule	Class	Antenna height (feet)	Ground system		Proposed date of commencement of operation
							Number of radials	Length (feet)	
		590 kHz							
CJCW (assignment of call letters).	Sussex, New Brunswick, N. 45°41'06", W. 65°31'29".	0.5D/0.25N	DA-2	J	III				
		1510 kHz							
(New) (present notification 1310 kHz, 10 kW, DA-2, N. 53°53'29", W. 111°30'00").	St. Paul, Alberta, N. 53°59'38", W. 111°18'18".	10	DA-N	U	III				E.I.O., 12-16-75.

[SEAL]

WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.75-2337 Filed 1-27-75;8:45 am]

[Canadian List No. 337]

CANADIAN BROADCAST STATIONS

Notification List

JANUARY 8, 1975.

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Canadian standard broadcast stations modifying the assignments of Canadian broadcast stations contained in the Appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

Call letters	Location	Power kW	Antenna	Schedule	Class	Antenna height (feet)	Ground system		Proposed date of commencement of operation
							Number of radials	Length (feet)	
		860 kHz							
(New)	St. Anthony, Newfoundland, N. 51°20'55", W. 55°35'33".	ID/0.25N	ND-168	U	IV	293	120	440-621	E.I.O. 1-8-76.
		1890 kHz							
CHRM (assignment of call letters).	Matane, Quebec, N. 48°48'01", W. 67°37'03".	10	DA-2	U	III				
		1400 kHz							
CKCB (PO 1400 kHz, 0.25 kW, ND, U).	Collingwood, Ontario, N. 44°28'54", W. 80°14'45".	1D/0.25N	ND-180	U	IV	120	120	281	
		1400 kHz							
CKRV (now in operation)	Drummondville, Quebec, N. 45°52'12", W. 72°30'48".	0.25D/0.1N	DA-1	U	IV				
		1410 kHz							
(New)	Port Hawkesbury, Nova Scotia, N. 45°41'02", W. 61°26'09".	10	DA-2	U	III				E.I.O. 1-8-76.

[SEAL]

WALLACE E. JOHNSON,
Chief, Broadcast Bureau,
Federal Communications Commission.

[FR Doc.75-2338 Filed 1-27-75;8:45 am]

FEDERAL RESERVE SYSTEM

CHEMICAL BANK

Acquisition of Assets

Chemical Bank, New York, New York (total deposits $17.6 billion) a member State bank of the Federal Reserve System, has applied, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), for the Board's approval to acquire substantially all of the assets and assume substantially all of the liabilities of Security National Bank, Hempstead, New York ("Security") (total deposits $1.3 billion) and, as an incident thereto, to operate the present offices of Security as branches.

Published notice of the proposed aquisition of assets and assumption of liabilities and requests for reports on the competitive factors involved therein have been dispensed with as authorized by the Bank Merger Act.

The Board has considered all relevant material contained in the record in the light of the factors set forth in the Act, including the effect of the proposal on competition, the financial and managerial resources and prospects of the banks involved, and the convenience and needs of the communities to be served.

On the basis of the information before the Board, including information from the Comptroller of the Currency, the Board finds that an emergency situation exists so as to require that the Board act immediately pursuant to the provisions of the Bank Merger Act.

Such anticompetitive effects as will be attributable to consummation of the transaction will be clearly outweighed in the public interest by considerations relating to and involved in the emergency situation found to exist. From the record in the case, it does not appear that there are reasonable alternative acquisition possibilities available at this time. Accordingly, it is the Board's judgment that any disposition of the application other than approval would be inconsistent with the public interest, and the Board concludes that the proposed transaction should be approved on a basis that would not preclude immediate consummation of the proposal.

It is hereby ordered, On the basis of the record, that the application be and hereby is approved and that the acquisition of assets and assumption of liabilities and the establishment of the branch offices may be consummated immediately but in no event later than three months after the date of this Order

unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of New York pursuant to delegated authority.

By order of the Board of Governors,[1] effective January 19, 1975.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc. 75-2459 Filed 1-27-75; 8:45 am]

CHETOPA STATE BANCSHARES, INC.

Formation of Bank Holding Company

Chetopa State Bancshares, Inc., Coffeyville, Kansas, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 96 percent of the voting shares of Chetopa State Bank & Trust Co., Chetopa, Kansas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Chetopa State Bancshares, Inc., has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and section 225.4(b)(2) of the Board's Regulation Y, for permission to acquire the Fox Insurance Agency, Chetopa, Kansas. Notice of the application was published on October 17, 1974, in The Chetopa Advance, a newspaper circulated in Chetopa, Kansas.

Applicant states that, through Fox Insurance Agency, it would engage in general insurance agency activities, including: the sale of auto, home-owners, life, disability, liability, credit life, credit disability, and fire insurance. Such activities will be conducted at offices in Chetopa, Kansas, a community having a population of less than 5,000 persons. Applicant states that such activities have been specified by the Board in section 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of section 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than February 18, 1975.

Board of Governors of the Federal Reserve System, January 21, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-2460 Filed 1-27-75;8:45 am]

COMMERCIAL NATIONAL CORP.

Bank Holding Company

Commercial National Corporation, Peoria, Illinois, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 100 percent of the voting shares of the successor by merger to Commercial National Bank of Peoria, Peoria, Illinois. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than February 19, 1975.

Board of Governors of the Federal Reserve System, January 21, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-2461 Filed 1-27-75;8:45 am]

FIRST INTERNATIONAL BANCSHARES, INC.

Acquisition of Bank

First International Bancshares, Inc., Dallas, Texas, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)), to acquire 100 percent of the voting shares (less directors' qualifying shares), of the successor by merger to North Austin State Bank, Austin, Texas ("Bank"). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of the successor organization is treated herein as the proposed acquisition of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the application and all comments received have been considered in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the largest banking organization in Texas, controls 22 banks[1] with aggregate deposits of approximately $3.2 billion, representing approximately 8.1 percent of the total deposits in commercial banks in the State.[2] Acquisition of Bank (deposits of $44.5 million) would increase Applicant's share of commercial bank deposits in Texas by less than 0.1 percent, and would have no appreciable effect upon the concentration of banking resources in Texas.

Bank, the seventh largest of seventeen banking organizations in the Austin banking market (approximated by Travis and Harp Counties), holds approximately 3 percent of total market deposits. Applicant has no subsidiary in the market and its nearest subsidiary bank is approximately 69 miles north of Bank. Thus, it appears that no existing competition would be eliminated as a result of consummation of the proposal. Moreover, ease of entry into the Austin market for other bank holding companies would not be significantly diminished by consummation of the present proposed acquisition. Although Applicant could enter the market de novo, the present proposal is considered to be a foothold acquisition. Accordingly, on the basis of the record, it is concluded that consummation of the proposed acquisition would not have significant adverse effects on existing or potential competition in any relevant area.

Considerations relating to the financial and managerial resources and future prospects of Applicant, its subsidiaries, and Bank are regarded as generally satisfactory and consistent with approval particularly in view of Applicant's projected addition of $200,000 to the equity capital structure of Bank through retention of the capital of the interim bank. Affiliation with Applicant should enable Bank to expand and improve the banking services offered by it. Accordingly, these considerations relating to the convenience and needs of the community to be served are consistent with approval. It has been determined that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

By order of the Secretary of the Board, acting pursuant to delegated authority

[1] Voting for this action: Chairman Burns and Governors Mitchell, Sheehan, Bucher, Holland, Wallich, and Coldwell.

[1] In addition, Applicant indirectly controls interests of less than 25 per cent in two banks; Applicant has agreed to divest its minority interests in the two banks.

[2] All banking data are as of June 30, 1974, and reflect holding company formations and acquisitions approved through December 31, 1974.

from the Board of Governors, effective January 17, 1975.

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

[FR Doc.75-2462 Filed 1-27-75;8:45 am]

F.N.B. CORP.

Formation of Bank Holding Company and Acquisition of Citizens Budget Co.—Youngstown

F.N.B. Corporation, Sharon, Pennsylvania, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to First National Bank of Mercer County, Greenville, Pennsylvania ("Bank"). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of the Bank.

At the same time, Applicant has applied for the Board's approval under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y to acquire the successor by merger to Citizens Budget Co.—Youngstown, Youngstown, Ohio ("Citizens") and its subsidiaries.[1] Through Citizens and its subsidiaries, Applicant would engage in the following activities: making personal installment loans under the Ohio and Pennsylvania Small Loan Laws, purchasing installment sales finance contracts, making real estate loans under the Ohio Second Mortgage Act, and selling credit life and credit accident and health insurance and property damage insurance on collateral held in connection with extensions of credit made by its subsidiaries. Such activities have been determined by the Board to be closely related to the business of banking (12 CFR 225.4(a)(1) and (9)(ii)(a)).

Notice of receipt of these applications, affording an opportunity for interested persons to submit comments and views, has been given in accordance with sections 3 and 4 of the Act (39 FR 28506). The time for filing comments and views has expired, and the Board has considered the applications and all comments received in the light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)) and the considerations specified in section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)).

Applicant is a recently organized corporation formed for the purpose of becoming a bank holding company through the purchase of Bank's stock. Bank (deposits of $95.1 million)[2] operates 11 of its 12 offices in the Sharon-Meadville banking market[3] and ranks second among area banks with almost 19 percent of deposits held by commercial banks in the market. Since the proposal, to the extent it contemplates the acquisition of shares of Bank, represents a corporate reorganization and since Applicant currently has no subsidiaries, consummation of the proposal would have no adverse effects on existing or potential competition. Therefore, the Board concludes that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant, which will depend initially upon those of Bank, are considered satisfactory and consistent with approval. The debt that will be incurred by Applicant to capitalize the succesor by merger to Bank appears to be readily serviceable from the income to be derived from Bank without having an adverse effect on the financial condition of Bank. Accordingly, banking factors are regarded as being consistent with approval of the application. Considerations relating to the convenience and needs of the community to be served are also consistent with approval. It is the Board's judgment that consummation of the transaction would be in the public interest and that the application to acquire Bank should be approved.

Applicant also proposes to acquire 100 per cent of the outstanding shares of Citizens. Citizens (assets of $4.8 million as of March 31, 1974) is a consumer finance company headquartered in Youngstown, Ohio, and operates six offices variously located in Ohio and one in Pennsylvania.[4]

Citizens does not currently operate any offices in the Sharon-Meadville banking market. While it does maintain an office in the New Castle banking market[5] where Bank operates a branch office, the amount of actual competition between the office of Citizens and the branch of Bank is slight. The Board concludes that consummation of the proposed acquisition would not eliminate a significant amount of existing competition between Citizens and Bank. Nor does it appear likely that significant competition would develop between Citizens and Bank in the future in the absence of consummation of the proposed transaction, particularly in view of the fact that Bank may not lawfully establish banking offices in Ohio. While Applicant appears to have the resources and managerial capacity to enter markets served by Citizens through formation of a de novo consumer finance company, there already exist several consumer finance companies in the markets served by Citizens. Absent consummation of the proposed acquisition, it does not appear that Citizens has the resources to expand into the Sharon-Meadville banking market. Accordingly, the Board concludes that consummation of the proposed transaction would not have adverse effects on the development of competition in any market.

Affiliation with Applicant, by providing Citizens access to Applicant's financial resources, should enhance the competitive effectiveness of Citizens and enable Citizens to relax certain restrictive lending policies that its limited financial resources have caused Citizens to institute. There is no evidence in the record indicating that consummation of the proposed acquisition of the consumer finance and credit-related insurance activities would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices, or other effects on the public interest.

Based on the foregoing and other considerations reflected in the record, the Board has determined that considerations under the standards of section 3(c) of the Act and the balance of the public interest factors the Board must consider under section 4(c)(8) of the Act favor approval of Applicant's proposals.

In addition to the above-mentioned activities engaged in by Citizens, Citizens presently controls Garden Tractors, Inc., DBA Marshall Gravely, Inc., a subsidiary acquired as a result of a default on a debt previously contracted which engages in the sale of garden tractors and other items for lawn and garden use and the repair of such products. Applicant does not seek Board approval for acquisition of this business. Citizens has placed its shares of Garden Tractors, Inc. in a nonaffiliated trust and has directed the trustee to sell the company no later than one year after consummation of the acquisition of Citizens by Applicant.

Accordingly, the application to acquire Citizens is approved for the reasons

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[1] The company into which Citizens is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Citizens. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of shares of Citizens.

[2] Banking data are as of December 31, 1973.

[3] The Sharon-Meadville banking market includes all of Mercer County, Pennsylvania, except the eastern and southern tier of townships, and includes the southern two-thirds of adjacent Crawford County, Pennsylvania.

[4] Citizens sells subordinated investment notes from two of its Ohio offices to small investors in order to augment its operating funds. As of March 31, 1974, Citizens' subordinated investment notes outstanding totaled $1.66 million. Citizens presently has an offering outstanding for $2 million in subordinated notes maturing in 4 years with interest at the rate of 8 percent per annum. The present authorization to sell such notes will expire on May 5, 1975. Subject to Board approval, Applicant expects to consummate the acquisition of Citizens on March 31, 1975. Upon consummation of the acquisition of Citizens by Applicant, Citizens would be affiliated with Bank, a member bank. On the basis of all the facts of record, the Board has determined that the sale of such notes by Citizens from the date of consummation of the acquisition until the expiration date of the authorization to sell such notes would not result in a violation of the Banking Act of 1933 (the Glass-Steagall Act) by reason of Citizens' affiliation with Bank. Approval of the acquisition of Citizens is conditioned upon submission to the Board by FNB of any proposal to issue or sell subordinated investment notes after May 5, 1975.

[5] The New Castle banking market is approximated by the boundaries of Lawrence County, Pennsylvania.

summarized above subject to: (1) Applicant's divestiture of Garden Tractors, Inc., as soon as possible but no later than one year from the date of consummation of the proposed acquisition of Citizens and (2) Applicant's submission to the Board of any proposal to issue or sell subordinated investment notes after May 5, 1975. The application to acquire Bank is also approved for the reasons summarized above. The acquisition of Bank shall not be made before the thirtieth calendar day following the effective date of this Order; and neither the acquisition of Bank nor the acquisition of Citizens shall be made later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Cleveland pursuant to authority delegated hereby. The determination as to Applicant's consumer finance activities and credit-related insurance activities is subject to the conditions herein and those set forth in § 225.4(c) of Regulation Y and to the Board's authority to require reports by, and make examinations of, holding companies and their subsidiaries and to require such modifications or termination of the activities of a bank holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,[8] effective January 20, 1975.

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

[FR Doc.75-2463 Filed 1-27-75;8:45 am]

F.S.B. PROPERTIES, INC.

Formation of Bank Holding Company

F.S.B. Properties, Inc., Quinton, Oklahoma, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of Farmers State Bank, Quinton, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than February 18, 1975.

Board of Governors of the Federal Reserve System, January 20, 1975.

[SEAL] GRIFFITH L. GARWOOD, *Assistant Secretary of the Board.*

[FR Doc.75-2464 Filed 1-27-75;8:45 am]

[8] Voting for this action: Vice Chairman Mitchell and Governors Sheehan, Bucher, Holland, Wallich and Coldwell. Absent and not voting: Chairman Burns.

FRONTIER BANCORPORATION OF DENVER, INC.

Formation of Bank Holding Company

Frontier Bancorporation of Denver, Inc., Denver, Colorado, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 92.5 percent of the voting shares of Frontier Bank of Denver, Denver, Colorado. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than February 21, 1975.

Board of Governors of the Federal Reserve System, January 21, 1975.

[SEAL] GRIFFITH L. GARWOOD, *Assistant Secretary of the Board.*

[FR Doc.75-2465 Filed 1-27-75;8:45 am]

KAYCO INVESTMENT CORP.

Order Approving Acquisition of Bank

KAYCO Investment Corporation, Nevada, Missouri, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 84.95 percent of the voting shares of The First National Bank of Golden City, Golden City, Missouri ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant presently controls one bank with deposits of approximately $8.2 million, representing .06 percent of the total commercial bank deposits in Missouri. (All banking data are as of December 31, 1973.) The acquisition of Bank would increase Applicant's share of commercial bank deposits in Missouri by .03 percent; Applicant would become the smallest multi-bank holding company in the State. Consummation of the proposal would not have a significant effect on the level of concentration of banking resources within the State.

Bank ($5.8 million in deposits) ranks fifth out of six banking organizations located in the relevant banking market and holds about 11.7 per cent of the total commercial bank deposits therein.[1] Applicant's banking subsidiary, Perry State Bank, is located in Perry, Missouri, approximately 280 miles from Bank in northeastern Missouri. No competition exists between Bank and Applicant's subsidiary bank and, due to the distances separating them, there is little likelihood of any competition between them developing. Furthermore, the present proposal involves the transfer of the ownership of Bank from individuals to a corporation owned by the same individuals. The Board concludes, therefore, that consummation of the proposed acquisition would not have significantly adverse effects on existing or potential competition.

Considerations relating to the financial and managerial resources and future prospects of Applicant and Bank are regarded as satisfactory and consistent with approval of the application. The proposed affiliation of Bank with Applicant should enable Bank to expand and improve the banking services offered. Accordingly, the Board regards considerations relating to the convenience and needs of the community to be served as being consistent with approval of the application. It is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of St. Louis pursuant to delegated authority.

By order of the Board of Governors,[2] effective January 17, 1975.

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

[FR Doc. 75-2466 Filed 1-27-75;8:45 am]

[1] The relevant banking market is approximated by the southern half of Barton County, the western half of Dade County, plus the northern portion of Jasper County.

SECURITY BANCORP., INC.

Acquisition of Bank

Security Bancorp., Inc., Southgate, Michigan, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of Security Bank of Novi, Novi, Michigan, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than February 19, 1975.

[2] Voting for this action: Vice Chairman Mitchell and Governors Sheehan, Bucher, Holland, Wallich and Coldwell. Absent and not voting: Chairman Burns.

Board of Governors of the Federal Reserve System, January 20, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-2467 Filed 1-27-75;8:45 am]

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt of Report Proposals

The following requests for clearance of reports intended for use in collecting information from the public were received by the Regulatory Reports Review Staff, GAO, on January 21, 1975. See 44 U.S.C. 3512(c) & (d). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public of such receipt.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed FTC form are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed form, comments must be received on or before February 18, 1975, and should be addressed to Mr. Monte Canfield, Jr., Director, Office of Special Programs, United States General Accounting Office, 425 I Street, NW., Washington, D.C. 20548.

Further information about the items on this list may be obtained from the Regulatory Reports Review Officer, 202-376-5425.

ATOMIC ENERGY COMMISSION

Request for clearance of application requirements contained in Form AEC-2 and 10 CFR 40.31 pertaining to the issuance of licenses to receive, possess, use, transfer, deliver, import, or export source material; frequency of the requirement is on occasion; potential respondents are applicants for source material licenses; respondent burden is estimated to be eight-hours for a new application and one-hour for a renewal application, for a total of about 260 man-hours annually. Licenses are mandatory under 10 CFR 40.31.

NORMAN F. HEYL,
Regulatory Reports Review Officer.

[FR Doc.75-2471 Filed 1-27-75;8:45 am]

REGULATORY REPORTS REVIEW

Receipt of Report Proposals

The following requests for clearance of reports intended for use in collecting information from the public were received by the Regulatory Reports Review Staff, GAO, on January 20, 1975. See 44 U.S.C. 3512 (c) & (d). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public of such receipt.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Further information about the items on this list may be obtained from the Regulatory Reports Review Officer, 202-376-5425.

FEDERAL MARITIME COMMISSION

Request for extension with no change of Part 510 of Chapter IV; Title 46, CFR, and of the Application for a License as an Independent Ocean Freight Forwarder. The rules require that the application be submitted to provide the information necessary for the Commission to determine an applicant's eligibility to be licensed as an independent ocean freight forwarder pursuant to section 44 of the Shipping Act, 1916, as amended. This is a one-time application and the estimated burden is one-half hour per applicant. The rules also require that each licensee maintain records and book of accounts correctly and orderly for five years and make such records available upon request of any authorized representative of the Commission, and that copies of special arrangements or contracts be maintained and made available to Commission personnel and bona fide shippers upon reasonable request.

FEDERAL MARITIME COMMISSION

Request for extension with no change of self-policing reports as required by 46 CFR 528. Conferences and carriers subject to that Part, or any person to whom they have delegated the self-policing authority, must submit a self-policing report each January and July. The reports will show the nature of each complaint received during the preceding 6 months and the action taken on the complaint or on the volition of any person responsible for pricing, and the nature of any violations found and sanctions imposed. The respondent burden is estimated to be 2 man-hours per response.

NORMAN F. HEYL,
Regulatory Reports Review Officer.

[FR Doc.75-2472 Filed 1-27-75;8:45 am]

REGULATORY REPORTS REVIEW

Receipt of Report Proposals

The following requests for clearance of reports intended for use in collecting information from the public were received by the Regulatory Reports Review Staff, GAO, on January 20, 1975. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public of such receipt.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed FEA form are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed form, comments must be received on or before February 14, 1975, and should be addressed to Mr. Monte Canfield, Jr., Director, Office of Special Programs, United States General Accounting Office, 425 I Street NW., Washington, D.C. 20548.

Further information about the items on this list may be obtained from the Regulatory Reports Review Officer, 202-376-5425.

FEDERAL COMMUNICATIONS COMMISSION

Request for review and clearance of a new requirement entitled—Special Temporary Authority Rules in the Cable Television Service. In circumstances requiring the temporary use of cable television facilities for operations not authorized pursuant to a valid certificate of compliance, a cable television system may request special temporary authority to operate. The Commission may grant special temporary authority, upon a finding that the public interest would be served thereby, for a period not to exceed ninety (90) days, and may extend such authority, upon a like finding, for one additional period, not to exceed (90) days. Requests for special temporary authority may be submitted informally by letter. A request for special temporary authority shall be filed at least ten (10) days prior to the date of commencement of the proposed operations, or shall be accompanied by a statement of reasons for the delay in submitting such request. A grant of special temporary authority may be rescinded by the Commission at anytime upon a finding of facts which warrant such action. The Commission estimates it will receive 50 requests from Cable Television Operators in a one year period. Respondent burden is estimated at one man-hour per request.

INTERSTATE COMMERCE COMMISSION

Request for clearance of a new quarterly reporting plan to collect information from 71 Class I Railroads, except switching and terminal companies, respecting freight loss and damage claims that are based on losses caused by theft and pilferage of goods moving in interstate commerce. The reporting plan, Quarterly Report of Freight Loss and Damage Claims—Railroads, Form QL&D-R, was adopted following a rulemaking proceeding [Docket No. 35345 (Sub-No. 1)] conducted pursuant to section 553 of the Administrative Procedure Act. Reporting burden for carriers is estimated to average 64 man-hours per report. Reports are mandatory.

NORMAN F. HEYL,
Regulatory Reports Review Officer.

[FR Doc.75-2473 Filed 1-27-75;8:45 am]

GENERAL SERVICES ADMINISTRATION

[Federal Property Management Reg., Temporary Reg. A-9; Supp. 2]

TRAVEL MODE FOR OFFICIAL GOVERNMENT TRAVEL

Mileage Allowances for Use of Privately Owned Conveyances

1. *Purpose.* This supplement extends the expiration date of FPMR Temporary Regulation A-9.

2. *Effective date.* This regulation is effective January 28, 1975.

3. *Expiration date.* This regulation will remain in effect until superseded or incorporated, as appropriate, in the Federal Travel Regulations (FTR), 41 CFR 101-7.

4. *Extension of expiration date.* The expiration date in supplement 1 is canceled. This indefinite extension will provide additional time for the incorporation into the FTR of changes established in FPMR Temporary Regulation A-9 and other proposals being considered, and for the resolution of new legislative action to increase official travel and mileage allowances.

5. *Cancellation.* Supplement 1 to FPMR Temporary Regulation A-9 is canceled.

ARTHUR F. SAMPSON,
Administrator of General Services.

JANUARY 24, 1975.

[FR Doc.75-2728 Filed 1-27-75;9:52 am]

NATIONAL SCIENCE FOUNDATION

ADVISORY PANEL FOR DEVELOPMENTAL BIOLOGY

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Advisory Panel for Developmental Biology to be held at 9 a.m. on February 14 and 15, 1975, in room 511, 1800 G Street, NW., Washington, D.C.

The purpose of this Panel is to provide advice and recommendations as part of the review and evaluation process for specific proposals and projects.

This meeting will not be open to the public because the Panel will be reviewing, discussing, and evaluating individual research proposals. These proposals contain information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within the exemptions of 5 U.S.C. 552(b). The closing of this meeting is in accordance with the determination by the Director of the National Science Foundation dated December 17, 1973, pursuant to the provisions of section 10(d) of Pub. L. 92-463.

For further information about this Panel, please contact Dr. Antonie Blackler, Program Director, Developmental Biology, Rm. 326, National Science Foundation, Washington, D.C., telephone 202/632-4314.

FRED K. MURAKAMI,
Committee Management Officer.

JANUARY 21, 1975.

[FR Doc. 75-2224 Filed 1-27-75;8:45 am]

ADVISORY PANEL ON SCIENCE EDUCATION PROJECTS

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Instructional Scientific Equipment Program (ISEP) Subpanel to be held at 9 a.m. on February 13-15, 1975, at the Quality Inn, Pentagon City, Arlington, Virginia.

The purpose of this Subpanel is to provide advice and recommendations concerning the merit of specific proposals submitted for consideration by the Instructional Scientific Equipment Program.

This meeting will not be open to the public because the Subpanel will be reviewing, discussing, and evaluating individual research proposals. These proposals contain information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within the exemptions of 5 U.S.C. 552(b). The closing of this meeting is in accordance with the determination by the Director of the National Science Foundation dated December 17, 1973, pursuant to the provisions of section 10(d) of Pub. L. 92-463.

For further information about this Subpanel, please contact Dr. James C. Kellett, Program Manager, Rm. 454, 5225 Wisconsin Avenue, Washington, D.C. 20550, telephone 202/282-7760.

FRED K. MURAKAMI,
Committee Management Officer.

JANUARY 20, 1975.

[FR Doc.75-2225 Filed 1-27-75;8:45 am]

ADVISORY PANEL ON SCIENCE EDUCATION PROJECTS

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Graduate Felowships Subpanel to be held from 9 a.m. to 5 p.m. on February 17-21, 1975, in room 628 of the Joseph Henry Building, 21st and Pennsylvania Avenue, NW., Washington, D.C.

The purpose of this Subpanel is to provide advice and recommendations concerning the merit of specific proposals submitted for consideration by the Graduate Fellowships program.

This meeting will not be open to the public because the Subpanel will be reviewing, discussing, and evaluating individual research proposals. These proposals contain information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within the exemptions of 5 U.S.C. 552(b). The closing of this meeting is in accordance with the determination by the Director of the National Science Foundation dated December 17, 1973, pursuant to the provisions of section 10(d) of Pub. L. 92-463.

For further information about this Subpanel, please contact Dr. Terence L. Porter, Program Management, Fellowships and Traineeships Section, Rm. 474, 5225 Wisconsin Avenue, NW., Washington, D.C. 20550, telephone 202/282-7595.

FRED K. MURAKAMI,
Committee Management Officer.

JANUARY 22, 1975.

[FR Doc.75-2427 Filed 1-27-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Notice of Meeting

JANUARY 22, 1975.

In addition to the portions of the ACRS meeting previously noticed as open to the public, the following portion of the ACRS meeting on February 8, 1975, in Room 1046, at 1717 H Street, NW., Washington, D.C., will be open to members of the public.

THURSDAY, FEBRUARY 6, 1975

4 p.m.-8:30 p.m.—GE Standard Safety Analysis Report.

The Committee will hear presentations by and hold discussions with representatives of the NCR Staff and the General Electric Company pertaining to the ACRS review of the GE Standard Safety Analysis Report. Portions of this session will be closed if required to discuss proprietary information related to the design, fabrication or operation of this standard plant. Closed portions will also be held if needed to discuss security arrangements for this type plant and for Committee deliberative sessions.

The topic previously scheduled for discussion (Atlantic Generating Station and Floating Nuclear Plant) at this time will be deferred to a subsequent ACRS meeting.

SATURDAY, FEBRUARY 8, 1975

9 a.m.-10:30 a.m.—Reactor Safety Study (WASH-1400).

The Committee will hear presentations by and hold discussions with representatives of the Boeing Nuclear Systems and with Dr. S. Saunders, Washington State University related to the Committee review of WASH-1400, Reactor Safety Study.

JOHN C. HOYLE,
Acting Advisory Committee Management Officer.

[FR Doc.75-2423 Filed 1-27-75;8:45 am]

[Docket Nos. 50-237; 50-249]

COMMONWEALTH EDISON CO.

Proposed Issuance of Amendments to Facility Operating Licenses

The Nuclear Regulatory Commission (the Commission) is considering the issuances of amendments to Facility Operating Licenses Nos. DPR-19 and DPR-25 issued to the Commonwealth Edison Company (the licensee) for operation of the Dresden Nuclear Power Station Units 2 and 3, boiling water reactors located in Grundy County, Illinois, and currently authorized for operation at power levels up to 2527 MWt each.

The license amendments would revise the Technical Specifications for the facilities to incorporate appropriate requirements for flood protection equipment and to include a change to the performance requirements for the containment cooling service water pumps in accordance with the licensee's request dated November 4, 1974.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Act and the Commission's regulations.

On or before February 27, 1975, any person whose interest may be affected by the proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20545, Attention: Docketing and Service Section, by February 27, 1975. A copy of the petition and/or request for a hearing should be sent to the Chief Hearing Counsel, Office of the General Counsel, Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20545 and to John W. Rowe, Esquire, Isham, Lincoln & Beale, One First National Plaza, Chicago, Illinois 60670, the attorney for the applicant.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board designated by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the applictaion for amendment dated November 4, 1974, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Morris Public Library, 604 Liberty Street, Morris, Illinois 60451. As they become available, the Commission's related Safety Evaluation, license amendment and attachments may be inspected at the above locations. A copy of the license amendment and attachments and the Safety Evaluation, when available, may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland, this 17th day of January, 1975.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch #2, Directorate of Licensing.

[FR Doc.75-2275 Filed 1-27-75;8:45 am]

[Docket No. 50-286]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. (INDIAN POINT NUCLEAR GENERATING UNIT 3)

Prehearing Conference

Consolidated Edison Company of New York, Inc. filed a request on January 16, 1975 for a prehearing conference to be convened to consider procedures for the presentation of such data as needed to permit acceptance of a stipulation executed by all parties in settlement of all issues in the proceeding. During a telephone conversation with attorneys for the parties, the date of February 6, 1975 was determined to be convenient for such a prehearing conference.

Take notice, in accordance with the Atomic Energy Act, as amended, and the rules of practice of the Commission, that a prehearing conference shall convene in this proceeding at 9:30 a.m. on Thursday, February 6, 1975 in the Regency Room of the Springvale Inn, 500 Albany Post Road, Croton-on-Hudson, New York, to consider procedures that may be adopted for the presentation of data to permit acceptance of a stipulation signed by all parties in settlement of the issues presented for determination.

Issued: January 23, 1975 at Bethesda, Maryland.

ATOMIC SAFETY AND LICENSING BOARD,
SAMUEL W. JENSCH,
Chairman.

[FR Doc.75-2499 Filed 1-27-75;8:45 am]

HARRISONVILLE TEST ANNEX

Trespassing on Commission Property

Notice is hereby given that the Nuclear Regulatory Commission pursuant to section 229 of the Atomic Energy Act of 1954, as amended, as implemented by 10 CFR Part 160 published in the FEDERAL REGISTER on August 16, 1963 (28 FR 8400), prohibits the unauthorized entry, as provided in 10 CFR 160.3 and the unauthorized introduction of weapons or dangerous materials, as provided in 10 CFR 160.4 into or upon the Harrisonville Test Annex of the Nuclear Regulatory Commission, said site being a tract of land situated in section 25 and the NE ¼ of section 36, Township 46 North, Range 33 West of the Fifth Principal Meridian in Cass County, Missouri, more particularly described as follows:

Commencing at the northeast corner of section 36 of said township and range; thence south, along the east line of section 36, to the point of intersection of said east line with the south line of the north sixteen (16) acres, of the NE ¼ of section 36, said point being the point of beginning of the tract of land herein described; thence west, along the south line of said north sixteen (16) acres, to the west line of the NE ¼ of section 36; thence north, along the west line of said NE ¼ to the northwest corner thereof; thence continuing northerly along the west line of the SE ¼ of said section 25, 1830 feet; thence east, parallel to the south line of said section 25 a distance of 310 feet; thence south parallel to the east line of section 25, a distance of 635 feet; thence east parallel to the south line of section 25, approximately 2,290 feet, to the east line of section 25; thence south along the east line of section 25 and the east line of section 36, to the point of beginning, said tract of land containing 92.00 acres, more or less.

Notices stating the pertinent prohibitions of 10 CFR 160.3 and 160.4 and penalties of 10 CFR 160.5 will be posted at all entrances of said site and at intervals along its perimeter as provided in 10 CFR 160.6.

Dated at Germantown, Maryland, this 17th day of January, 1975.

ROBERT D. THORNE,
Acting General Manager.

[FR Doc.75-2424 Filed 1-27-75;8:45 am]

[Docket No. 50-263]

NORTHERN STATES POWER CO.

Issuance of Amendment to Provisional Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 5 to Provisional Operating License No. DPR-22 issued to Northern States Power

Company (the licensee) which revised Technical Specifications for operation of the Monticello Nuclear Generating Plant, Unit 1 located in Wright County, Minnesota. This amendment is effective as of its date of issuance.

The amendment permits deletion of those environmental monitoring requirements which have been shown by experience gained over the few years to be unnecessary or unproductive and increases sampling in areas shown to be productive. It also specifically requires monitoring of two additional media as stipulated by the licensee, the Minnesota Pollution Control Agency, and the AEC Regulatory Staff on October 23, 1974.

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 in 10 CFR Chapter I which are set forth in the license amendment.

For further details with respect to this action, see (1) the application for amendment dated November 1, 1973, (2) the aforementioned stipulation dated October 23, 1974, (3) Amendment No. 5 to License No. DPR-22, with any attachments, and (4) the letter to Northern States Power Company transmitting Amendment No. 5 and containing details relating to the Regulatory staff's review. 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 Environmental Conservation Library of Minnesota, 300 Nicollet Mall, Minneapolis, Minnesota 55401.

A copy of items (3) and (4) may be obtained upon request addressed to the United States Nuclear Regulatory Commission, Washington, D.C. 20555. Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 15th day of January 1975.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch #2, Division of Reactor Licensing.

[FR Doc.75-2422 Filed 1-27-75;8:45 am]

[Docket Nos. STN 50-522 and STN 50-523]

PUGET SOUND POWER AND LIGHT CO.

Availability of NRC Draft Environmental Statement for Skagit Nuclear Power Project, Units 1 and 2

Pursuant to the National Environmental Policy Act of 1969 and the United States Nuclear Regulatory Commission's regulations in 10 CFR Part 51, notice is hereby given that a Draft Environmental Statement prepared by the Commission's Office of Nuclear Reactor Regulation related to the proposed Skagit Nuclear Power Project Units 1 and 2 to be constructed by Puget Sound Power and Light Company in Skagit County, Washington is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. and at the Sedro Woolley Library, 802 Ball Avenue, Sedro Woolley, Washington 98284. The Draft Statement is also being made available at the Office of the Governor, Office of Program Planning and Fiscal Management, Olympia, Washington 98504. Copies of the Commission's Draft Environmental Statement may be obtained by request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Division of Reactor Licensing, Office of Nuclear Reactor Regulation.

The Applicant's Environmental Report, as supplemented, submitted by Puget Sound Power & Light Company is also available for public inspection at the above-designated location. Notice of availability of the Applicant's Environmental Report was published in the FEDERAL REGISTER on December 20, 1974 (39 FR 44064).

Pursuant to 10 CFR Part 51, interested persons may submit comments on the Applicant's Environmental Report, as supplemented, and the Draft Environmental Statement for the Commission's consideration. Federal and State agencies are being provided with copies of the Applicant's Environmental Report and the Draft Environmental Statement (local agencies may obtain these documents upon request). Comments are due by March 17, 1975. Comments by Federal, State, and local officials, or other persons received by the Commission will be made available for public inspection at the Commission's Public Document Room in Washington, D.C. and the Sedro Woolley Library, 802 Ball Avenue, Sedro Woolley, Washington. Upon consideration of comments submitted with respect to the draft environmental statement, the staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

Comments on the Draft Environmental Statement from interested members of the public should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Division of Reactor Licensing, Office of Nuclear Reactor Regulation.

Dated at Rockville, Maryland, this 22nd day of January 1975.

For the Nuclear Regulatory Commission.

GORDON K. DICKER,
Chief, Environmental Projects Branch 2, Division of Reactor Licensing.

[FR Doc.75-2498 Filed 1-27-75;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 01/23/75 (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (X) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529), or from the reviewer listed.

NEW FORMS

FEDERAL RESERVE SYSTEM

Officer checks and deposits report to the Federal Reserve Bank of New York, MS-76 other (see SF-83), agencies and branches of foreign banks in N.Y., Hulett, D. T., 395-4730.

DEPARTMENT OF COMMERCE

Bureau of the census: Additional questions to form SC-F198 and supplement to form SC-F198, SC-F198B and supplement single-time, selected households in San Bernardino County, Strasser, A., 395-3880.

Bureau of international commerce: U.S. Supplier Evaluation—Foreign Buyer Program DIB 4045P, on occasion, U.S. suppliers with exportable products, Evinger, S. K., 395-3648.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration: Uses of medicare and medicaid funds by teaching hospitals SSA-9766, single-time, administrators of hospitals, human resources division, 395-3532.

DEPARTMENT OF LABOR

Bureau of Labor Statistics: Monthly report on employment (payroll and hours) methods test, BLS 3058, single-time, non-farm business firms in Iowa, Oregon and Wisconsin, Strasser, A., 395-3880.

REVISIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education: Institutional Characteristics of Colleges and Universities, 1975-76, OE 2300-1, annually, colleges and universities, Planchon, P., 395-3898.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-2647 Filed 1-27-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 1112]

ALABAMA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of January, because of

the effects of a certain disaster, damage resulted to property located in the State of Alabama;

Whereas, the Small Business Administration has investigated and received reports of other investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended:

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in Jefferson, Lee, Macon, St. Clair, and Shelby Counties, and adjacent affected areas, suffered damage or destruction resulting from a tornado which occurred January 10, 1975. Adjacent areas include only counties within the state for which the declaration is made and do not extend beyond state lines.

Office: Small Business Administration, District Office, 908 South 20th Street, Birmingham, Alabama 35205.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to March 21, 1975. EIDL applications will not be accepted subsequent to October 20, 1975.

Dated: January 20, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-2476 Filed 1-27-75;8:45 am]

[License No. 01/01-0018]

MASSACHUSETTS CAPITAL CORP.

Application for Transfer of Control

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to § 107.701 of the regulations governing Small Business Investment Companies (13 CFR 107.701(1974)) for the Transfer of Control of Massachusetts Capital Corporation (the Applicant), License No. 01/01-0018, 111 Devonshire Street, Boston, Massachusetts 02108, a Federal Licensee under the Small Business Investment Act of 1958, as amended, (Act).

The Applicant was licensed on June 12, 1961, with paid-in capital and paid-in surplus of $650,438. As of December 31, 1974, the Applicant had paid-in capital and paid-in surplus of $650,438. Kane Financial Corporation (Kane) owns 80 percent of the Applicant's outstanding Common Stock. CNA Financial Corporation (CNA) owns 100 percent of the capital stock of Kane. CBC Investments, Inc., (CBC) owns 10 percent of the Applicant's outstanding Common Stock. CBC is a wholly-owned subsidiary of Connecticut Bancshares Corporation. Certain officers and/or directors of Burley, Harkins and Funk, Inc., (BHF) own 10 percent of the Applicant's outstanding Common Stock. Pursuant to a Management Agreement dated November 23, 1973, the day to day activities of the Applicant are performed by Masscap Advisory Partners, a partnership between CBC and BHF.

Effective December 18, 1974, Loews Corporation (Loews), whose principal executive office is at 666 Fifth Avenue, New York, New York completed a related series of transactions involving the acquisition, as the result of a public tender offer, of an aggregate of 20,005,619 outstanding shares of the Common Stock and Series A Preferred Stock of CNA and the purchase from CNA, by subscription, of 3,703,704 shares of a newly authorized Series C. Preferred Stock. As a result of such purchases, Loews owns approximately 57 percent of the outstanding voting securities of CNA, of which approximately 48.1 percent was acquired as a result of the tender offer and 8.9 percent was acquired from CNA. The stock acquired under the tender offer constituted 52.8 percent of the stock outstanding before the issue of the Series C Preferred Stock. CNA continues to own 100 percent of the stock of Kane which continues to own 80 percent of the Applicant's capital stock.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed transferees and the probability of successful operation of the Applicant under their control and management in accordance with the Act and Regulations.

Notice is further given that any interested person may submit on or before February 7, 1975 their comments on the proposed transfer of control to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416.

A similar notice shall be published by the Applicant in a newspaper of general circulation in Boston, Massachusetts.

Dated: January 17, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.75-2484 Filed 1-27-75;8:45 am]

[Declaration of Disaster Loan Area 1111]

MISSISSIPPI

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of January, because of the effects of a certain disaster, damage resulted to property located in the State of Mississippi;

Whereas, the Small Business Administration has investigated and received reports of other investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended:

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of Section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in Hinds, Jasper, Lawrence, Lincoln, Madison, Pike, Rankin and Simpson Counties, and adjacent affected areas, suffered damage or destruction resulting from a tornado and accompanying high winds which occurred January 10, 1975. Adjacent areas include only counties within the state for which the declaration is made and do not extend beyond state lines.

Office: Small Business Administration, District Office, Petroleum Building—Room 690, 200 East Pascagoula, Jackson, Mississippi 39201.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to March 21, 1975. EIDL applications will not be accepted subsequent to October 20, 1975.

Dated: January 20, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-2477 Filed 1-27-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 683]

ASSIGNMENT OF HEARINGS

JANUARY 23, 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. No amendments will be entertained after the date of this publication.

I & S No. M-28009, Increased Fares, between New York, N.Y., and New Jersey, now assigned February 12, at New York, N.Y., is cancelled.

I & S No. 9012, Corn & Grain Sorghums, Midwest & Southwest to Pacific Ports, now assigned March 11, 1975, at Dallas, Texas, is cancelled.

MC-F-12239, Ruan Transport—Control—Arizona Tank Lines, Inc., now being assigned March 11, 1975 (4 days), at Phoenix, Ariz., in a hearing room to be designated later.

MC 128473 Subs. 5 and 16, Montana Express, Inc., now being assigned March 24, 1975 (2 days), at Billings, Mont., in a hearing room to be designated later.

MC 25869 Sub 124, Nolte Bros. Truck Line, Inc., MC 114273 Sub 176, Cedar Rapids Steel Transportation, Inc., MC 118060 Sub 5, Capitol Packing Co., and MC 138018 Sub 13 Refrigerated Foods, Inc., now being assigned March 17, 1975 (1 week), at Denver, Colo., in a hearing room to be designated later.

MC 56640 Sub 32, Delta Lines, Inc., now being assigned March 3, 1975 (2 weeks), at Carson City, Nev., in a hearing room to be later designated.

MC 115279 Sub 7, Click Messenger Service, now assigned February 24, 1975, at New York, N.Y., is postponed to March 3, 1975, at The Gateway Downtowner Motor Inn, Gateway Center, Raymond Blvd. and McCarter Highway, Newark, New Jersey.

MC 29886 Sub 314, Dallas and Mavis Forwarding Co., Inc., MC 105045 Sub 51, R. L. Jeffries Trucking Co., Inc., MC 112304 Sub 84, Ace Doran Hauling & Rigging Co., and MC 124947 Sub 27, Machinery Transports, Inc., now being assigned March 10, 1975 (1 day), at Chicago, Ill., in a hearing room to be later designated.

MC 140098, D-X Trucking, Inc., application dismissed.

MC 52460 Sub 144, Ellex Transportation, Inc., now assigned January 30, 1975, at Dallas, Tex. is cancelled and application dismissed.

MC 133189 Sub 7, Vant Transfer, Inc., application dismissed.

MC-C-8461, Akers Motor Lines, Incorporated—Investigation and Revocation of Certificates, now being assigned March 6, 1975 (1 day), at Atlanta, Ga., in a hearing room to be designated later.

MC 106644 Sub 185, Superior Trucking Company, Inc., now being assigned March 7, 1975 (1 day), at Atlanta, Ga., in a hearing room to be designated later.

MC-C-7668, Georgia-Florida-Alabama Transportation Company and Bay Transportation, Inc.—Investigation and Revocation of Certificates, now being assigned March 10, 1975 (1 day), at Atlanta, Ga., in a hearing room to be designated later.

MC 111201 Sub 21, J. N. Zellner & Son Transfer Company, now being assigned March 11, 1975 (2 days), at Atlanta, Ga., in a hearing room to be designated later.

MC 139831 Sub 1, R. E. Strozier and R. H. Strozier DBA S & S Boat Repair, now being assigned March 13, 1975 (2 days), at Atlanta, Ga., in a hearing room to be designated later.

MC 126266 Sub 8, Dudley Boat & Trailer Transportation, Inc., Extension—Oregon and Washington, now being assigned March 3, 1975 (1 week), at Olympia, Washington, in a hearing room to be later designated.

MC 128981 Sub 7 and Sub 8, Land-Air Delivery, Inc., now assigned January 27, 1975, at Washington, D.C., is cancelled and application dismissed.

MC 128981 Sub 9, Land-Air Delivery, Inc., now assigned January 27, 1975, at Washington, D.C., is postponed indefinitely.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-2517 Filed 1-27-75;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

JANUARY 23, 1975.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1100.40) and filed on or before February 12, 1975.

FSA No. 42923 [1]—*Industrial Sand to Points in Southern Territory.* Filed by Southwestern Freight Bureau, Agent (No. B-494), for interested rail carriers. Rates on sand, industrial, in carloads, as described in the application, between points in southern territory.

Grounds for relief—Revision of rate structure and rate relationship.

Tariff—Supplements 19 and 22 to Southern Freight Association, Agent, tariff 388-L, I.C.C. No. S-1188. Rates are published to become effective on February 28, 1975.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-2520 Filed 1-27-75;8:45 am]

[1] This amends the same application printed in FEDERAL REGISTER of January 9, 1975.

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Applications

JANUARY 23, 1975.

The following applications to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(d)(2)), and notice thereof to all interested persons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of verified statements in opposition with the Interstate Commerce Commission within 30 days from the date of publication. (This procedure is outlined in the Commission's report and order in Gateway Elimination, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding including a detailed statement of protestant's interest in the proposal. No rebuttal statements will be accepted.

No. MC 29886 (Sub-No. 311G), filed June 4, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1)(a) *Such commodities* which because of size or weight require the use of special equipment or handling; (b) *Contractors' machinery and equipment;* and (c) *Self-propelled articles*, each weighing 15,000 lbs, or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between Wisconsin, on the one hand, and, on the other, points in Indiana and Michigan. (2)(a) *Such commodities* which because of size or weight require the use of special equipment or handling; and (b) *Self-propelled articles*, each weighing 15,000 lbs. or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in Iowa and Missouri, on the one hand, and, on the other, points in Indiana, Michigan and Ohio. (3)(a) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, and *related machinery parts*, and *related contractors' materials and supplies* when their transportation is incidental to the transportation by carrier of commodities which by reason of size or weight require the use of special equipment; and (b) *Self-propelled articles*, each weighing 15,000 lbs, or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in Michigan, on the one hand, and, on the other, points in New York and Pennsylvania.

(4)(a) *Such commodities* which because of size or weight require the use of special equipment or handling; and (b) *Self-propelled articles*, each weighing 15,000 lbs., or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in Michigan, on the one hand, and, on the other, points in Ohio. (5)(a) *Commodities*, the transportation of which because of size or weight requires the use of special equipment, and *related machinery parts*, and *related contractors' materials and supplies* when their transportation is incidental to the transportation by carrier of commodities which by reason of size or weight require the use of special equipment; and (b) *Self-propelled articles*, each weighing 15,000 lbs. or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in Indiana, on the one hand, and, on the other, points in Pennsylvania, New Jersey and Ohio. (6) *Self-propelled articles*, each weighing 15,000 lbs. or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, which because of size or weight require the use of special equipment or special handling and/or which are *contractors' machinery and equipment*, between points in Illinois, on the one hand, and, on the other, points in Ohio and Pennsylvania. The purpose of this filing is to eliminate the gateway between points in that part of Michigan on and south of a line extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., thence along Business Interstate Highway 96 to Lansing, Mich., thence on and west of a line extending along U.S. Highway 127 to Jackson, Mich., thence along unnumbered highway (formerly portion of U.S. Highway 127) to junction U.S. Highway 12, near Somerset Center, Mich., thence along U.S. Highway 127 to the Michigan-Ohio State line.

(7) *Heavy machinery* which because of size or weight requires special equipment or special handling, between points in Ohio on and north of U.S. Highway 30N and on the west of Interstate I-71, on the one hand, and, on the other, points in Pennsylvania. The purpose of this filing is to eliminate the gateway at Toledo,

Ohio. (8) (a) *Such commodities* which because of size or weight require the use of special equipment or handling; and (b) *Self-propelled articles*, each weighing 15,000 lbs. or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in Pennsylvania, on the one hand, and, on the other, points in Connecticut and points in New York on and east of Highway I-81 to its intersection with New York Highway 57, then on and east of New York Highway 57 to Lake Ontario and between points in Pennsylvania on and east of U.S. Highway 15 on the one hand, and, points in New York, on the other. The purpose of this filing is to eliminate the gateway at Massachusetts. (9) *Machinery*, which because of size or weight requires special equipment for the transportation thereof, between points in Ohio, on and south of U.S. Highway 30N, West Virginia, and the District of Columbia, on the one hand, and, on the other, points in Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, and New York, on and east of Highway I-81 to its intersection with New York Highway 57, thence on and east of New York Highway 57 to Lake Ontario. The purpose of this filing is to eliminate the Centre County, Pa. gateway and the Massachusetts gateway.

(10) *Heavy machinery* which because of size or weight requires special equipment, between points in Indiana on and north of Indiana Highway 46, on the one hand, and, on the other, points in the District of Columbia. The purpose of this filing is to eliminate the Centre County, Pa. gateway and the Toledo, Ohio gateway.

(11) *Steam shovels, cranes, crawler-type shovels and cranes, straddle trucks, fork trucks, and self-propelled building, construction and moving machinery*, which because of size or weight require the use of special equipment and/or which are self-propelled articles, weighing 15,000 pounds or more, and/or which are *contractors' equipment or machinery*, from points in Iowa, Wisconsin, and Michigan, points in Illinois on and north of Highway I-80, points in Indiana on and north of U.S. Highway 30, to points in the United States. The purpose of this filing is to eliminate the Benton Harbor, Mich. and Southwestern Michigan gateway, as described in (6) above.

(12) *Road construction and earth moving machines and equipment* (except trailers designed to be drawn by a truck tractor), which are of such size or weight as to require special equipment and/or are self-propelled articles weighing 15,000 lbs. or more, and/or which are *contractors' equipment or machinery*, from points in Michigan, Iowa, Wisconsin, Illinois, Ohio, Pennsylvania, points in Indiana on and north of U.S. Highway 40, to points in the United States (except points in Alaska, Arkansas, Hawaii, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, New Mexico, Oklahoma, Texas, and that part of Ohio on and north of a line beginning at the West Virginia-Ohio State line and extending westward along U.S. Highway 30 to Mansfield, Ohio, thence along U.S. Highway 30N, to Delphos, Ohio, and thence along U.S. Highway 30 to the Ohio-Indiana State line. The purpose of this filing is to eliminate the South Bend, Ind., and/or Southwestern Michigan gateways as described in No. (6).

(13) *Crawler tractors*, set up, with loading and grading attachments and *wheeled tractors* (other than truck tractors), and *utility trailers* designed for the transportation of crawler and wheeled tractors (other than truck tractors) which are also of such size or weight as to require special equipment and/or which are *contractors' equipment or machinery*, or which are *self-propelled articles* weighing 15,000 lbs. or more, from points in Michigan, Wisconsin, Iowa, Illinois, Ohio, Pennsylvania, New York, New Jersey, Massachusetts, Connecticut, Rhode Island, Maine, New Hampshire, Vermont, Indiana on and north of U.S. Highway 40 to points in the United States except points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia. The purpose of the filing is to eliminate the Churubusco, Ind., and/or the Southwestern, Michigan as described in (6) above and/or the gateway at points in that part of New York on and west of a line beginning at Rochester, N.Y., and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line and points in that part of Pennsylvania on and west of U.S. Highway 219. (14) *Tractors* (other than truck tractors) which are *contractors' equipment or machinery* and/or which are *self-propelled articles* weighing 15,000 lbs. or more, or which are of such size or weight as to require special equipment, from points in Pennsylvania on and east of U.S. Highway 219, Ohio, Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, and New Jersey, to points in the United States (except Hawaii). The purpose of this filing is to eliminate the Batavia, N.Y., gateway.

(15) *Street sweepers*, which because of size or weight require special equipment and/or which are *contractor's equipment* and/or which are *self-propelled articles* weighing 15,000 lbs. or more, (a) from points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Michigan, Ohio, Indiana, Illinois and Wisconsin, to points in the United States. The purpose of this filing is to eliminate the South Bend, Ind., the Southwestern Michigan, as described in No. (6) and the western New York gateways, as described in No. (13). (b) from points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Michigan, Ohio and Indiana, to points in the United States. The purpose of this filing is to eliminate the Elgin, Ill., the Southwestern Michigan, as described in No. (6) and the Western New York Gateways, as described in No. (13).

No. MC 43670 (Sub-No. 6G), filed June 3, 1974. Applicant: DELCHER BROTHERS STORAGE COMPANY, a Corporation, 262 Riverside Avenue, Jacksonville, Fla. 32201. Applicant's representative: Sheldon Silverman, 1819 H Street 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: (1) Between points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Jersey, New Hampshire, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. The purpose of this filing is to eliminate the gateways at points in Alabama, Florida, and South Carolina. (2) Between points in Texas, on the one hand, and, on the other, Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, District of Columbia, and points in Missouri, east of a line beginning at the intersection of Arkansas-Missouri State line and U.S. Highway 67, over U.S. Highway 67 to its intersection with Interstate Highway 55, thence over Interstate Highway 55 to its intersection with Interstate Highway 244, thence over Interstate Highway 244 to its intersection with Interstate Highway 70, thence over Interstate Highway 70 to the Missouri-Illinois State line, points in Mississippi south of Interstate Highway 20, and points in Jefferson, Orleans, Plaquemines, St. Bernard, and St. Tammany Parishes, La. The purpose of this filing is to eliminate the gateway at Alabama.

(3) Between points in Oklahoma, on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, District of Columbia, points in Mississippi south of Interstate Highway 20, and points in Jefferson, Orleans, Plaquemines, St. Bernard, and St. Tammany Parishes, La. The purpose of this filing is to eliminate the gateways at Florida. (4) Between points in Maine, on the one hand, and, on the other, points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, South Carolina, Tennessee, and points in Missouri and Illinois south of U.S. Highway 36. The purpose of this filing is to eliminate the

gateways at Florida. (5) Between points in Michigan, on the one hand, and, on the other, points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, points in Virginia east and south of a line extending from the North Carolina State line over Interstate Highway 85 to Petersburg, and thence over Interstate Highway 95 to Richmond, and thence over Virginia Highway 33 to the Chesapeake Bay. The purpose of this filing is to eliminate the gateways at points in Florida and South Carolina. (6) Between points in Wisconsin, on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Louisiana, Massachusetts, Mississippi, New Hampshire, New Jersey, North Carolina, Rhode Island, South Carolina, Vermont, Virginia, District of Columbia, points in Texas south of a line beginning at U.S. Highway 84 at the Texas-New Mexico State line, east to its intersection with U.S. Highway 70, east on U.S. Highway 70 to the Oklahoma-Texas State line, points in Tennessee east of Interstate Highway 65, points east of Interstate Highway 81 in Maryland, Pennsylvania, and New York beginning at Interstate Highway 81 at the Maryland-Virginia State line north to the St. Lawrence River. The purpose of this filing is to eliminate the gateways at points in Florida and South Carolina.

(7) Between points in Kansas, on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, District of Columbia, points in Louisiana south of a line extending along U.S. Highway 190 from the Texas State line (near Merryville, La.) to its intersection with U.S. Highway 90 (near Slidell, La.) and thence along U.S. Highway 90 to the Mississippi State line, and points in Louisiana on and east of Interstate Highway 55, and north of a line extending along U.S. Highway 190 and 90 from the intersection of Interstate Highway 55 and U.S. Highway 190 along U.S. Highway 190 to its intersection with U.S. Highway 90, and thence along U.S. Highway 90 to the Mississippi State line, points in Mississippi south of Interstate Highway 20, and points in Tennessee east of Interstate Highway 65. The purpose of this filing is to eliminate the gateways at Florida and South Carolina. (8) Between points in Iowa, on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Missouri, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, South Carolina, Vermont, Virginia, and the District of Columbia, points in New York east of Interstate Highway 81, points in Pennsylvania east of Interstate Highway 81, points in Texas south of a line extending along U.S. Highway 90 from Del Rio to San Antonio and thence along Interstate Highway 10 to the Louisiana State line, points in Louisiana south of Interstate Highway 20, and points in Mississippi south of U.S. Highway 82. The purpose of this filing is to eliminate the gateways at points in Florida and South Carolina.

(9) Between points in Arkansas, on the one hand, and, on the other, points in Connecticut, Delaware, Florida, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, South Carolina, Vermont, District of Columbia, points in Jefferson, Orleans, Plaquemines, St. Bernard, and St. Tammany Parishes, La., points in Mississippi south of U.S. Highway 84, points in Alabama on and south of a line extending along U.S. Highway 80 from the Mississippi State line to Montgomery and thence along Interstate Highway 85 to the Georgia State line, points in Georgia south of Interstate 85, points in Virginia east of Interstate Highway 81, points in Maryland east of Interstate Highway 81, and points in Pennsylvania east of Interstate Highway 81. The purpose of this filing is to eliminate the gateways at points in Florida.

No. MC 107403 (Sub-No. 903G), filed June 4, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid chemicals* (non-flammable), in bulk, in tank vehicles, from the plant site of Du Pont at Niagara Falls, N.Y., to points in Massachusetts and Rhode Island. The purpose of this filing is to eliminate the gateway of Newark, N.J. (2) *Liquid chemicals* (non-flammable), from Buffalo, N.Y., to points in Rhode Island. The purpose of this filing is to eliminate the gateway of Newark, N.J. (3) *Liquid chemicals*, in bulk, in tank vehicles, from Baltimore, Md., to points in North Carolina, South Carolina, and Virginia. The purpose of this filing is to eliminate the gateway of Marcus Hook, Pa. (4) *Liquid plasticizers*, in bulk, in tank vehicles, from Chestertown, Md., to Farmville, Va. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (5) *Petroleum products*, except petro-chemicals, in bulk, in tank vehicles, from Petrolia, Pa., to points in Rhode Island. The purpose of this filing is to eliminate the gateway of Congo, W. Va. (6) *Liquid chemicals* (non-flammable), in bulk, in tank vehicles, from points in Massachusetts, to points in New York except those points in New York within 100 miles of Columbus Circle, N.Y. The purpose of this filing is to eliminate the gateway of Newark, N.J.

(7) *Plastic pellets*, in bulk, in tank vehicles, from Kobuta, Pa., to points in Connecticut. The purpose of this filing is to eliminate the gateways of Lewistown and Solvay, N.Y. (8) *Fuel oil*, in bulk, in tank vehicles, from Toledo, Ohio, to Waverly, W. Va. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio. (9) *Lubricating oil*, in bulk, in tank vehicles, from Baton Rouge, La., to points in Texas. The purpose of this filing is to eliminate the gateway of Good Hope, La. (10) *Liquid chemicals*, in bulk, in tank vehicles, from Toledo, Ohio, to Springfield, Va. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa. (11) *Formaldehyde*, in bulk, in tank vehicles, from Toledo, Ohio, to Belle, W. Va. The purpose of this filing is to eliminate the gateways of Coraopolis and Pittsburgh, Pa. (12) *Liquid chemicals*, in bulk, in tank vehicles, from Toledo, Ohio, to points in North Carolina and South Carolina. The purpose of this filing is to eliminate the gateways of Pittsburgh, Pa., and Point Pleasant, W. Va.

No. MC 117416 (Sub-No. 45G), filed June 4, 1974. Applicant: NEWMAN AND PEMBERTON CORPORATION, 2007 University Avenue NW., Knoxville, Tenn. 37921. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth Street NW., Washington, D.C. 20423. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Processed foodstuffs* (except fresh or cured meats, dairy products, frozen commodities, or commodities in bulk), (1) from points in Indiana (except Franklin, Indianapolis, and New Albany), on, east, and south of a line beginning at the Kentucky-Indiana state line and extending north along Indiana Highway 135 to Indianapolis, thence north on U.S. Highway 31 to junction Indiana Highway 26, thence east along Indiana Highway 26 to the Indiana-Ohio state line, to points in Autauga, Bibb, Blount, Calhoun, Chilton, Clay, Coosa, Cullman, Etowah, Fayette, Jefferson, Marshall, Morgan, Perry, St. Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston Counties, Ala. The purpose of this filing is to eliminate the gateway of Tellico Plans, Tenn. (2) from Louisville, Ky., to points in Autauga, Bibb, Blount, Calhoun, Chilton, Clay, Coosa, Cullman, Etowah, Fayette, Jefferson, Marshall, Morgan, St. Clair, Perry, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston Counties, Ala. The purpose of this filing is to eliminate the gateways of Jeffersonville, Ind., and Tellico Plains, Tenn.

No. MC 117574 (Sub-No. 240G), filed June 4, 1974. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pa. 17013. Applicant's representative: James W. Hagar, 100 Pine St. P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Wood chips products*, Viz: *Wallboard, building board, insulation board, fireboard, pulpboard, and incidental materials and supplies* used in or in connection with the installation thereof, from Libson Falls, Maine, to points in Alabama, Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, and Wisconsin. The purpose of

this filing is to eliminate the gateway at Braxton County, W. Va.

(2) *Wood chip products, Fibreboard and fibreboard products, and accessories and supplies* used in the installation and erection thereof, (1) Between Bradford County, Pa., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Louisiana, Minnesota, Mississippi, South Carolina, and Tennessee, and (2) Between Braxton County, West Virginia, on the one hand, and, on the other, points in Florida, Georgia, South Carolina, Tennessee, and Virginia. The purpose of this filing is to eliminate the gateway at Spring Hope, N.C.

(3) *Wood chip products*, Viz: *Composition board, and mineral fiber products, and materials, supplies, and accessories* used in the installation thereof, from Henry County, Tennessee, and Greenville, Mississippi, to points in Alabama, Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, and Wisconsin. The purpose of this filing is to eliminate the gateway at Braxton County, W. Va.

(4) *Building and Contractor's Materials* (except commodities which because of size or weight require the use of special equipment), between points in Pennsylvania, on the one hand, and, on the other, Martinsburg, W. Virginia; New York, New York; and points and places in Virginia, Maryland, Pennsylvania, Delaware, New Jersey, and the District of Columbia. The purpose of this filing is to eliminate the gateway at Shrewsbury, Pa.

(5) *Building and Contractor's Materials;* Viz: *Wood Chip Products, Fibrewood and Fibrewood Products, and accessories and supplies* used on the installation and erection thereof, between Martinsburg, West Virginia; New York, New York; and points and places in Virginia, Maryland, Pennsylvania, Delaware, New Jersey, and the District of Columbia, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, and Wisconsin. The purpose of this filing is to eliminate the gateway at Shrewsbury, Pa., Bradford County, Pa., and Braxton County, W. Va.

(6) *Wood Chip Products, Fibrewood and Fibrewood Products, and accessories and supplies* used in the installation thereof, from the points in Alabama, Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, and Wisconsin, to points in Ohio West of Ohio Highway 4, and to points in Indiana, Illinois, Michigan, Wisconsin, and Kentucky. The purpose of this filing is to eliminate the gateways at Braxton County, W. Va.; Bradford County, Pa., and Tyrone, Pa.

(7) *Construction Materials;* Viz: *Fibreboard and Fibrewood Products, and accessories and supplies* used in the erection and installation thereof, between points in Pennsylvania on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, West Virginia, Wisconsin, and the District of Columbia. The purpose of this filing is to eliminate the gateways at Bradford County, Pa. and Cpring Hope, N.C.

(8) *Buildings and Contractor's Materials;* Viz: *Fibrewood and Fibrewood Products, and accessories and supplies* used in the installation and erection thereof, between points in Maryland and Virginia, on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Ohio, Rhode Island, Vermont, and West Virginia. The purpose of this filing is to eliminate the gateways at Shrewsbury, Pa., and Bradford County, Pa.

No. MC 116073 (Sub-No. 294G), filed June 4, 1974. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, P.O. Box 919, Moorhead, Minn. 56560. Applicant's representative: Robert G. Tessar, 1819 4th Avenue South, Moorhead, Minn. 56560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, complete or in sections, transported on wheeled undercarriages, (1) from Guttenberg, Iowa, to points in Wisconsin, Minnesota, Nebraska, Wyoming, Montana, Idaho, Oregon, Washington, points in Illinois on and north of U.S. Highway 36, and points in Missouri on and north of U.S. Highway 36. The purpose of this filing is to eliminate the gateway of Watertown, S. Dak.

(2) From Hutchinson and Newton, Kans., to points in Arizona, Nevada, Oklahoma, California, Texas, Louisiana, Arkansas, Missouri, Nebraska, Iowa, Minnesota, Wisconsin, and Illinois. The purpose of this filing is to eliminate the gateway of the plantsite of Champion Home Builders Co., near Berthoud, Colo.

(3) From Ironwood, Mich., to points in Iowa and Wisconsin. The purpose of this filing is to eliminate the gateway of the plantsite of Skyline Corp. at or near New Ulm, Minn.

(4) From the plantsite of Skyline Corporation at or near New Ulm, Minn., to points in Nebraska, Kansas, Wisconsin, Oklahoma, New Mexico, Colorado, Wyoming, Montana, Idaho, Washington, Oregon, Utah, Nevada, California, and Arizona. The purpose of this filing is to eliminate the gateway of Marshfield, Wis.

(5) From Scottsbluff, York, and Omaha, Nebr., to points in the United States, including Alaska but excluding Hawaii. The purpose of this filing is to eliminate the gateway of the plantsite of Champion Home Builders Co. at Berthoud, Colo.

(6) From the plantsite of United Housing of New Mexico, Inc., near Hobbs, N. Mex., to points in the United States, including Alaska but excluding Hawaii. The purpose of this filing is to eliminate the gateway of the plantsite of Champion Home Builders Co. at Berthoud, Colo.

(7) From Morrisville, N.C., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate the gateway of Sumner County, Tenn.

(8) From the plantsite of Housing by Vogue, Inc., which is a point of manufacture, located at or near Pembroke, N.C., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate the gateway of Sumner County, Tenn.

(9) From points in Schuylkill County, Pa., to points in Alabama, Florida, Georgia, Illinois, Indiana, Iowa, Michigan, Tennessee, and Wisconsin. The purpose of this filing is to eliminate the gateway of Morrisville, N.C.

No. MC 119531 (Sub-No. 155G), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 1835 West Main Street, Zanesville, Ohio 43701. Applicant's representative: Paul F. Beery, 8 East Broad Street, Ninth Floor, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Scrap, waste paper, machinery and supplies*, from Chattanooga and Knoxville, Tenn., to Rock Island, Ill.

(2) *Scrap paper or waste paper*, from Chattanooga and Knoxville, Tenn., to points in Indiana on and north of Interstate Highway 70, that part of Illinois on and north of a line beginning at the Indiana-Illinois State line and extending along U.S. Highway 36 to Springfield, Ill., thence along Illinois State Highway 125 to Rushville, Ill., thence along U.S. Highway 24 to the Illinois-Missouri State line, and points in Michigan on and south of a line beginning at Ludington, Mich., and extending along U.S. Highway 10 to Saginaw, Mich., thence along U.S. Highway 23 to Bay City, Mich., thence along the shores of Saginaw Bay and Lake Huron to Port Huron, Mich.

(3) *Scrap paper, machinery and supplies* used in the manufacture of pulpboard, from Chattanooga and Knoxville, Tenn., to Chicago, Ill.

(4) *Machinery and supplies*, used in the manufacture of pulpboard, from points in Michigan on and west/and on and north of a line beginning at the Indiana-Michigan State line at U.S.

Highway 131 north to Michigan Highway 55, thence along Michigan Highway 55 via Tawas City, Mich., to Cincinnati, Ohio.

(5) *Boxes* (fiberboard or pulpboard), knocked down, from Anderson, Ind., to points in Kentucky on and east of a line beginning at the junction of U.S. Highway 42 and U.S. Highway 127 and extending along U.S. Highway 127 to Stanford, Ky., thence along U.S. Highway 27 to the Kentucky-Tennessee State line.

(6) *Pulpboard and pulpboard products*, from Cincinnati, Ohio, to points in Missouri.

(7) *Materials and supplies* used in the manufacture of pulpboard and pulpboard products, from points in West Virginia on and west of U.S. Highway 119 to Columbus, Ind., Chicago and Rock Island, Ill.

(8) *Machinery* used in the manufacture of pulpboard, from Chattanooga and Knoxville, Tenn., and points in Kentucky (on and east of a line beginning at Owensboro, Ky., and extending along U.S. Highway 231 to Bowling Green, Ky., thence along Interstate Highway 65 to the Kentucky-Tennessee State line), to Chicago, Ill.

(9) *Pulpboard, viz; boxboard, chipboard, strawboard, wood pulpboard, scrap and waste paper*, (a) from Huntington and Charleston, W. Va., to points in Indiana on and north of U.S. Highway 50; Missouri and points in Illinois on and north of Interstate Highway 70; and (b) from Huntington and Charleston, W. Va., to points in Minnesota and Wisconsin. The purpose of this filing is to eliminate the gateways at Circleville, Ohio, and Anderson and Columbus, Ind.

No. MC 119789 (Sub-No. 293G), filed May 27, 1974. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery* from Columbus, Ohio, to points in Arizona, California, and Utah. The purpose of this filing is to eliminate the gateway of Thibodaux, La.

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY LETTER NOTICES

JANUARY 23, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination* Rules (49 CFR 1065 (a)), 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 February 7, 1975. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will *not* operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 31462 (Sub-No. E80), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (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 points in Colorado, on the one hand, and, on the other, points in Virginia. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof; (2) points in Missouri within 50 miles of Burlington, Iowa; and (3) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E81), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (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 points in Colorado, on the one hand, and, on the other, the District of Columbia. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof; (2) points in Missouri within 50 miles of Burlington, Iowa; and (3) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E82), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (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 points in Colorado, on the one hand, and, on the other, points in Connecticut. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof; (2) any point in Missouri within 50 miles of Burlington, Iowa; and (3) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E83), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (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 points in Colorado, on the one hand, and, on the other, points in Connecticut. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof; (2) any point in Missouri within 50 miles of Burlington, Iowa; and (3) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E84), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (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 points in Colorado, on the one hand, and, on the other, points in New York. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof; (2) any point in Missouri within 50 miles of Burlington, Iowa; and (3) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E85), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (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 points in Colorado, on the one hand, and, on the other, points in New Jersey. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof; (2) any point in Missouri within 50 miles of Burlington, Iowa; and (3) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E86), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (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 points in Colorado, on the one hand, and, on the other, points in Maryland. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof; (2) any point in Missouri within 50 miles of Burlington, Iowa; and (3) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E87), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (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 points in Colorado, on the one hand, and, on the other, points in Pennsylvania. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof; (2) any

point in Missouri within 50 miles of Burlington, Iowa; and (3) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E292), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (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, from points in Minnesota to points in New Jersey. The purpose of this filing is to eliminate the gateways of (1) any point in Illinois within 50 miles of Burlington, Iowa; and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E293), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (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, from points in Minnesota, to points in New York. The purpose of this filing is to eliminate the gateways of (1) any point in Illinois within 50 miles of Burlington, Iowa; and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E298), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (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, from points in Minnesota, to points in Vermont. The purpose of this filing is to eliminate the gateway of (1) any point in Illinois within 50 miles of Burlington, Iowa, (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof; and (3) Hoosick Falls, N.Y.

No. MC 31462 (Sub-No. E299), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (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 points in Minnesota, on the one hand, and, on the other, points in Mississippi. The purpose of this filing is to eliminate the gateway of (1) Burlington, Iowa, or any point within 50 miles thereof; (2) Cairo, Ill., or any point in Illinois within 25 miles thereof.

No. MC 31462 (Sub-No. E300), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (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 points in that part of Minnesota, on and east of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 69 to Albert Lee, Minn., thence along U.S. Highway 65 to Minneapolis, Minn., thence along U.S. Highway 169 to junction Minnesota Highway 38, thence along Minnesota Highway 38 to junction Minnesota Highway 1, thence along Minnesota Highway 1 to junction Minnesota Highway 6, thence along Minnesota Highway 6 to junction U.S. Highway 71, thence along U.S. Highway 71 to the International Boundary line between the United States and Canada, on the one hand, and, on the other, points in that part of Oklahoma on, south and east of a line beginning at the Kansas-Oklahoma State line, thence along Oklahoma Highway 34 to junction Oklahoma Highway 15, thence along Oklahoma Highway 15 to junction U.S. Highway 283, thence along U.S. Highway 283 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Oklahoma Texas State line. The purpose of this filing is to eliminate the gateway of any point in Missouri within 50 miles of Burlington, Iowa.

No. MC 31462 (Sub-No. E301), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (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 points in that part of Minnesota, on and east of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 69 to Albert Lee, Minn., thence along U.S. Highway 65 to Minneapolis, Minn., thence along U.S. Highway 169 to junction Minnesota Highway 38, thence along Minnesota Highway 38 to junction Minnesota Highway 1, thence along Minnesota Highway 1 to junction Minnesota Highway 6, thence along Minnesota Highway 6 to junction U.S. Highway 71, thence along U.S. Highway 71 to the International Boundary line between the United States and Canada, on the one hand, and, on the other, points in that part of Missouri on, south, and east of a line beginning at the Iowa-Missouri State line, thence along U.S. Highway 63 to junction Missouri Highway 11, thence along Missouri Highway 11 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Missouri Highway 41, thence along Missouri Highway 41 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction Missouri Highway 13, thence along Missouri Highway 13 to junction Missouri Highway 52, thence along Missouri Highway 52 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Missouri-Kansas State line. The purpose of this filing is to eliminate the gateway of (1) any point in Missouri within 50 miles of Burlington, Iowa and (2) any point in Okumulgee County, Okla.

No. MC 31462 (Sub-No. E302), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (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 points in that part of Minnesota on and east of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 169 to Mankato, Minn., thence along U.S. Highway 14 to junction Minnesota Highway 15, thence along Minnesota Highway 15 to junction St. Cloud, Minn., thence along Minnesota Highway 371 to Brainard, Minn., thence along Minnesota Highway 210 to junction Minnesota Highway 371, thence along Minnesota Highway 371 to junction Minnesota Highway 200, thence along Minnesota Highway 200 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Minnesota Highway 72, thence along Minnesota Highway 72 to the International Boundary line between the United States and Canada, on the one hand, and, on the other, points in that part of Texas on and south of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 62 to Brownfield, Tex., thence along U.S. Highway 82 to the Texas-New Mexico State line. The purpose of this filing is to eliminate the gateway of (1) any point in Missouri within 50 miles of Burlington, Iowa; and (2) any point in Okmulgee County, Okla.

No. MC 61403 (Sub-No. E21), filed May 31, 1974. Applicant: MASON AND DIXON TANK LINES, INC., P.O. Box 969, Kingsport, Tenn. 37662. Applicant's representative: Charles E. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chemicals*, in bulk, in tank vehicles, (A) between points in Alabama, on, south, and west of a line beginning at the Alabama-Georgia State line and extending along Interstate Highway 85 to junction U.S. Highway 80, thence along U.S. Highway 80 to Alabama Highway 22, thence along Alabama Highway 22 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction Alabama Highway 5, thence along Alamaba Highway 5 to junction U.S. Highway 43, thence along U.S. Highway 43 to junction Alabama Highway 96, thence along Alabama Highway 96 to the Alabama-Mississippi State line, on the one hand, and, on the other, points in Kentucky on and east of a line beginning at the Virginia-Kentucky State line and extending along U.S .Highway 421 to junction Kentucky Highway 80, thence along Kentucky Highway 80 to junction Kentucky Highway 15, thence along Kentucky Highway 15 to junction Kentucky Highway 11, thence along Kentucky Highway 11 to the Kentucky-Ohio State line (Kingsport, Tenn.) *, (B) between points in Alabama, on the one hand, and, on the other,

points in Tennessee on and east of Tennessee Highway 70 (Kingsport, Tenn.)*, (C) between points in Alabama on and south of a line beginning at the Alabama-Georgia State line and extending along Interstate Highway 85 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Alabama-Mississippi State line, on the one hand, and, on the other, points in Michigan on and east of a line beginning at the Michigan-Ohio State line and extending along U.S. Highway 127 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction Michigan Highway 115, thence along Michigan Highway 115 to Lake Michigan (Kingsport, Tenn.)*.

(D) Between points in Alabama on and west of a line beginning at the Gulf of Mexico and extending along Alabama Highway 163 to junction U.S. Highway 43, thence along U.S. Highway 43 to junction Alabama Highway 5, thence along Alabama Highway 5 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction Interstate Highway 65, thence along Interstate Highway 65 to the Alabama-Tennessee State line, on the one hand, and, on the other, points in North Carolina on and north of a line beginning at the North Carolina-Tennessee State line and extending along U.S. Highway 421 to junction North Carolina Highway 55, thence along North Carolina Highway 55 to junction U.S. Highway 70, thence along U.S. Highway 70 to the Atlantic Ocean (Kingsport, Tenn.)*, (E) between points in Alabama which are both south of Interstate Highway 59 and north of U.S. Highway 84, on the one hand, and, on the other, points in Ohio on and east of U.S. Highway 23 (Kingsport, Tenn.)*, and, (F) between points in Alabama south of U.S. Highway 84 on the one hand, and, on the other, points in Ohio on north and east of a line beginning at the Ohio-Kentucky State line and extending along U.S. Highway 68 to junction Ohio Highway 117, thence along Ohio Highway 117 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-Indiana State line (Kingsport, Tenn.)*, and (2) *Liquid chemicals*, in bulk, in tank vehicles, from Sheffield, Ala., and points within 15 miles thereof, to points in Wisconsin, Minnesota, Iowa, Kansas, Nebraska, North Dakota, and South Dakota (Kingsport, Tenn.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 61403 (Sub-No. E24), filed May 31, 1974. Applicant: MASON AND DIXON TANK LINES, INC., P.O. Box 969, Kingsport, Tenn. 37662. Applicant's representative: Charles E. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Kansas south of a line beginning at the Kansas-Missouri State line and extending along U.S. Highway 160 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 154, thence along U.S. Highway 154 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Kansas-Colorado State line, to points in New Jersey, on and south of New Jersey Highway 33, Maine, New Hampshire, Connecticut, Massachusetts, Rhode Island, points in Pennsylvania on and south of U.S. Highway 202, and points in Delaware. The purpose of this filing is to eliminate the gateway of Charleston, W. Va., and Kingsport, Tenn.

No. MC 61403 (Sub-No. E27), filed May 31, 1974. Applicant: MASON AND DIXON TANK LINES, INC., P.O. Box 969, Kingsport, Tenn. 37662. Applicant's representative: Charles E. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk in tank vehicles, (a) from points in Oklahoma on and west of U.S. Highway 75 to points in Maine (Kingsport, Tenn., and Charleston, W. Va.)*, (b) from points in Oklahoma on and west of a line beginning at the Oklahoma-Texas State line and extending along U.S. Highway 77 to junction Oklahoma Highway 7, thence along Oklahoma Highway 7 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Oklahoma-Texas State line, to points in Connecticut, Massachusetts, New Hampshire, New Jersey, Rhode Island, and Vermont (Kingsport, Tenn., and Charleston, W. Va.)*, (c) from points in Oklahoma, except points within an area bounded by a line beginning at Perry Oklahoma, and extending along Interstate Highway 35 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction Oklahoma Highway 48, thence along Oklahoma Highway 48 to junction U.S. Highway 64, thence along U.S. Highway 64 to points of beginning, to points in New Hampshire on east and south of U.S. Highway 202, and points in Massachusetts on and east of a line beginning at the Massachusetts-Rhode Island State line and extending along Massachusetts Highway 126 to junction Interstate Highway 495, thence along Interstate Highway 495 to junction Interstate Highway 93, thence along Interstate Highway 93 to Massachusetts-New Hampshire State line (Kingsport, Tenn., and Charleston, W. Va.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 103490 (Sub-No. E2), filed May 13, 1974. Applicant: PROVAN TRANSPORT, CORP., 210 Mill St., Newburgh, N.Y. 12550. Applicant's representative: Bert Collins, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum products*, except bituminous asphalt products, in bulk, in tank vehicles, (a) from Albany, N.Y., to Fall River, Mass., and Hartford, New Haven, and Middletown, Conn., and (b) from Bayonne and Newark, N.J., to Brockton, Boston, Chelsea, Chicopee Falls, Chelmsford, Fall River, Lawrence, Salem, Marlboro, Northampton, Springfield, Worcester, and New Bedford, Mass., and Canaan, Middletown, Putnam, Torrington, and Waterbury, Conn. The purpose of this filing is to eliminate the gateway of points in Dutchess County, N.Y.

No. MC 113678 (Sub-No. E23), filed May 5, 1974. Applicant: CURTIS, INC., 4810 Commerce St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen juice concentrates*, from points in Florida, to points in Washington, Oregon, Idaho, and Montana. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC 113678 (Sub-No. E26), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fish* (including shell fish) and *frozen agricultural commodities* (not including manufactured products thereof), as defined in Section 203(b)(6) of the Interstate Commerce Act, when moving in mixed loads with commodities (presently authorized in certificates now issued to carrier) the transportation of which is not exempt from regulation, (a) from points in Massachusetts and Hempstead, and Long Island, N.Y., Jersey City and Maurice River, N.J., Rehoboth Beach and Dover, Del., Nanticoke, Crisfield, Bivalve, and Tilghman, Md., and Philadelphia, Pa., to points in Washington, Oregon, Idaho, and Montana. (points in Hall County, Nebr.)*, (b) from St. Louis, Mo., and Omaha, Nebr., to points in Washington, Oregon, and Montana (Denver, Colo.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E29), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products*, and *meat by-products*, and *articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), from the facilities of Missouri Beef Packers, Inc., at or near Boise, Idaho, (a) to points in Wisconsin and Missouri (Greeley, Colo.)*, (b) to points in Louisiana, Mississippi, Arkansas, Kentucky, Tennessee, and West Virginia (Denver, Colo.)*, (2) *Meats, meat products, and meat by-products*, and *articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk and except hides),

from the facilities of Missouri Beef Packers, Inc., at or near Boise, Idaho, to points in Rhode Island, Connecticut, Delaware, Virginia, and the District of Columbia (Lexington, Nebr.)*. Restriction: The authority granted in (1) and (2) above, is restricted to the transportation of traffic originating at the named origin facilities. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E33), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products*, and *meat by-products*, and *articles distributed by meat packinghouses*, as defined in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except fats and oils, blends and products thereof, and chemicals, in bulk, from the facilities of Carter Packing Co., at or near Buhl, Idaho, (a) to points in Alabama, Louisiana, Mississippi, Arkansas, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and West Virginia. (Denver, Colo.)* (b) to points in Missouri and Oklahoma. (Greeley, Colo.)* (c) to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia. (York, Nebr.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E35), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen candy, frozen confectionery, and frozen confectionery products* (except commodities in bulk, in tank vehicles), from the facilities of Topps Chewing Gum, Ind., at or near Duryea, Pa., to points in Idaho, Nevada, North Dakota, Oregon, South Dakota, Utah, Montana, Washington, and Wyoming. Restricted to the transportation of shipments originating at the above named facilities. The purpose of this filing is to eliminate the gateway of Ames, Iowa.

No. MC 113678 (Sub-No. E56), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen, preserved vegetables*, from the facilities of Food Processors, Inc., at Wilson, N.C., to points in Colorado, Idaho, Nebraska, Nevada, North Dakota, South Dakota, Oregon, Utah, Montana, Washington, and Wyoming. The purpose of this filing is to eliminate the gateway of Ames, Iowa.

No. MC 113678 (Sub-No. E58), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods and berries*, from points in that part of Michigan on and west of a line beginning at Mackinaw City, Mich., and extending along Interstate Highway 75 to its junction with U.S. Highway 27, thence along U.S. Highway 27 to the Michigan-Indiana State line, to points in New Mexico (Denver, Colo.)*; and (2) Frozen fruits and berries, and frozen fruit juices, from points in that part of Michigan on and west of a line beginning at Mackinaw City, Mich., and extending along Interstate Highway 75 to Clare, Mich., and thence along U.S. Highway 27 to the Michigan-Indiana State line, to points in Washington, Oregon, and Idaho (Denver, Colo.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E59), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats, frozen meat products, and frozen meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the facilities of Aurora Packing Company, at Aurora, Ill., to points in Idaho. Restriction: The operations authorized herein are restricted to the transportation of shipments originating at the above-named shipper's facilities. The purpose of this filing is to eliminate the gateway of points in Hall County, Nebr.

No. MC 113678 (Sub-No. E65), filed May 17, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery goods*, from Albuquerque, N. Mex., to points in Washington, Oregon, and Montana. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC 113678 (Sub-No. E80), filed May 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products*, and *articles distributed by meat packinghouses*, as defined in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except fats and oils, blends and products thereof, and chemicals, in bulk, from the facilities of Carter Packing Co., at or near Buhl, Idaho, (a) to points in Alabama, Louisiana, Mississippi, Arkansas, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and West Virginia (Denver, Colo.)*, (b) to points in Missouri and Oklahoma (Greeley, Colo.)*, (c) to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia (York, Nebr.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E82), filed May 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat by-products, and dairy products*, as described in Sections A and B of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk and frozen foods), from Waterloo, Penn Yan, Fairport, Red Creek, Egypt, Rushville, Lyons, Newark, Arcade, and Syracuse, N.Y., and Wellsboro, Pa., to points in Arizona, California, Nevada, and New Mexico (Denver, Colo.)*; (2) *Dairy products, chilled bakery products, and pizza pie ingredients* (except commodities in bulk and frozen foods), from the origin territory described in (1) above, to points in New Mexico (Denver, Colo.)*; (3) *Dairy products and vegetable food products* (except commodities in bulk and frozen foods), from the origin territory described in (1) above, to points in Arizona (points in Colorado east of the Continental Divide)*; and (4) *Pickles* (except frozen), from the origin territory described in (1) above, to points in Arizona, Utah, and Nebraska in and west of a line drawn from Harrison to Kimball, Nebr. (Denver, Colo.)*. Restriction: The operations authorized in (1), (2), (3), and (4) above, are restricted to the transportation of traffic originating at the facilities of the Borden Company, its subsidiaries and divisions, at the above-named origin points. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E88), filed May 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery goods*, from Albuquerque, N. Mex., to points in Washington, Oregon, and Montana. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC 113678 (Sub-No. E89), filed May 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: (1) *Canned meats, canned meat products, and canned meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the facilities of Northwest Packing Company, at Portland, Oreg., (a) to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia (Lexington, Nebr.) *; (b) to points in Alabama, Mississippi, Florida, Arkansas, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and West Virginia (Denver, Colo.) *; and (c) to points in Oklahoma (Greeley, Colo.) *; and (2) *Canned goods*, from the facilities of Northwest Packing Company, at Portland, Oreg., (a) to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia (Lexington, Nebr.) *; (b) to points in Alabama, Mississippi, Arkansas, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and West Virginia (Denver, Colo.) *; and (c) to points in Oklahoma (Greeley, Colo.) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E91), filed May 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats, frozen meat products, and frozen meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the facilities of Aurora Packing Co., at Aurora, Ill., to points in Idaho. Restriction: The operations authorized herein are restricted to the transportation of shipments originating at the above-named shipper's facilities. The purpose of this filing is to eliminate the gateway of points in Hall County, Nebr.

No. MC 113678 (Sub-No. E92), filed May 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: (1) *Frozen fruits and berries*, from points in that part of Michigan on and west of a line beginning at Mackinaw City, Mich., and extending along Interstate Highway 75 to Clare, Mich., and thence along U.S. Highway 27 to the Michigan-Indiana State line, to points in New Mexico (Denver, Colo.) *; and (2) *Frozen fruits and berries, and frozen fruit juices*, from points in that part of Michigan on and west of a line beginning at Mackinaw City, Mich., and extending along Interstate Highway 75 to its junction with U.S. Highway 27, and thence along U.S. Highway 27 to the Michigan-Indiana State line, to points in Washington, Oregon, and Idaho (Denver, Colo.) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E93), filed May 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat by-products, and articles* distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), from the facilities of Missouri Beef Packers, Inc., at or near Boise, Idaho, (a) to points in Wisconsin and Missouri (Greeley, Colo.) *, and (b) to points in Louisiana, Mississippi, Arkansas, Kentucky, Tennessee, and West Virginia (Denver, Colo.) *; and (2) *Meats, meat products, and meat by-products, and articles* distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk and except hides), from the facilities of Missouri Beef Packers, Inc., at or near Boise, Idaho, to points in Rhode Island, Connecticut, Delaware, Virginia, and the District of Columbia (Lexington, Nebr.) *. Restriction: The authorized granted in (1) and (2) above is restricted to the transportation of traffic originating at the named origin facilities. The purpose of this filing is to eliminate the gateway indicated by asterisks above.

No. MC 113678 (Sub-No. E97), filed May 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cheese*, from the facilities of Plumrose, Inc., near Springfield, N.J., to points in New Mexico (Denver, Colo.) *; (2) *Cheese and packaged meats*, from the facilities of Plumrose, Inc., near Springfield, N.J., to points in Montana (Greeley, Colo.) *; (3) *Packaged meats*, from the facilities of Plumrose, Inc., near Springfield, N.J., (a) to points in California (Phoenix, Ariz.) *, (b) to points in Oregon and Washington (Teec Nos Pos, Ariz.) *; and (4) *Frozen packaged meats*, from the facilities of Plumrose, Inc., near Springfield, N.J., to points in Washington, Oregon, Idaho, and Montana (Hall County, Nebr.) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113678 (Sub-No. E100), filed May 19, 1974. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C or Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk, from Greeley, Colo., to points in Illinois, and points in Iowa on and east of U.S. Highway 169, and to Sioux City, Iowa (Denver, Colo.) *. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC 114211 (Sub-No. E254), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, the transportation of which, because of size or weight, requires special equipment, from points in North Dakota to points in that part of Texas on and east of a line beginning at the Oklahoma-Texas State line, thence along Texas Highway 79 to junction U.S. Highway 283, thence along U.S. Highway 283 to junction U.S. Highway 180, thence along U.S. Highway 180 to junction Texas Highway 351, thence along Texas Highway 351 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction U.S. Highway 377, thence along U.S. Highway 377 to Del Rio, Tex., with no transportation for compensation on return except as otherwise authorized, restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateways of Beatrice, Nebr., Omaha, Nebr., and Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E397), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements and parts thereof*, from points in Nebraska to points in that part of Texas on and east of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 271 to junction Texas Highway 19, thence along Texas Highway 19 to junction Texas Highway 30, thence along Texas Highway 30 to junction Texas Highway 6, thence along Texas Highway 6 to junction Texas Highway 159, thence along Texas Highway 159 to junction Texas Highway 36, thence along Texas Highway 36 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction Texas Highway 71, thence along Texas Highway 71 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Texas Highway 285, thence along Texas Highway 285 to junction U.S. Highway 281, thence along U.S. Highway 281 to McAllen, Tex., with no transportation for compensation on return except as otherwise authorized restricted against movements to oil field locations. The purpose

of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 119789 (Sub-No. 203G), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, between points in that part of North Dakota on and east of a line beginning at the South Dakota-North Dakota State line, thence along North Dakota Highway 49 to junction North Dakota Highway 200, thence along North Dakota Highway 200 to junction U.S. Highway 85, thence along U.S. Highway 85 to junction North Dakota Highway 23, thence along North Dakota Highway 23 to junction North Dakota Highway 8, thence along North Dakota Highway 8 to junction U.S. Highway 52, thence along U.S. Highway 52 to the North Dakota-Canada International Boundary line on the one hand, and, on the other, points in that part of Oklahoma on and east of a line beginning at the Kansas-Oklahoma State line, thence along U.S. Highway 81 to junction H. E. Bailey Turnpike, thence along H. E. Bailey Turnpike to the Oklahoma-Texas State line. The purpose of this filing is to eliminate the gateway of Council Bluffs, Iowa, and Topeka, Kan.

No. MC 114211 (Sub-No. E441), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Experimental tractors*, from points in that part of Wisconsin on and east of a line beginning at the Illinois-Wisconsin State line, thence along Interstate Highway 94 to junction U.S. Highway 41, thence along U.S. Highway 41 to Milwaukee, Wis., to points in that part of Idaho on and west of a line beginning at the Wyoming-Idaho State line, thence along U.S. Highway 20 to junction U.S. Highway 191, thence along U.S. Highway 191 to the Idaho-Utah State line, and to points in that part of Wyoming on and north of a line beginning at the Montana-Wyoming State line, thence along Wyoming Highway 338 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Wyoming-Idaho State line, and, to points in that part of Utah on and west of a line beginning at the Idaho-Utah State line, thence along U.S. Highway 91 to the Utah-Arizona State line, and to points in that part of Nevada on and north of a line beginning at the Arizona-Nevada State line, thence along U.S. Highway 91 to the Nevada-California State line, and to points in that part of California on and northwest of a line beginning at the Nevada-California State line, thence along U.S. Highway 66 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction California Highway 86, thence along California Highway 86 to junction California Highway 78, thence along California Highway 78 to junction California Highway 79, thence along California Highway 79 to junction Interstate Highway 8, thence along Interstate Highway 8 to San Diego, Calif., and to points in Oregon, Washington, Montana, and North Dakota, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa, and Fargo, N. Dak.

No. MC 114211 (Sub-No. E442), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractor show displays and experimental farm tractors* between points in that part of Wisconsin on and south of a line begnning at the Iowa-Wisconsin State line, thence along U.S. Highway 151 to junction Interstate Highway 94, thence along Interstate Highway 94 to Milwaukee, Wis., on the one hand, and, on the other, points in that part of Iowa on and southwest of a line beginning at the Wisconsin-Iowa State line, thence along U.S. Highway 20 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Iowa Highway 9, thence along Iowa Highway 9 to junction U.S. Highway 218, thence along U.S. Highway 218 to the Iowa-Minnesota State line and points in that part of Minnesota on and west of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 218 to junction Minnesota Highway 30, thence along Minnesota Highway 30 to junction Minnesota Highway 83, thence along Minnesota Highway 83 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction Minnesota Highway 15, thence along Minnesota Highway 15 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Minnesota-Canada International Boundary line and to points in North Dakota.

No. MC 114211 (Sub-No. E444), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractor displays and experimental farm tractors* between points in that part of Wisconsin on and south of a line beginning at the Iowa-Wisconsin State line, thence along U.S. Highway 151 to junction Interstate Highway 94, thence along Interstate Highway 94 to Lake Michigan on the one hand, and, on the other, points in South Dakota, Nebraska, Colorado, Kansas, and points in that part of Iowa on and southwest of a line beginning at the Wisconsin-Iowa State line, thence along U.S. Highway 20 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Iowa Highway 9, thence along Iowa Highway 9 to junction U.S. Highway 218, thence along U.S. Highway 218 to the Iowa-Minnesota State line and points in that part of Minnesota on and west of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 218 to junction Minnesota Highway 30, thence along Minnesota Highway 30 to junction Minnesota Highway 83, thence along Minnesota Highway 83 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction Minnesota Highway 15, thence along Minnesota Highway 15 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Minnesota-Canada International Boundary line. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 114211 (Sub-No. E448), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Self-propelled farm machinery and parts thereof*, from that part of Minnesota on and east of a line beginning at the Wisconsin-Minnesota State line, thence along U.S. Highway 14 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Interstate Highway 94, thence along Interstate Highway 94 to the Minnesota-Wisconsin State line to points in that part of New York on and east of a line beginning at the Pennsylvania-New York State line, thence along New York Highway 14 to junction New York Highway 14/17, thence along U. New York Highway 14/17 to junction New York Highway 13, thence along New York Highway 13 to junction New York Highway 34, thence along New York Highway 34 to Lake Ontario, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of the plant site of Stinar Corporation at Minneapolis, Minn.

No. MC 114211 (Sub-No. E450), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled tractors, road making machinery, and contractors' equipment and supplies*, from points in that part of Minnesota on and southwest of a line beginning at the South Dakota-Minnesota State line, thence along U.S. Highway 12 to junction Interstate Highway 494, thence along Interstate Highway 494 to junction

Interstate Highway 35, thence along Interstate Highway 35 to the Minnesota-Iowa State line to points in New York, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of the plant site of Stinar Corporation at Minneapolis, Minn.

No. MC 114211 (Sub-No. E451), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hod buggies and self-propelled sweepers*, from points in that part of Minnesota on and southwest of a line beginning at the South Dakota-Minnesota State line, thence along U.S. Highway 12 to junction Interstate Highway 494, thence along Interstate Highway 494 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Minnesota-Iowa State line to points in New York, Massachusetts, Connecticut, Pennsylvania, New Jersey, Delaware, Maryland, and Virginia, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E452), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled rollers*, from points in that part of Minnesota on and southwest of a line beginning at the South Dakota-Minnesota State line, thence along U.S. Highway 12 to junction Interstate Highway 494, thence along Interstate Highway 494 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Minnesota-Iowa State line to points in Connecticut and Massachusetts, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E453), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled rollers*, from a portion of Minnesota on and northwest of a line beginning at the South Dakota-Minnesota State line, thence along U.S. Highway 12 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Minnesota Highway 25, thence along Minnesota Highway 25 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to junction Minnesota Highway 6, thence along Minnesota Highway 6 to junction U.S. Highway 71, thence along U.S. Highway 71 to the Minnesota-Canada International Boundary line to points in Connecticut and Massachusetts with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E455), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled farm machinery and parts thereof*, from points in Iowa on and west of a line beginning at the Minnesota-Iowa State line, thence along U.S. Highway 65 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction Interstate Highway 235, thence along Interstate Highway 235 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Iowa-Missouri State line, to points in that part of Wisconsin on and north of a line beginning at the Minnesota-Wisconsin State line, thence along U.S. Highway 8 to junction Wisconsin Highway 79, thence along Wisconsin Highway 79 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to junction Wisconsin Highway 52, thence along Wisconsin Highway 52 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 8, thence along U.S. Highway 8 to the Wisconsin-Michigan State line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E456), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors*, between points in that part of Illinois on and north of a line beginning at the Indiana-Illinois State line, thence along U.S. Highway 40 to the Missouri-Illinois State line and points in Minnesota and Iowa, on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateway of points in the state of Kansas.

No. MC 114211 (Sub-No. E457), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled tractors, road making machinery, and contractors equipment and supplies*, from points in that part of Iowa on and west of a line beginning at the Minnesota-Iowa State line, thence along U.S. Highway 65 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction Interstate Highway 235, thence along Interstate Highway 235 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Iowa-Missouri State line to points in that part of Wisconsin on and north of a line beginning at the Minnesota-Wisconsin State line, thence along U.S. Highway 8 to junction Wisconsin Highway 79, thence along Wisconsin Highway 79 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to junction Wisconsin Highway 52, thence along Wisconsin Highway 52 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 8, thence along U.S. Highway 8 to the Wisconsin-Michigan State line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E458), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof* (except commodities the transportation of which, because of size or weight, requires the use of special equipment), from points in that part of North Dakota on and east of a line beginning at the North Dakota-Canada International Boundary line to points in that part of Texas on and south of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 60 to junction Texas Highway 70, thence along Texas Highway 70 to junction Texas Highway 86, thence along Texas Highway 86 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Texas-New Mexico State line, with no transportation for compensation on return except as otherwise authorized restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateways of Omaha, Nebr., Council Bluffs, Iowa, and Beatrice, Nebr.

No. MC 114211 (Sub-No. E460), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled rollers*, from Noyes, Minn., to points in Massachusetts and Connecticut, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E461), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420

Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled tractors, road making machinery, and contractors' equipment and supplies*, each weighing 15,000 pounds or more, from points in Missouri to points in that part of North Dakota on and north of a line beginning at the North Dakota-Canada International Boundary line, thence along Interstate Highway 29 to junction North Dakota Highway 5, thence along North Dakota Highway 5 to junction North Dakota Highway 8, thence along North Dakota Highway 8 to junction U.S. Highway 2, thence along U.S. Highway 2 to the North Dakota-Montana State line, and to points in that part of Idaho on and north of a line beginning at the Montana-Idaho State line, thence along Idaho Highway 200 to junction U.S. Highway 95, thence along U.S. Highway 95 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Idaho-Washington State line, and to points in that part of Montana on and north of a line beginning at the North Dakota-Montana State line, thence along U.S. Highway 2 to the Montana-Idaho State line, and to points in that part of Washington on and north of a line beginning at the Idaho-Washington State line, thence along U.S. Highway 12 to junction Washington Highway 126, thence along Washington Highway 126 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Washington Highway 11, thence along Washington Highway 11 to the Washington-Oregon State line, with no transportation for compensation on return except as otherwise authorized, restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateways of Minneapolis, Minn., and points in Iowa.

No. MC 114211 (Sub-No. E463), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors*, from points in that part of South Dakota on and east of a line beginning at the North Dakota-South Dakota State line, thence along U.S. Highway 281 to junction South Dakota Highway 34, thence along South Dakota Highway 34 to junction South Dakota Highway 37, thence along South Dakota Highway 37 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction South Dakota Highway 50, thence along South Dakota Highway 50 to junction Interstate Highway 29, thence along Interstate Highway 29 to the South Dakota-Iowa State line to points in Texas, with no transportation for compensation on return except as otherwise authorized, restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E464), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof* (except commodities the transportation of which, because of size or weight, require the use of special equipment), from points in that part of South Dakota on and east of a line beginning at the North Dakota-South Dakota State line, thence along U.S. Highway 281 to junction South Dakota Highway 34, thence along South Dakota Highway 34 to junction South Dakota Highway 37, thence along South Dakota Highway 37 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction South Dakota Highway 50, thence along South Dakota Highway 50 to junction Interstate Highway 29, thence along Interstate Highway 29 to the South Dakota-Iowa State line, to points in Texas, with no transportation for compensation on return except as otherwise authorized restricted against movements to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E465), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors*, from points in South Dakota to points in Indiana. The purpose of this filing is to eliminate the gateway of Fort Dodge, Iowa.

No. MC 114211 (Sub-No. E466), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, from points in Minnesota to points in Texas, with no transportation for compensation on return except as otherwise authorized, restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateways of Fort Dodge, Iowa, and Beatrice, Nebr.

No. MC 114211 (Sub-No. E467), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, agricultural implements and parts thereof*, from Fort Dodge, Iowa, to points in Texas, Colorado, and points in that part of Oklahoma on and west of a line beginning at the Kansas-Oklahoma State line, thence along U.S. Highway 75 to junction Muskogee Turnpike, thence along Muskogee Turnpike to junction U.S. Highway 266, thence along U.S. Highway 266 to junction Oklahoma Highway 2, thence along Oklahoma Highway 2 to junction U.S. Highway 271, thence along U.S. Highway 271 to junction Oklahoma Highway 3, thence along Oklahoma Highway 3 to junction U.S. Highway 70, thence along U.S. Highway 70 to the Oklahoma-Arkansas State line, with no transportation for compensation on return except as otherwise authorized, restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E468), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, from points in that part of Iowa on and northwest of a line beginning at the Minnesota-Iowa State line, thence along Iowa Highway 15 to junction Iowa Highway 3, thence along Iowa Highway 3 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Iowa Highway 396, thence along Iowa Highway 396 to junction Iowa Highway 4, thence along Iowa Highway 4 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Iowa-Nebraska State line and to points in Indiana. The purpose of this filing is to eliminate the gateway of Fort Dodge, Iowa.

No. MC 114211 (Sub-No. E469), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, from points in Nebraska to points in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia, restricted to the transportation of traffic originating at or destined to the plant sites, warehouse sites, and experimental farms of Deere and Co. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa, and Dubuque, Iowa.

No. MC 119988 (Sub-No. E64), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box

1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Tex. 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulation under Section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to Kansas City and Wichita, Kans. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 119988 (Sub-No. E65), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Texas 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Texas 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulation under section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in Minnesota. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 119988 (Sub-No. E66), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Texas 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulation under section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in Iowa. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 119988 (Sub-No. E68), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Tex. 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulation under Section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in Wisconsin. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 119988 (Sub-No. E69), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Tex. 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulation under Section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in Illinois. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 119988 (Sub-No. E70), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Tex. 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulation under Section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in Michigan. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 123407 (Sub-No. E204), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., S. Haven Square, Valparaisa, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Composition board*, (2) *Materials and accessories* used in the installation of the commodities in (1) above (except lumber and commodities in bulk), and (3) *Ceiling tile*, from Florence, Ky., to points in Colorado. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 206775 (Sub-No. E4), filed May 21, 1974. Applicant: ATLAS TRUCK LINE, INC., P.O. Box 9848, Houston, Tex. 77015. Applicant's representative: James McCurdy (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Structural steel, metal castings, and reinforcing rods*, between points in Lea and Eddy Counties, N. Mex., on the one hand, and, on the other, points in Oklahoma, points in that part of Louisiana on and west of U.S. Highway 71 and on and north of Louisiana Highway 6, and points in that part of Arkansas on and south of U.S. Highway 67 and on and west of Arkansas Highway 35 and U.S. Highway 137. The purpose of this filing is to eliminate the gateway of Fort Worth, Tex., and those points within 250 miles of Forth Worth, Tex.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.75-2523 Filed 1-27-75;8:45 am]

[Notice No. 223]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JANUARY 28, 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 February 17, 1975. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75428. By order entered 1-9-75, the Motor Carrier Board approved the transfer to Rogers Truck Line, Inc., Webster City, Iowa, of that portion of the operating rights set forth in Certificate No. MC 134134 (Sub-No. 1), issued April 15, 1970, to Mainliner Motor Express, Inc., Omaha, Nebr., authorizing the transportation of meats, meat products, and meat by-products, and articles distributed by meat packinghouses, as described in sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from Sioux City, Iowa, to points in New York, New Jersey, Pennsylvania, Massachusetts, Rhode Island, Connecticut, Delaware, and West Virginia, restricted to shipments originating at Sioux City, Iowa, and destined to the named points of destination. Thomas E. Leahy, Jr., 1980 Financial Center, Des Moines, Iowa 50309, attorney for applicants.

No. MC-FC-75569. By order of January 6, 1975, the Motor Carrier Board approved the transfer to Luck Trucking, Inc., Beaver Dam, Wis., of the operating rights in Permit No. MC 134692 issued June 15, 1971, to Gordon Luck and Glenn Luck, doing business as Luck Bros. Trucking, Beaver Dam, Wis., authorizing the transportation of food canning and food packaging machinery and amphibious all-terrain type motor vehicles from Randolph, Wis., to points in the

United States; and materials, parts, and supplies used in the manufacture of said commodities from points in the United States to Randolph, Wis. Nancy J. Johnson, 4506 Regent St., Madison, Wis. 53705, attorney for applicants.

No. MC-FC-75571. By order of January 7, 1975, the Motor Carrier Board approved the transfer to Tri-Line Expressways, Ltd., doing business as Tri-Line Freight Systems, Calgary, Alberta, Canada, of the operating rights in Certificates No. MC 127062 (Sub-No. 3), and MC 127062 (Sub-No. 4), issued October 22, 1968, and October 18, 1969, to Karl Markus, doing business as Markus Trucking, Lethbridge, Alberta, Canada, authorizing the transportation of various commodities from and to specified points and areas in Montana, Colorado, Texas, Oklahoma, Kansas, Nebraska, South Dakota, and Wyoming. Edward T. Lyons, Jr., 1600 Lincoln Center Bldg., Denver, Colo. 80203, attorney for applicants.

No. MC-FC-75575. By order of January 6, 1975, the Motor Carrier Board approved the transfer to Hy's Livery Service, Inc., West Haven, Conn., of the operating rights in Certificate No. MC 136740 issued July 13, 1973, to Hyman Levine, doing business as Hy's Livery Service, West Haven, Conn., authorizing the transportation of passengers and their baggage, in special operations, in door-to-door service, between specified points in Connecticut, on the one hand, and, on the other, New York, N.Y., and Newark Airport, Newark, N.J. Ira H. Freedman, 377 Main St., West Haven, Conn 06516, attorney for applicants.

No. MC-FC-75602. By order entered 1-7-75, the Motor Carrier Board approved the transfer to Erwin G. Herbison, doing business as Herbison Livestock Trucking, Maiden Rock, Wis., of the operating rights set forth in Certificate No. MC 88286, issued December 24, 1974, to Richard Schrimpf, Maiden Rock, Wis., authorizing the transportation of livestock between specified points in Minnesota and Wisconsin; and general commodities, with the usual exceptions, from specified points in Minnesota, to specified points in Wisconsin. F. H. Kroeger, 1745 University Ave., St. Paul, Minn. 55104, representative for applicants.

No. MC-FC-75605. By order entered 1-7-75, the Motor Carrier Board approved the transfer to DST Special Services, Inc., Clinton, Mich., of the operating rights set forth in Permit No. MC 136463, issued May 2, 1974, to DST Industries, Inc., Clinton, Mich., authorizing the transportation of prototype vehicles and modified production vehicles, not intended for sale to the public, between Dearborn and Romulus, Mich., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted to a transportation service to be performed under a continuing contract, or contracts, with Ford Motor Company of Dearborn, Mich. S. Harrison Kahn, Suite 733 Investment Building, Washington, D.C. 20005, attorney for applicants.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-2522 Filed 1-27-75;8:45 am]

[Notice No. 222]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 28, 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-75645. By application filed January 15, 1975, J. W. CROWLEY, DWAYNE CROWLEY, AND DONALD CROWLEY, doing business as J. W. CROWLEY AND SONS, Rural Route, Monticello, UT 84535, seeks temporary authority to lease the operating rights of PACIFIC INLAND TRANSPORTATION COMPANY, 15 South Broadway, Cortez, CO 81321, under section 210a(b). The transfer to J. W. CROWLEY, DWAYNE CROWLEY, AND DONALD CROWLEY, doing business as J. W. CROWLEY AND SONS, of the operating rights of PACIFIC INLAND TRANSPORTATION COMPANY, is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-2521 Filed 1-27-75;8:45 am]

[EX PARTE NO. 305]

NATIONWIDE INCREASE OF TEN PERCENT IN FREIGHT RATES AND CHARGES, 1974

JANUARY 23, 1975.

At a Session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 22nd day of January, 1975.

Upon consideration of the record in the above-entitled proceeding, including the orders of the Commission dated October 3, 1974, and December 17, 1974, the petitions of the Bessemer and Lake Erie Railroad Company and The Lake Terminal Railroad Company dated November 26, 1974, and of the reply thereto filed January 7, 1975, by the National Industrial Traffic League;

It appearing, that the order dated October 3, 1974, provided in part that any railroad respondents unable to use the full amount of the funds generated by the increase for deferred maintenance or delayed capital improvements, as defined by the Commission, may expend such funds for new and additional capital improvements providing advance approval is obtained from the Commission, Division 2;

It further appearing, that, pursuant to that order, petitioners submit that they have no delayed capital expenditures or deferred maintenance, as defined; that Bessemer and Lake Erie Railroad Company seeks permission to use funds generated by the Ex Parte No. 305 increase to contribute to its purchase of three locomotives and 846 hopper and gondola cars; and that The Lake Terminal Railroad Company seeks to use those funds to contribute to the purchase of 50 gondolas and two Euclid trucks;

It further appearing, that, in reply, the National Industrial Traffic League completely supports the Commission's objective herein, that is, the improvement of the nation's transportation system, and urges careful examination of the petitions such as those under consideration herein, to ensure this objective;

It further appearing, that Commission analysis of the petitions and of petitioners' initial and quarterly filings submitted pursuant to the orders in this proceeding shows that (1) petitioner Bessemer and Lake Erie Railroad Company has no deferred maintenance of roadway, and, that while its bad order ratio has increased from approximately 4 percent to 7.3 percent as of October 1, 1974, the proposed purchase of cars and locomotives would increase its fleet by 10 percent, and, consequently, would reduce this bad order ratio, and, perhaps, reduce the necessity of making heavy repairs on old equipment; and that petitioner's cash and short-term investment position is strong; and (2) petitioner The Lake Terminal Railroad Company has no slow order track and no deferred maintenance or delayed capital improvements;

And it further appearing, that petitioners have complied with the procedural requirements set forth in the above-cited orders; that the petitions meet the criteria established by the Commission for approval of the requested deviation from the requirements which condition the increase in rates in this proceeding; and that the proposed expenditures will further the development of an improved transportation network;

It is ordered, That the petitions of the Bessemer and Lake Erie Railroad Company and The Lake Terminal Railroad Company be, and they are hereby, granted, and that petitioners be, and they are hereby, permitted to transfer from Account 716, Capital and Other Reserve Funds, to Account 701, Cash, funds generated as a result of the Ex Parte No. 305 general increase.

This permission is conditioned upon carrier use of the revenue as proposed and will be monitored through the Commission's audit procedures.

By the Commission, Division 2.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-2518 Filed 1-27-75;8:45 am]

[Notice No. 24]

TEMPORARY AUTHORITY TERMINATION

The temporary authorities granted in the dockets listed below have expired as a result of final action either granting or denying the issuance of a Certificate or Permit in a corresponding application for permanent authority, on the date indicated

Temporary authority application	Final action or certificate or permit	Date of action
Younger Bros., Inc.: MC-531 Sub-268	MC-531 Sub-268	Mar. 14, 1974
Younger Bros., Inc.: MC-531 Sub-289	MC-531 Sub-291	Do.
Carolina Freight Carrier Corp.: MC-2253 Sub-58	MC-2253 Sub-59	Mar. 26, 1974
Deaton, Inc.: MC-11207 Sub-329	MC-11207 Sub-332	Mar. 20, 1974
Frozen Food Delivery Service: MC-29861 Sub-3	MC-29861 Sub-4	Mar. 18, 1974
Fairchild General Freight, Inc.: MC-33919 Sub-6	MC-33919 Sub-4	Mar. 14, 1974
Wheatley Trucking, Inc.: MC-41951 Sub-14, 16	MC-41951 Sub-15	Do.
Schneider Transport, Inc.: MC-51146 Sub-228	MC-51146 Sub-247	Mar. 18, 1974
Central Express, Inc.: MC-96902 Sub-3	MC-96902 Sub-4	Mar. 19, 1974
Melton Truck Lines, Inc.: MC-100666 Sub-228	MC-100666 Sub-222	Mar. 27, 1974
Red Top Trucking Co., Inc.: MC-101474 Sub-19	MC-101474 Sub-21	Mar. 15, 1974
The Geo. A. Rheman Co., Inc.: MC-103191 Sub-39	MC-103191 Sub-38	Mar. 20, 1974
W. D. Smith Truck Line, Inc.: MC-103498 Sub-28	MC-103498 Sub-30	Mar. 18, 1974
Huston Truck Line, Inc.: MC-104523 Sub-54	MC-104523 Sub-55	Mar. 15, 1974
dba, Hughes Refrigerated Express: MC-105782 Sub-6	MC-105782 Sub-7	Mar. 25, 1974
Direct Transit Lines, Inc.: MC-106603 Sub-124	MC-106603 Sub-125	Mar. 27, 1974
Riggs Food Express, Inc.: MC-106920 Sub-48, 50	MC-106920 Sub-46	Mar. 18, 1974
Gilliland Transfer Co.: MC-107323 Sub-44	MC-107323 Sub-45	Mar. 20, 1974
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W. S. Hatch Co.: MC-109689 Sub-236	MC-109689 Sub-241	Mar. 15, 1974
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Charles O. Ingmire, Inc.: MC-115276 Sub-5	MC-115276 Sub-4	Mar. 1, 1974
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Motor Service Co., Inc.: MC-117565 Sub-76	MC-117565 Sub-73	Mar. 21, 1974
Container Transit, Inc.: MC-118989 Sub-85	MC-118989 Sub-87	Mar. 22, 1974
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Diamond Transportation System, Inc.: MC-123048 Sub-234	MC-123048 Sub-230	Mar. 4, 1974
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Chet's Transport Inc.: MC-127337 Sub-8	MC-127337 Sub-9	Mar. 18, 1974
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Berry Transport, Inc.: MC-133276 Sub-5	MC-133276 Sub-9	Mar. 1, 1974
Dudden Elevator, Inc.: MC-133436 Subs-8, 12	MC-133436 Subs-6, 10	Mar. 19, 1974
Lee's Trucking, Inc.: MC-133490 Sub-7	MC-133490 Sub-8	Mar. 27, 1974
Cecil Claxton: MC-133492 Sub-4	MC-133492 Sub-4	Mar. 28, 1974
Gene's Inc.: MC-133977 Sub-11	MC-133977 Sub-12	Mar. 14, 1974
dba, Belue's Trucking: MC-134978 Sub-5	MC-134978 Sub-6	Mar. 6, 1974
Specialty Transport, Inc.: MC-134765 Sub-6	MC-134765 Sub-5	Mar. 28, 1974
John W. Smoot: MC-134875 Sub-1	MC-134875 Sub-2	Mar. 14, 1974
Commercial Cartage, Inc.: MC-135234 Sub-4	MC-135234 Sub-8	Mar. 19, 1974
Boyd Tank Lines, Inc.: MC-135889 Sub-4	MC-135889 Sub-5	Mar. 6, 1974
Reliable Moving & Storage, Inc.: MC-136096 Sub-2	MC-136096 Sub-3	Mar. 25, 1974
Merchants Home Delivery Service, Inc.: MC-136211 Sub-9	MC-136211 Sub-11	Mar. 19, 1974
George Bros. Inc.: MC-136246 Sub-2	MC-136246 Sub-3	Mar. 1, 1974
dba, R. P. Trucking: MC-136337 Sub-1	MC-136337 Sub-2	Do.
Dykstra Transport, Inc.: MC-136646 Sub-3	MC-136646 Sub-1	Do.
dba, Lee Contract Carriers: MC-136848 Sub-3	MC-136848 Sub-5	Mar. 21, 1974
Leon Arndt Trucking Leasing, Inc.: MC-136856 Sub-1	MC-136856 Sub-2	Mar. 19, 1974
BTA Trucking Co., Inc.: MC-136882 Sub-3	MC-136882 Sub-4	Mar. 27, 1974
L. P. Guay, Inc.: MC-136885 Sub-1	MC-136885 Sub-2	Mar. 25, 1974
Lenape Transportation Co. Inc.: MC-136916 Sub-2	MC-136916 Sub-3	Mar. 27, 1974
F. W. Caspersen: MC-138043	MC-138043 Sub-1	Do.
dba, Kemper Truck Line: MC-138075 Sub-1	MC-138075 Sub-3	Mar. 22, 1974
dba, Wolfe Trucking: MC-138080 Sub-1, 3	MC-138080 Sub-2	Do.
dba Tab Trucking Co.: MC-138136	MC-138136 Sub-1	Mar. 1, 1974
dba Dick Trayner & Sons Trucking: MC-138230 Sub-1	MC-138230 Sub-2	Mar. 21, 1974
James D. Wilcox: MC-138258	MC-138258 Sub-1	Mar. 18, 1974
Princeton Messenger Service, Inc.: MC-138525	MC-138525 Sub-1	Mar. 20, 1974
Wiley Sanders, Inc.: MC-138882	MC-138882 Sub-1	Do.
Yellow Van Movers, Inc.: MC-139015 Sub-1	MC-139015	Dec. 3, 1974

[SEAL]

ROBERT L. OSWALD,
Secretary.

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PART II

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

■

CONTINUATION OF LOCAL RAIL SERVICE

Procedures and Requirements Regarding Applications and Disbursement

Title 49—Transportation

CHAPTER II—FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[FRA Economic Docket No. 3, Notice No. 2]

PART 255—ASSISTANCE TO STATES AND LOCAL AND REGIONAL TRANSPORTATION AUTHORITIES IN THE REGION FOR CONTINUATION OF LOCAL RAIL SERVICES UNDER SECTION 402 OF TITLE IV OF THE REGIONAL RAIL REORGANIZATION ACT OF 1973

Procedures and Requirements Regarding Applications and Disbursement

Proposed procedures and requirements regarding the filing of applications for and disbursement of rail service continuation subsidies under section 402 of the Regional Rail Reorganization Act of 1973 ("Act") (45 U.S.C. § 701 et. seq.) were published in the FEDERAL REGISTER on April 5, 1974 (39 FR 12528). Section 402 of the Act establishes a transitional program, whereby the Secretary of Transportation ("Secretary") or his delegate, in accordance with the regulations issued by the Department of Transportation shall provide financial assistance to a State or a local or regional transportation authority in the northeast and midwest region of the United States for the continuation of local rail services.

Section 402 of the Act provides that a State in the region is eligible to receive assistance if:

1. The State has established a State Rail Plan for rail transportation and local rail services which is administered or coordinated by a designated State agency and such plan provides for the equitable distribution of such subsidies among State, local, and regional transportation authorities;

2. The State agency has authority and administrative jurisdiction to develop, promote, supervise, and support safe, adequate, and efficient rail services; employs or will employ, directly or indirectly, sufficient trained and qualified personnel; and maintains or will maintain adequate programs of investigation, research, promotion, and development with provision for public participation;

3. The State provides satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under Title IV of the Act to the State; and

4. The State complies with the regulations of the Secretary issued under this section.

The section 402 assistance program under the Act is meant to facilitate the transition from the existing rail system in the region to a more efficient system. During this period of transition, interim assistance will enable States and localities to continue local rail services which are not designated for preservation in the Final System Plan, but should be continued at least on an interim basis due to the excessive cost of abandonment of these services in terms of lost jobs, energy shortages, and degradation of the environment.

To facilitate this transition, the Congress provided for basic entitlement funds and discretionary funds, under section 402 of the Act, as a source of assistance for the continuation of local rail services in the region. Basic entitlement funds are to be applied first to those eligible rail services to be discontinued as a result of the implementation of the Final System Plan and which the State determines should be continued.

In addition to meeting any deficiencies in the basic entitlement funds as provided in subsection 402(b)(1) of the Act, discretionary funds will be available for the following purposes:

1. To assist an eligible applicant to pay allowable planning costs expended in developing its State Rail Plan, provided that the Final System Plan is approved by the Congress and the State Rail Plan is approved by the Administrator and provided further that this assistance in the aggregate shall be limited to five percent of the total Federal funds otherwise provided to the State under section 402 of the Act. The Federal share of an applicant's allowable planning costs may not exceed 70 percent of these costs. An applicant may expend additional funds for planning other than its matching share.

2. To assist the States in providing rail service continuation subsidies to those rail services to be discontinued as a result of the implementation of the Final System Plan in instances where basic entitlement funds are used to the maximum extent available but are insufficient to provide for the continuation of these services;

3. To assist an eligible applicant in a State contiguous to a State in the region having a portion of its territory located in the region, which is not eligible for basic entitlement funds under subsection 402(b)(1) of the Act in providing rail service continuation subsidies;

4. To assist an eligible applicant in the acquisition and modernization of rail properties as provided in sections 402 (b)(2) and 403 of the Act; and

5. To assist an eligible applicant in providing rail service continuation subsidies to the remaining rail services in the region whch are eligible under section 255.3 of the regulations, other than those discontinued in response to the Final System Plan, and which have been identified in the State Rail Plan as candidates for subsidy, in instances where basic entitlement funds under subsection 402(b)(1) of the Act are insufficient to ensure continuation of these services.

In reviewing requests for discretionary funds, the Federal Railroad Administration ("FRA") will give consideration to this general set of priorities.

As previously noted, proposed procedures and requirements regarding the filing of applications for and disbursement of rail service continuation subsidies under section 402 of the Act were published in the FEDERAL REGISTER on April 5, 1974. Numerous persons, organizations, and governmental entities filed comments in response to this publication, and each comment was given due consideration by FRA. As a result of the comments received, and the passage of Pub. L. 93-488 (October 26, 1974) which amended the Act, several substantive changes are being made in the regulations.

The following issues were the subject of the comments: (1) Eligibility of rail services for Title IV assistance under the Act; (2) funding for State rail planning; (3) definitive criteria which FRA will apply in accepting or rejecting the State Rail Plan; (4) extension of the time period for the States to submit the State Rail Plan; (5) availability of data to the States which will be needed in the formulation of the State Rail Plan; (6) definitive criteria which will be used in awarding discretionary funds; (7) use of basic entitlement funds for acquisition and modernization; (8) eligibility for rail service continuation subsidies after receiving an acquisition or modernization loan or both; (9) standards for determining a designated State agency; (10) eligibility of a local or regional transportation authority to receive basic entitlement funds directly; (11) requirement that a local or regional transportation authority contribute at least a 30 percent matching share of the total program; (12) eligibility of the States of Wisconsin, Kentucky, and Missouri for basic entitlement funds; and (13) regulations for filing applications for assistance under section 403 of the Act. Each of these issues is discussed below.

There was objection to the requirement in the proposed regulations that only those local rail services proposed to be discontinued or abandoned under section 304 of the Act as a result of the adoption of the Final System Plan could be continued, acquired or modernized with section 402 assistance. The Congress has amended the Act in Pub. L. 93-488 to clarify the eligibility requirement under section 402 and § 255.3 of the regulations has been revised accordingly. The statutory amendment is as follows:

> * * * Rail freight services eligible for rail service continuation subsidies pursuant to subsection (b) of * * * section [402] are—
>
> (A) those rail services of railroads in reorganization in the region which the final system plan does not designate to be continued;
>
> (B) those rail services in the region which have been at any time during the 5 year period prior to the date of enactment of this Act, or which are subsequent to the date of enactment of this Act, owned, leased, or operated by a State agency or a local or regional transportation authority or with respect to which a State, a political subdivision thereof, or a local or regional transportation authority has invested at any time during the 5 year period prior to the date of enactment of this Act, or invests subsequent to the date of enactment of this Act, substantial sums for improvement or maintenance of rail service; and
>
> (C) those rail services in the region with respect to which the Commission issues a certificate of abandonment effective on or after the date of enactment of this Act.

Clarification was also sought as to whether costs incurred by a State in developing its State Rail Plan for rail transportation and local rail services would have to be borne exclusively by the State, or whether these costs were eligible for consideration as part of its share of a rail service continuation subsidy. FRA has concluded that a State may use a reasonable proportion of its Federal funds to assist in the development of the State Rail Plan, provided that the Final System Plan is approved by the Congress and the State Rail Plan is approved by the Administrator. This assistance in the aggregate shall be limited to five (5) percent of the total Federal funds otherwise provided to the State under section 402 of the Act. The Federal share of an applicant's allowable planning costs may not exceed 70 percent of these costs. An applicant may expend additional funds for planning other than its matching share.

Some States requested that FRA develop definitive criteria to be used in accepting or rejecting the State Rail Plan. The only criterion which FRA will employ in accepting or rejecting a State Rail Plan will be whether it complies with the requirements of the statute and regulations, as required under subsection 402(c) of the Act.

To assist the States in responding quickly to the Final System Plan, to facilitate a rapid review of a State Rail Plan by FRA, and to assess the States' total funding requirements, provision has been made in paragraph (b) of § 255.9 of the regulations for a two phase State planning process. Phase I and Phase II of the planning process will constitute the State Rail Plan.

Phase I of the State Rail Plan will be required to explain in detail how the State intends to conduct its assistance program. This shall include identification of the data to be acquired on the rail system in the State, the methodology to be used in determining which essential rail services should be continued, the criteria to be employed in ranking these services according to their service priority, and an explanation of the goals to be used in the development of the State Rail Plan. The States will be required to apply the Phase I methodology, criteria, and goals to Phase II of the State Rail Plan in response to and consistent with the Final System Plan.

In Phase II, the States shall identify:

1. The specific data utilized;
2. The specific services which should be continued as determined by the application of the Phase I methodology, criteria, and goals;
3. The order of funding priority of those services; and
4. The amount and form of the assistance required.

Another comment was that the requirement that a State submit its State Rail Plan to the Administrator within 45 days of the date of the submission of the Final System Plan to the Congress does not allow sufficient time for complete and comprehensive planning. FRA has modified this submission date in the regulations to afford the States additional time to develop the State Rail Plan. Paragraph (d) of § 255.9 of the regulations provides that Phase I of the State Rail Plan shall be submitted to the Administrator by May 15, 1975. Phase II of the State Rail Plan shall be submitted to the Administrator for approval within 30 days after the date of approval of the Final System Plan by the Congress. Approval of the State Rail Plan shall be evidenced by written notification to the State. Inasmuch as the States will have knowledge of the Final System Plan during the period the Congress is considering it, sufficient time is provided for completion of Phase II of the State Rail Plan. States encountering unusual difficulties in meeting this requirement may apply to the Administrator for a waiver under § 255.17 of the regulations. However, FRA believes that the actions of the United States Railway Association ("Association") in providing the States with the data necessary for the preparation of their State Rail Plans, and in otherwise aiding a State or a local or regional transportation authority in its planning efforts, as well as the assistance of the Rail Services Planning Office, will make the need for waiver the exception rather than the rule.

Many States urged that the regulations provide that all commercial and financial data relevant to the restructuring process be made available to a State, or a local or regional transportation authority, to assist them in formulating the State Rail Plan. They further urged that definite procedures be established to guarantee that the States receive data on a timely basis. The Association is currently receiving, compiling, and making available to the States data with respect to those services of the railroads in reorganization which may be threatened with discontinuance as a result of the implementation of the Final System Plan. The Association has indicated its willingness to work with the States in analyzing the services of the other railroads in the region which are candidates for assistance. Therefore, FRA does not believe it is necessary to promulgate regulations regarding data availability.

An issue raised by the comments but not addressed in the proposed rules is whether definitive criteria would be developed and employed with respect to the availability of discretionary funds. Discretionary funds under subsection 402 (b) (2) of the Act will be available on the basis of the criteria discussed in paragraph (b) of § 255.7 of the regulations.

It was further submitted that a reading of sections 402 and 403 of the Act indicates that a State may utilize basic entitlement funds for acquisition and modernization. The FRA does not agree with this view. Only subsection 402(b) (2) of the Act specifically authorizes the Secretary to provide discretionary funds "for the purposes enumerated in section 403" which includes acquisition and modernization.

The States also inquired as to the meaning of the proviso in subsection 403(a) of the Act and its reference to section 402 of the Act, and whether an entire State would be barred from obtaining rail service continuation subsidies, if it obtained a loan for a particular rail service in the State. In Pub. L. 93-488, the Congress amended this proviso to clarify that a particular rail service for which an applicant receives a loan under section 403 of the Act is no longer eligible to receive a rail service continuation subsidy under section 402 of the Act.

Several comments expressed dissatisfaction with the manner in which the State agency has been or will be designated to administer or coordinate the State Rail Plan for rail transportation and local rail services. Citizen input to the designation or planning processes, or vigorous Federal controls, were sought to ensure that the designated State agency reflects the public interest. The Act, however, does not make any provision for FRA intervention into the designation process. Thus, FRA will accept the designation of a particular State agency if it determines that it meets the requirements under section 402(c) of the Act. In addition, paragraph (a) of § 255.9 of the regulations does require a State to provide an opportunity for public and private agencies, and other interested persons, to participate in the development of the State Rail Plan.

It was also contended that a reading of sections 402 and 403 of the Act made local or regional transportation authorities eligible to receive basic entitlement funds directly. FRA disagrees with this view because subsection 402(b)(1) of the Act provides that each State is entitled to receive these funds and does not make any reference to local or regional authorities. The only sections making local or regional authorities eligible to receive direct assistance are sections 402(b)(2) and 403 of the Act. However, local or regional transportation authorities may only be direct recipients of discretionary funds under section 402 of the Act if their projects are consistent with the State Rail Plan and they are eligible under paragraph (b) of § 255.5 of the regulations.

Similarly, it was argued that the matching share requirement under section 402 of the Act refers only to a State and not to a local or regional transportation authority. Comments cited subsection 402(a) of the Act, which refers only to Federal and State matching shares. This section, however, makes clear that with respect to basic entitlement funds the Federal share shall be 70 percent and the State share shall be 30 percent. With respect to discretionary funds, the State share shall be a minimum of 30 percent. Thus, the Federal share may not be more than 70 percent, but may be less with respect to the discretionary portion of the program. This ratio is also maintained with respect to section 403 assistance. Accordingly, FRA has concluded that it was the intent of Congress that the Federal share may not exceed 70

percent of either the basic entitlement or the discretionary programs and that all participants in these programs must provide their matching shares. However, a State or a local or regional authority may obtain its matching share from shippers or other available sources.

It was further contended that the State of Wisconsin should be eligible for basic entitlement funds, in accordance with the definition of the term "region" under subsection 102(13) of the Act. However, FRA has concluded that only those States enumerated in subsection 102(13) of the Act as existing entirely within the region, including the District of Columbia, were intended to be eligible to receive basic entitlement funds. Wisconsin, together with the States of Missouri and Kentucky, remain eligible to apply for discretionary funds, provided they comply with the requirements of subsection 402(c) of the Act and with the regulations.

There was also a request that the final regulations include a provision implementing section 403 of the Act. Regulations for section 403 of the Act will be published separately.

In consideration of the foregoing, Title 49 of the Code of Federal Regulations is amended by adding a new Part 255, to read as follows:

REGULATIONS GOVERNING APPLICATIONS AND DISBURSEMENTS

Sec.
255.1 Definitions.
255.3 Applicability.
255.5 Eligibility.
255.7 Rail Service Continuation Assistance.
255.9 Requirements for State Rail Plan for Rail Transportation and Local Rail Services.
255.11 Applications.
255.13 Disbursement of Rail Service Continuation Assistance.
255.15 Record, Audit, and Explanation.
255.17 Waivers and Modifications.

AUTHORITY: Regional Rail Reorganization Act of 1973, as amended, 45 U.S.C. 701 et. seq., The Department of Transportation Act, 49 U.S.C. 1651 et. seq.

REGULATIONS GOVERNING APPLICATIONS

§ 255.1 Definitions.

As used in this part—

(a) "Act" means the Regional Rail Reorganization Act of 1973, as amended.

(b) "Administrator" means the Federal Railroad Administrator or the Deputy Administrator or his or her delegate.

(c) "Applicant" means the designated State agency of a State in the region or a local or regional transportation authority in the region meeting the requirements of § 255.5.

(d) "Association" means the United States Railway Association.

(e) "Basic entitlement funds" means each State's share of the appropriated sums allocated to the States as provided in subsections 402(b)(1) and 402(i) of the Act for each fiscal year for the continuation of local rail services.

(f) "Commission" means the Interstate Commerce Commission.

(g) "Designated State agency" means the State agency designated in the State Rail Plan to administer or coordinate that plan as provided in subsection 402(c)(1) of the Act and paragraph (a) of § 255.5

(h) "Discretionary funds" means financial assistance, in addition to the basic entitlement funds, as provided by subsections 402(b)(2) and 402(i) of the Act.

(i) "Final System Plan" means the plan of reorganization for the restructure, rehabilitation, and modernization of railroads in reorganization prepared under section 206 and approved under section 208 of the Act.

(j) "Office" means the Rail Services Planning Office established in the Commission under subsection 205(a) of the Act.

(k) "Rail properties" means assets or rights owned, leased, or otherwise controlled by a railroad which are used or useful in rail transportation service; except that the term, when used in conjunction with the phrase "railroad leased, operated, or controlled by a railroad in reorganization," may not include assets or rights owned, leased, or otherwise controlled by a Class I railroad which is not wholly owned, operated, or leased by a railroad in reorganization but is controlled by a railroad in reorganization.

(l) "Railroad in reorganization" means a railroad which is subject to a bankruptcy proceeding and which has not been determined by a court to be reorganizable or not subject to reorganization under section 207(b) of the Act. A bankruptcy proceeding includes a proceeding under section 77 of the Bankruptcy Act (11 U.S.C. 205) and an equity receivership or equivalent proceeding.

(m) "Rail service continuation subsidies" means subsidies calculated in accordance with the provisions of subsection 205(d)(3) of the Act to cover the costs of operating adequate and efficient rail service in the region, including where necessary, improvement and maintenance of tracks and related facilities.

(n) "Region" means the States of Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia; the District of Columbia; and those portions of contiguous States in which are located rail properties owned or operated by railroads doing business primarily in those jurisdictions (as determined by the Commission by order, set out in Appendix B).

(o) "State" means any State or the District of Columbia.

(p) "State in the region" means the States enumerated in subsection 102(13) of the Act.

§ 255.3 Applicability.

The provisions of this part are applicable to rail freight services as follows:

(a) Those rail services of railroads in reorganization in the region which the final system plan does not designate to be continued;

(b) Those rail services in the region which have been at any time during the 5 year period prior to the date of enactment of this Act, or which are subsequent to the date of enactment of this Act, owned, leased, or operated by a State agency or a local or regional transportation authority or with respect to which a State, a political subdivision thereof, or a local or regional transportation authority has invested at any time during the 5 year period prior to the date of enactment of this Act, or invests subsequent to the date of enactment of this Act, substantial sums for improvement or maintenance of rail service; and

(c) Those rail services in the region with respect to which the Commission issues a certificate of abandonment effective on or after the date of enactment of this Act.

§ 255.5 Eligibility.

(a) State in the Region. A State in the region is eligible to receive basic entitlement funds and discretionary funds if:

(1) The State has established a State Rail Plan for rail transportation and local rail services which meets the requirements of § 255.9 and which is administered or coordinated by a designated State agency, and such plan provides for the equitable distribution of such subsidies among State, local and regional transportation authorities;

(2) The State agency has authority and administrative jurisdiction to develop, promote, supervise, and support safe, adequate and efficient local rail services; employs or will employ, directly or indirectly, sufficient trained and qualified personnel; and maintains or will maintain adequate programs of investigation, research, promotion, and development with provision for public participation;

(3) The State provides satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this program to the State; and

(4) The State complies with the requirements of the Administrator prescribed in this part and with the terms and conditions included in the grant of assistance.

(b) Contiguous States. A State contiguous to a State in the region having a portion of its territory located in the region as determined by order of the Commission, is eligible to receive discretionary funds, provided that the approved State Rail Plan may be limited to that portion of the State which is within the region, and the designated State agency may be either a State agency if it meets the conditions of paragraph (a) of this section, or a local or regional transportation authority within the region if it meets the conditions of paragraph (c) of this section.

(c) Local or Regional Transportation Authority in the Region. A local or regional transportation authority in the

region is eligible to receive discretionary funds if:

(1) Its application is consistent with an approved State Rail Plan;

(2) It provides assurances that it has adequate authority and administrative jurisdiction and fiscal controls consistent with those required by paragraphs (a) (2) and (3) of this section; and

(3) It complies with the regulations of the Administrator prescribed in this part and with terms and conditions included in the grant of assistance.

§ 255.7 Rail Service Continuation Assistance.

(a) Basic Entitlement Funds. (1) Basic entitlement funds are to be allocated to each State in the region in the ratio which the total mileage in each State measured in point to point length (exclusive of yard tracks and sidings) bears to the total rail mileage in all the States in the region. The Administrator has determined that the total track mileage of all States in the region is 61,184 miles; that the total track mileage in each State in the region and their ratio to the total track mileage in the region is as follows:

State	State mileage	Percent of total miles in region	Percent of basic entitlement
Maine	1,666	2.7	3
New Hampshire	817	1.3	3
Vermont	766	1.3	3
Massachusetts	1,430	2.3	3
Connecticut	664	1.1	3
District of Columbia	30	0	3
Rhode Island	146	.2	3
New York	5,595	9.1	9.1
New Jersey	1,742	2.8	3
Pennsylvania	8,273	13.5	10
Delaware	291	.5	3
Maryland	1,110	1.8	3
Virginia	3,805	6.4	6.4
West Virginia	3,560	5.8	5.8
Ohio	7,804	12.8	10
Indiana	6,405	10.5	10
Michigan	6,159	10.1	10
Illinois	10,822	17.7	10

(2) The Federal share of the total cost of providing rail service continuation subsidies under subsection 402(b) (1) of the Act shall be 70 percent of that cost. The balance of such cost shall be provided by the State and the State share may not be augmented by any Federal funds, directly or indirectly, unless the funds are provided through a Federal program which specifically authorizes the augmentation of a non-Federal share of a federally subsidized program with such funds.

(b) Discretionary Funds. (1) In addition to meeting deficiencies in the basic entitlement funds as provided in subsection 402(b) (1) of the Act, discretionary funds will be available for the following purposes:

(i) To assist an eligible applicant to pay allowable planning costs expended in developing its State Rail Plan, provided that the Final System Plan is approved by the Congress and the State Rail Plan is approved by the Administrator and provided further that this assistance in the aggregate shall be limited to five percent of the total Federal funds otherwise provided to the State under section 402 of the Act. The Federal share of an applicant's allowable planning costs may not exceed 70 percent of these costs. An applicant may expend additional funds for planning other than its matching share.

(ii) To assist the States in providing rail service continuation subsidies to those rail services to be discontinued as a result of the implementation of the Final System Plan in instances where basic entitlement funds are used to the maximum extent available but are insufficient to provide for the continuation of these services;

(iii) To assist an eligible applicant in a State contiguous to a State in the region, having a portion of its territory located in the region, which is not eligible for basic entitlement funds under subsection 402(b) (1) of the Act, in providing rail service continuation subsidies;

(iv) To assist an eligible applicant in the acquisition and modernization of rail properties as provided in sections 402(b) (2) and 403 of the Act; and

(v) To assist an eligible applicant in providing rail service continuation subsidies to the remaining rail services in the region which are eligible under § 255.3, other than those discontinued in response to the Final System Plan, and which have been identified in the State Rail Plan as candidates for subsidy, in instances where basic entitlement funds under subsection 402(b) (1) of the Act are insufficient to ensure continuation of these services.

In reviewing requests for discretionary funds, the Administrator will give consideration to this general set of priorities.

(2) The Federal share of the total cost of accomplishing those purposes for which discretionary funds are provided shall not exceed 70 percent of that cost. The applicant shall provide the remainder of the cost. The applicant's share may not be augmented by any Federal funds, directly or indirectly, unless the funds are provided through a Federal program which specifically authorizes the augmentation of a non-Federal share of a federally subsidized program with these funds.

(c) Term of Rail Service Continuation Subsidies. Rail Service continuation subsidies between a State or a local or regional transportation authority, and the Corporation or other responsible person (including a Government entity) may not exceed a term of two years.

(d) Return of excess funds. Basic entitlement funds which are not expended or committed by a State for rail service continuation subsidies as provided in subsection 402(b) (1) of the Act during the ensuing fiscal year shall be returned to the Administrator who may use these funds as provided in subsection 402 (b) (2) of the Act.

(e) Ineligibility for subsidy after receipt of a section 403 loan. Any rail service for which a State or a local or regional transportation authority receives a loan under section 403 of the Act is no longer eligible for a rail service continuation subsidy under section 402 of the Act.

§ 255.9 Requirements for State Rail Plan for Rail Transportation and Local Rail Services.

(a) State planning process. Consistent with the purposes of the Act, the State Rail Plan required under § 255.5(a) shall be based upon a comprehensive and coordinated planning process for the provision of rail transportation services in the State, which are essential to meet the economic, environmental and energy needs of the citizens of that State, and to provide for the development of a coordinated and balanced transportation system within the State or the affected portion thereof. This plan shall be developed with opportunity for participation by public and private agencies having authority and responsibility for rail activity in the State and adjacent States where appropriate. Provision shall be made for affording interested persons, such as users of rail transportation, labor organizations, local governments, environmental groups and the public generally, timely opportunity to express their views in the development of the State Rail Plan. As part of the planning process, the designated State agency shall establish procedures whereby local and regional transportation authorities may review and comment on appropriate elements of the State Rail Plan.

(b) Contents of the State Rail Plan. The State Rail Plan for rail transportation and local rail services shall be submitted to the Administrator in two phases.

(1) As Phase I of the State Rail Plan, a State shall submit a design of the State planning process which is consistent with the purposes of the Act and shall include:

(i) An identification of the data to be acquired on the rail network and rail services in the State (see paragraph (b) (2) (iv) of 255.9), the sources of this data, and the methodology to be employed in data collection. In considering the scope of data collection activities and subsequent analysis, it is anticipated that time constraints and limitations of the state-of-the-art will require that the State provide a broad overview of all rail services in the State while concentrating most of its efforts on the services for which it expects to require assistance in the immediate future.

(ii) Methodology to be used in the planning process, including that to be used in selecting essential lines to be considered for assistance, and indicating consideration of the advisory criteria published by the Office under subsection 205(d) (4) of the Act.

(iii) Criteria for setting priorities for rail service to be considered for assistance. In determining which rail services will receive assistance, a State should give first consideration to eligible rail freight services to be discontinued as a result of implementation of the Final System Plan.

(iv) An explanation of the goals or philosophical framework to be used in guiding the development of the State Rail Plan. Part of this explanation should be specifically devoted to the expectations of the State for the future of rail services which receive a subsidy subsequent to the expiration of the rail service continuation subsidy under the Act, including such considerations as likelihood of profitability, continued State or local subsidy, assistance under section 403 of the Act, substitution of alternate modes, and other long-term alternatives.

(v) Description of the methods by which the State will involve local and regional transportation authorities in its rail planning process, including its methods of providing for the equitable distribution of subsidies among State, local, and regional transportation authorities.

(vi) A management plan for the development of the State Rail Plan which shall include an identification of responsible individuals and a flow chart of activities with milestones.

(2) Phase II of the State Rail Plan shall:

(i) Contain general information with respect to the physical plant, traffic, and service characteristics of the existing rail system within the State;

(ii) Describe the planning process utilized in the development of the State Rail Plan, specifying the particulars as to data sources, assumptions, and special problems or conditions which may be essential to the understanding of the setting in which the State Rail Plan was developed;

(iii) Classify the rail system within the State into the following categories:

(A) Rail services in the Final System Plan;

(B) Rail services of railroads which are not railroads in reorganization which are continuing in operation;

(C) Rail services of railroads in reorganization which are not included in the Final System Plan;

(D) Rail services of railroads in reorganization for which a State does not wish to receive assistance; and

(E) Rail services for which a State wishes to receive assistance (subsidy, acquisition, or modernization) ranked in descending order of service priority as determined by the specific application of the methodology, criteria, and goals described in Phase I of the State Rail Plan and the relevant social, economic, environmental, and energy considerations, including an estimate of the amount of the Federal share of the assistance required for these services, designated as basic entitlement funds or discretionary funds;

(iv) Contain detailed and specific knowledge of the services for which assistance is requested, including: traffic density of the line; pertinent costs and revenues; a survey of the condition of the plant, equipment, and facilities; an economic and operational analysis of present and future rail freight service needs; the potential for moving rail traffic by alternate modes; the relative economic, social, and environmental costs and benefits involved in the use of alternate modes, including costs resulting from lost jobs, energy shortages, and the degradation of the environment; the competitive or other effects on or by profitable railroads; methods of achieving economies in the cost of rail system operations including consolidation, pooling, and joint use or operation of lines, facilities, and operating equipment; analysis of the potentials for rehabilitation and modernization of equipment, track, and other facilities; and an analysis of the effects of abandonment with respect to the transportation needs of the State;

(v) Include a statement of the long-term strategy that the State will apply to those rail services to receive assistance, including such considerations as: continuing subsidy; acquisition and modernization; termination; and the provision of substitute services; and

(vi) Include a statement for those services to be acquired which describes the conditions and requirements of these services, such as the rolling stock and the track improvements needed to provide minimum service.

(c) Adoption of State Rail Plan. An original and nine (9) copies of each Phase of the State Rail Plan, and any amendments thereto, shall be submitted with a certification by the Governor, or by his or her delegate, that the submission constitutes the State Rail Plan or portion thereof established by the State as provided in section 402(c)(1) of the Act.

(d) Submission and Review of State Rail Plan. Phase I shall be submitted by May 15, 1975, to the Administrator for review. Phase II shall be submitted to the Administrator for review within 30 days after the date of approval of the Final System Plan by Congress. To approve the State Rail Plan the Administrator must notify the State in writing. If the Administrator determines that the State Rail Plan is not in accordance with this part, he will notify the State setting forth his reasons for such determination, and afford the State an opportunity for a hearing and to amend its State Rail Plan to bring it into compliance with the Act and this part. Where hearings in accordance with subsection 402(h) of the Act are necessary, they shall be conducted on an expedited basis to afford the State maximum opportunity to submit an acceptable State Rail Plan on a timely basis.

(e) Review of amendments and modifications with respect to the State Rail Plan. State Rail Plans are to be reviewed and amended to reflect any changes which would affect the determinations and classifications made under paragraph (b)(2)(iii) of § 255.9. All such amendments shall be subject to the same review and approval procedures as the original State Rail Plan.

§ 255.11 Applications.

(a) Coordination and clearance. To ensure coordination with appropriate State agencies and to ensure that local and regional proposals are consistent with the State Rail Plan, applications for assistance shall be submitted by or under the coordination of the designated State agency. All applications for assistance, whether by the designated State agency or a local or regional transportation authority, shall be consistent with the approved State Rail Plan.

(b) Contents. Each application for assistance shall include:

(1) Full and correct name and principal business address of applicant;

(2) Name, title and address of the person to whom correspondence regarding the application should be addressed;

(3) Detailed description of the services for which assistance is sought, together with a map of those rail services, and certification as to their inclusion in the State Rail Plan;

(4) Evidence of review and coordination within the State in accordance with the applicable sections of the approved State Rail Plan as provided in paragraphs (a) and (b) of § 255.9;

(5) Estimate of the total amount of assistance required to continue each service and the Federal share of such assistance, designated as basic entitlement funds or discretionary funds. Where applicable, this amount shall be calculated utilizing the standards for determining "revenue attributable to the rail properties", "avoidable costs of providing service", and "reasonable return on the value", as established by the Office under subsection 205(d)(3) of the Act. (These standards are set out in §§ 1125.4, 1125.5, and 1125.7 of 49 CFR Part 1125.)

(6) Evidence of applicant's ability and intent to furnish its share of the total assistance;

(7) Description of the arrangements which the applicant has made for operation of the rail services to be subsidized including copies of the proposed operating agreements, leases or other compensation agreements under which the service is to be provided;

(8) Assurance by the applicant that the Federal funds provided under the Act will be used solely for the purpose for which the assistance is sought;

(9) Evidence that the applicant has established such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the applicant under Title IV of the Act;

(10) Evidence that the applicant has the statutory authority and administrative jurisdiction to develop, promote, supervise and support safe, adequate, and efficient rail services; that it employs or will employ, directly or indirectly, sufficient trained and qualified personnel; that it maintains or will maintain adequate programs of investigation, research, promotion and development with provision for public participation; and that it has the statutory and other authority to perform its obligations under

the Act and the regulations under this part;

(11) An opinion of the counsel for applicant showing that he or she is familiar with the corporate or other organizational powers of the applicant, that the applicant is authorized to make the application, and that the applicant has the requisite authority to carry out actions proposed in the application and to assume the responsibilities and obligations created thereby;

(12) Certification that the applicant is in compliance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d et seq. ("Civil Rights Act"), and all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation ("Civil Rights Regulations"), and other pertinent directives, and that, in accordance with the Civil Rights Act, the Civil Rights Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives assistance from the Federal Railroad Administration, and the applicant will promptly take any measures necessary to effectuate this agreement; and

(13) Such other information as the Administrator may require.

(c) Execution and Filing of Application. (1) Each original application shall bear the date of execution and be signed by the Chief Executive Officer of the applicant. Each person required to execute the application will execute a certificate in the form of Appendix A to this Part.

(2) Each original application and certificate, and nine copies thereof, shall be filed with the Federal Railroad Administrator, Department of Transportation, 400 7th Street SW., Washington, D.C. 20590. Each copy shall show the dates and signatures that appear in the original and shall be complete in itself.

(d) Review and Approval of Applications. Applications for rail service continuation assistance are to be submitted to the Administrator for review and approval. In order for an application to be approved, the Administrator must notify the applicant in writing. If the Administrator disapproves all or part of an application, he will advise that applicant in writing of his reasons for such disapproval. These reasons may include insufficiency of the application, inconsistency with the approved State Rail Plan, or insufficiency in the amount of appropriated funds available to the Administrator. With respect to applications for discretionary funds, the Administrator shall determine whether sufficient appropriated funds are available for a particular service in view of the general set of priorities set forth in paragraph (b)(1) of § 255.7.

§ 255.13 Disbursement of Rail Service Continuation Assistance.

(a) Rail Service Continuation Subsidies. After receipt, review and approval of an application meeting the requirements of § 255.11, the Administrator will enter into a grant agreement with an applicant for the Federal share of the estimated amount of subsidy necessary to continue the service described in the application. The Federal share of this amount shall be payable pro rata at the end of each quarter of any fiscal year during the term of the grant agreement; provided that:

(1) After nine months from the date of the execution of the grant agreement, the estimate may be revised to reflect the actual revenues, costs, and rate of return over that period; and

(2) The final payment under the grant agreement shall only be made on the basis of an audit which has determined the actual revenues, costs, and rate of return over the entire term of the agreement;

Provided, however, That the amount of Federal assistance may not be increased unless the Administrator determines that the applicant has fulfilled its responsibilities for ensuring the proper and efficient administration of its subsidy program, the required State or local matching funds are available, and the necessary Federal funds are available.

(b) Rail Service Acquisition and Modernization Assistance. After receipt, review and approval of an application for acquisition or modernization assistance under 402(b)(2) of the Act which meets the requirements of § 255.11, the Administrator will enter into a grant agreement for the appropriate Federal share of the allowable costs of acquisition or modernization as determined by the Administrator. The terms of payment of the Federal share shall be set forth in the grant agreement.

§ 255.15 Record, Audit, and Examination.

(a) Each recipient of financial assistance under this section, whether in the form of grants, subgrants, contracts, subcontracts, or other arrangements, shall keep such records as the Administrator shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance was given or used, the amount of that portion of the cost of the project supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Administrator and the Comptroller General of the United States, or any of their duly authorized representatives shall, until the expiration of 3 years after completion of the project or undertaking referred to in paragraph (a) of this section, have access for the purpose of audit and examination to any books, documents, papers, and records of such receipts which in the opinion of the Administrator or the Comptroller General may be related or pertinent to the grants, contracts, or other arrangements referred to in such paragraph.

§ 255.17 Waivers and Modifications.

The Administrator may, with respect to individual requests, upon good cause shown, waive or modify any requirement of this part not required by law, or make any additional requirements he deems necessary.

This notice is issued under the authority of 49 U.S.C. 1651 et. seq.

Issued in Washington, D.C. on January 22, 1975.

ASAPH H. HALL,
Deputy Administrator.

APPENDIX A—CERTIFICATE

The following is the form of the certificate to be made by each person signing an application.

---------- certifies that he is the
(Name of Person)
Chief Executive Officer of ----------,
(Name of Agency)
that he is authorized to sign and file with the Federal Railroad Administrator this application; that he has carefully examined all of the statements contained in the application relating to ----------; that
(Name of Agency)
he has knowledge of the matters set forth therein and that all statements made and matters set forth therein are true and correct to the best of his knowledge, information and belief.

---------- ----------
(Date) (Signature)

Subscribed and sworn to before me the ---- day of ----------, 19--.

APPENDIX B

By order dated January 23, and supplemental order dated May 23, 1974, [Ex Parte No. 293, and Northeastern Railroad Investigation (Definition of the Midwest and Northeast Region)] the Commission has included, in addition to the jurisdictions specifically named, the following: (1) Points in Kentucky in the Louisville, Kentucky, Standard Metropolitan Statistical Area as used in the latest national census; (2) Points in Missouri in the St. Louis, Missouri, Standard Metropolitan Statistical Area as used in the latest national census; and (3) Kewaunee and Manitowoc, and the Port of Milwaukee, Wisconsin.

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WASHINGTON, D.C.

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PART III

DEPARTMENT OF THE TREASURY

■

Fiscal Service
Bureau of the Public Debt

U. S. INDIVIDUAL RETIREMENT BONDS

Debt Circular
Public Debt Series 1-75

Title 31—Money and Finance

CHAPTER II—FISCAL SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER B—BUREAU OF THE PUBLIC DEBT

PART 346—REGULATIONS GOVERNING UNITED STATES INDIVIDUAL RETIREMENT BONDS

The regulations in Department of the Treasury Circular, Public Debt Series No. 1-75 (31 CFR, Part 346), set forth below, are issued, effective January 1, 1975, under the authority of section 2002, the "Employee Retirement Income Security Act of 1974," P.L. 93-406, 93d Cong., 2d Sess., 88 Stat. 958; 31 U.S.C. 738a, 752, 754b, and 5 U.S.C. 301.

As this offer of United States Individual Retirement Bonds is being made pursuant to the provisions of the aforesaid Employee Retirement Income Security Act of 1974, and relates to the fiscal and tax policy of the United States, notice and public procedures thereon are unnecessary.

Dated: January 3, 1975.

JOHN K. CARLOCK,
Fiscal Assistant Secretary of the Treasury.

Sec.
346.0 Offering of bonds
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AUTHORITY: Sec. 2002, Pub. L. 93-406, 88 Stat. 958 (31 U.S.C. 738a, 752, 754b); 5 U.S.C. 301.

§ 346.0 Offering of bonds.

The Secretary of the Treasury, under the authority of the Second Liberty Bond Act, as amended, and pursuant to the Employee Retirement Income Security Act of 1974, offers for sale, beginning January 1, 1975, bonds of the United States, designated as United States Individual Retirement Bonds. The bonds will be available for investment only to individuals eligible to make deductions on their Federal income tax returns for retirement savings, as provided in Section 2002 of the latter Act. This offering of bonds will continue until terminated by the Secretary of the Treasury.

§ 346.1 Description of bonds.

(a) *Investment yield (interest).* United States Individual Retirement Bonds, hereinafter sometimes referred to as Individual Retirement Bonds, will be issued at par. The investment yield (interest) on the bonds will be 6 percent per annum, compounded semiannually, except that no interest shall accrue on any such bonds redeemed within twelve (12) months of its issue date. See the table of redemption values appended to this circular. Interest will be paid only upon redemption of the bonds. The accrual of interest will continue until the bonds have been redeemed or have reached maturity, whichever is earlier, in accordance with these regulations.

(b) *Term.* The maturity date of any bond issued under this circular shall be the first day of the month in which the registered owner thereof has attained the age of 70½ years, or five years after the date of his death, but no later than the first day of the month in which he would have attained the age of 70½ years, if he had lived. Unless sooner redeemed in accordance with these regulations, the investment yield on a bond will cease on the interest accrual date coinciding with, or, where no such coincidence occurs, the interest accrual date next preceding (1) the first day of the seventh (7th) month following the 70th anniversary of the birth of the person in whose name it is registered, or (2) the first day of the sixtieth (60th) month following the date of death of the person in whose name it is registered, except that such date shall be no later than the date on which he would have attained the age of 70½ years, had he lived.

(c) *Denominations—issue date.* Individual Retirement Bonds will be available only in registered form and in denominations of $50, $100 and $500. At the time of issue, the issuing agent will enter in the upper right-hand portion of the bond the *issue date* (which shall be the first day of the month and year in which payment of the purchase price is received by an authorized issuing agent), and will imprint the agent's validating stamp in the lower right-hand portion. The issue date, as distinguished from the date in the agent's validating stamp, will determine the date from which interest will begin to accrue on the bond. An Individual Retirement Bond shall be valid only if an authorized issuing agent receives payment therefor, duly inscribes, dates, stamps, and delivers it.

§ 346.2 Registration.

(a) *General.* The registration of Individual Retirement Bonds is limited to the names of natural persons in their own right, whether adults or minors, in either single ownership or beneficiary form. A bond registered in the beneficiary form will be inscribed substantially as follows (for example): "John A. Doe payable on death to (or P.O.D.) Richard B. Roe." No more than one beneficiary may be designated on a bond.

(b) *Inscription.* The inscription on the face of each bond will show the name, address, date of birth, and the social security account number of the registered owner. The name of the beneficiary, if one is to be designated, together with his social security account number, where available, will also be shown in the inscription.

§ 346.3 Purchase of bonds.

(a) *Agencies.* Individual Retirement Bonds may be purchased over-the-counter or by mail from Federal Reserve Banks and Branches and the Bureau of the Public Debt, Securities Transactions Branch, Washington, D.C. 20226. Customers of commercial banks and trust companies may be able to arrange for the purchase of the bonds through such institutions, but only the Federal Reserve Banks and Branches, and the Department of the Treasury itself, are authorized to issue the securities. The date of receipt of the application and payment by such issuing agencies will govern the dating of the bonds issued.

(b) *Applications.* Applications for the purchase of Individual Retirement Bonds should be made on Form PD 4345, accompanied by a remittance to cover the purchase price. Personal checks will be accepted, subject to collection. Checks, or other forms of exchange, should be drawn to the order of the Federal Reserve Bank or the U.S. Treasury, as the case may be. Checks payable by endorsement are not acceptable.

(c) *Delivery.* Delivery of bonds will be made in person, or by mail at the risk and expense of the United States at the address given by the purchaser, but only within the United States, its territories and possessions, the Commonwealth of Puerto Rico, and the Canal Zone. No mail deliveries elsewhere will be made. If the registered owner temporarily resides abroad, the bonds will be delivered to such address in the United States as the purchaser directs.

§ 346.4 Proof of purchase.

At the time an Individual Retirement Bond is issued, the issuing agent will furnish therewith to the purchaser a copy of Form PD 4345 for the purchaser's personal records. The form will show the name and address of the registered owner, his date of birth, social security account number, the number of bonds issued, a description thereof by issue date, serial numbers, denominations, and registration.

§ 346.5 Limitation on holdings.

The amount of Individual Retirement Bonds issued during any one calendar year that may be purchased in the name of any one person as registered owner shall not exceed an amount equal to 15 percent of compensation includible in his gross income for that year, or $1,500, whichever is less. This limitation does not apply to rollover contributions, as described in sections 402(a)(5), 403(a)(4) or 408(d)(3).

§ 346.6 Nontransferability.

United States Individual Retirement Bonds are not transferable, and may not be sold, discounted or pledged as collateral for a loan or as security for the performance of an obligation, or for any other purpose.

§ 346.7 Judicial proceedings.

No judicial determination will be recognized which would give effect to an attempted voluntary transfer inter vivos of an Individual Retirement Bond. Otherwise, a claim against a registered owner will be recognized when established by valid judicial proceedings, but in no case will payment be made to the purchaser at a sale under a levy or to the officer authorized to levy upon the property of the owner under appropriate process to satisfy a money judgment unless or until the bond has become eligible for authorized redemption pursuant to these regulations. Neither the Department of the Treasury nor any of its agencies will accept notices of adverse claims or of pending judicial proceedings or undertake to protect the interests of litigants who do not have possession of the bond.

§ 346.8 Payment or redemption during lifetime of owner.

(a) *During first 12 months of issue date.* An Individual Retirement Bond is redeemable at any time during the first twelve (12) months of its issue date. No interest will be paid on any bond so redeemed.

(b) *Prior to age 59½.* (1) *With penalty.* Unless redeemed within twelve months of its issue, or except as provided under paragraph (b)(2) and (c)(2) of this section, if an Individual Retirement Bond is cashed by its owner before he attains age 59½, he must include on his Federal income tax return for the year of redemption the value of the bond. In addition, there is an additional income tax equal to 10 percent of the value of the bond imposed by section 409(c) of the Internal Revenue Code of 1954.

(2) *In case of disability.* An Individual Retirement Bond will be paid at its then current redemption value upon a registered owner's request (or by a person recognized as entitled to act on his behalf) prior to his attainment of age 59½ years upon submission of a physician's statement or any similar evidence showing that the owner has become disabled to such an extent that he is unable to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long-continued and indefinite duration. The following are examples of impairments which would ordinarily be considered as preventing substantial, gainful activity:

(i) Loss of use of two limbs.

(ii) Certain progressive diseases which have resulted in the physical loss or atrophy of a limb, such as diabetes, multiple sclerosis, or Buerger's disease.

(iii) Disease of the heart, lungs, or blood vessels which have resulted in major loss of heart or lung reserve as evidenced by X-ray, electrocardiogram, or other objective findings, so that despite medical treatment breathlessness, pain, or fatigue is produced on slight exertion, such as walking several blocks, using public transportation, or doing small chores.

(iv) Cancer which is inoperable and progressive.

(v) Damage to the brain or brain abnormality which has resulted in severe loss of judgment, intellect, orientation, or memory.

(vi) Mental diseases (*e.g.*, psychosis or severe psychoneurosis) requiring continued institutionalization or constant supervision of the individual.

(vii) Loss or diminution of vision to the extent that the effected individual has a central visual acuity of no better than 20/200 in the better eye after best correction, or has a limitation in the fields of vision such that the widest diameter of the visual fields subtends an angle no greater than 20 degrees.

(viii) Permanent and total loss of speech.

(ix) Total deafness uncorrectible by a hearing aid.

In any case coming under the provisions hereof, the evidence referred to above must be submitted to the Bureau of the Public Debt, Division of Securities Operations, Washington, D.C. 20226, for approval before any bonds may be paid. If, after review of the evidence, the Secretary of the Treasury is satisfied that the owner's disability has been established a letter will be furnished authorizing payment of his Individual Retirement Bonds. This letter must be presented each time any of the owner's bonds are submitted for payment to a Federal Reserve Bank or Branch or to the Department of the Treasury.

(c) *Prior to age 70½.* (1) *General.* An Individual Retirement Bond will be redeemable at its current redemption value upon the request of the registered owner (or a person recognized as entitled to act on his behalf), provided he is 59½ years of age or older. The owner's age will be determined from the date of birth shown on the face of the bond, provided, however, that the Secretary of the Treasury reserves the right in any case or class of cases to require proof, in the form of a duly certified copy of his birth certificate, that the owner has attained the age of 59½ years. If such evidence is unavailable, one of the following documents may be furnished in lieu thereof:

(i) Church records of birth or baptism

(ii) Hospital birth record or certificate

(iii) Physician's or midwife's birth record

(iv) Certification of Bible or other family record

(v) Military, naturalization or immigration records

(vi) Other evidence of probative value

Similar documentary evidence will also be required to support any claim made by an owner that the date of birth shown on his bond is incorrect.

(2) *For change of investment.* Under section 409(b)(3)(c) of the Internal Revenue Code, if an Individual Retirement Plan Bond is cashed at any time before the end of the taxable year in which the owner attains age 70½, and the entire redemption proceeds are transferred to an individual retirement account, an individual annuity, an employees' trust, or annuity plan, as described in sections 408(a), 408(b), 401(a) and 403(a), respectively, of the Internal Revenue Code, on or before the 60th day after receipt of such proceeds, they shall be excluded from gross income and the transfer shall be treated as a rollover contribution described in section 408 (d)(3) of the Internal Revenue Code.

(d) *Requests for payment.* (1) *By owner.* When redemption of any Individual Retirement Bond is desired by the registered owner, it should be presented, with the request for payment on the back of the bond signed and duly certified, to a Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Securities Transactions Branch, Washington, D.C. 20226. If payment is requested on account of disability, the letter described in paragraph (b)(2) of this section should accompany the bond.

(2) *By person other than owner.* When redemption of any Individual Retirement Bond is desired by the legal guardian, committee, conservator, or similar representative of the owner's estate, it should be presented, with the request signed as described below, to a Federal Reserve Bank or Branch or to the Department of the Treasury. If payment is requested on account of disability, the letter described in paragraph (b)(2) of this section should accompany the bond.[1] The request for payment, in either case, should be signed by the representative in his fiduciary capacity before an authorized certifying officer, and must be supported by a certificate or a certified copy of the letters of appointment from the court making the appointment, under seal, or other proof of qualification if the appointment was not made by a court. Except in the case of corporate fiduciaries, such evidence should state that the appointment is in full force and should be dated not more than one year prior to the presentation of the bond for payment.

(e) *Partial redemption.* An Individual Retirement Bond in a denomination greater than $50 (face value), which is otherwise eligible for redemption, may be redeemed in part, at current redemption value, upon the request of the registered owner (or a person recognized as entitled to act on his behalf), but only in amounts corresponding to authorized denominations. In any case in which partial redemption is desired, before the request for payment is signed, the phrase "to the extent of $_____ (face value) and reissue of the remainder" should be appended to the request. Upon partial redemption of the bond, the remainder

[1] In any case in which a legal representative has not been appointed for the estate of a registered owner who has attained the age of 59½ years, or who has become disabled, a person seeking payment of a bond on the owner's behalf should furnish a complete statement of the circumstances to the Bureau of the Public Debt, Division of Securities Operations, Washington, D.C. 20226. Appropriate instructions will then be furnished.

will be reissued as of the original issue date. No partial redemption of a bond will be made after the death of the owner in whose name it is registered.

§ 346.9 Payment or redemption after death of owner.

(a) *Order of precedence where owner not survived by beneficiary.* If the registered owner of an Individual Retirement Bond dies before it has been presented and surrendered for payment, and there is no beneficiary shown thereon, or if the designated beneficiary predeceased the owner, the bond shall be paid in the following order of precedence:

(1) To the duly appointed executor or administrator of the estate of the owner, who should sign the request for payment on the back of the bond in his representative capacity before an authorized certifying officer, such request to be supported by a court certificate or a certified copy of his letters of appointment, under seal of the court, which should show that the appointment is in full force and effect, and be dated within six months of its presentation;

(2) If no legal representative of the deceased registered owner's estate has been or will be appointed, to the widow or widower of the owner;

(3) If none of the above, to the child or children of the owner and the descendants of deceased children by representation;

(4) If none of the above, to the parents of the owner, or the survivor of them;

(5) If none of the above, to other next-of-kin of the owner, as determined by the laws of the domicile of such owner at the time of his death.

In any case coming under the provisions of this paragraph, a duly certified copy of the registered owner's death certificate will ordinarily be required. Proof of death of the beneficiary, if any, will be required where he predeceased the owner. Payment of bonds under paragraph (a) (1) of this section will be made by a Federal Reserve Bank or by the Bureau of the Public Debt, Securities Transactions Branch, Washington, D.C. 20226. Payment of bonds under paragraph (a) (2) to (5) of this section will be made upon receipt of applications on Form PD 3565-1, together with the bonds and supporting evidence, by the Bureau of the Public Debt, Division of Securities Operations, Washington, D.C. 20226.

(b) *Order of precedence where beneficiary survived owner.* If the registered owner of an Individual Retirement Bond dies before it has been presented and surrendered for payment, and the beneficiary shown thereon survived the owner, the bond shall be paid in the following order of precedence:

(1) To the designated beneficiary upon his presentation and surrender of the bond with the request for payment signed and duly certified;

(2) If the designated beneficiary survived the registered owner but failed to present the bond for payment during his own lifetime, payment will be made in the order of precedence specified in paragraph (a) (1) to (5) of this section to the legal representative, surviving spouse, children, parents, or next-of-kin of such beneficiary, and in the manner provided therein.

In any case coming under the provisions of this subsection, a duly certified copy of the registered owner's death certificate will ordinarily be required. Proof of death of the beneficiary will also be required where he survived the owner but failed to present the bond for payment during his own lifetime. Payment of a bond to a designated beneficiary will be made by a Federal Reserve Bank or by the Bureau of the Public Debt, Securities Transactions Branch, Washington, D.C. 20226.

(c) *Ownership of redemption proceeds.* The orders of precedence set forth in paragraphs (a) and (b) of this section, except in cases where redemption is made for the account of a registered owner, are for the Department's convenience in discharging its obligation on an Individual Retirement Bond. The discharge of the obligation in accordance therewith shall be final so far as the Department is concerned, but those provisions do not otherwise purport to determine ownership of the redemption proceeds of a bond.

§ 346.10 Reissue.

(a) *Addition or change of beneficiary.* An Individual Retirement Bond will be reissued to add a beneficiary in the case of a single ownership bond, or to eliminate or substitute a beneficiary in the case of a bond registered in beneficiary form upon the owner's request on Form PD 3564. No consent will be required to support any reissue transaction from a beneficiary whose name is to be removed from the registration of an Individual Retirement Bond. If the registered owner dies after the bond has been presented and surrendered for reissue, upon receipt of notice thereof by the agency to which the request for reissue was submitted, such request shall be treated as ineffective, provided the notice of death is received by the Federal Reserve Bank or the Bureau of the Public Debt, Division of Securities Operations, Washington, D.C. 20226, to which the request was sent, in sufficient time to withhold delivery, by mail or otherwise, of the reissued bond.

(b) *Error in issue—change of name.* Reissue of an Individual Retirement Bond will be made where an error in issue has occurred, as well as in cases where the owner's name has been changed by marriage, divorce, annulment, order of court, or in any other legal manner upon an appropriate request. Information as to the procedure to be followed in securing such reissue may be obtained from a Federal Reserve Bank or the Bureau of the Public Debt, Division of Securities Operations, Washington, D.C. 20226.

§ 346.11 Use of power of attorney.

No designation of an attorney, agent, or other representative to request payment or reissue on behalf of the owner, beneficiary, or other person entitled under § 346.9, other than as provided in these regulations, will be recognized.

§ 346.12 Lost, stolen, or destroyed bonds.

If an Individual Retirement Bond is lost, stolen, or destroyed, relief will be granted upon identification of the bond and proof of its loss, theft, or destruction. A description of the bond by denomination, serial number, issue date and registration should be furnished at the time the report of loss, theft, or destruction is made. Such reports should be sent to the Bureau of the Public Debt, Division of Securities Operations, Washington, D.C. 20226. Full instructions for obtaining substitute bonds, or payment, in appropriate cases, will then be given.

§ 346.13 Taxation.

The tax treatment provided under Section 409 of the Internal Revenue Code of 1954, as amended, shall apply to all Individual Retirement Bonds. The bonds are subject to estate, inheritance, or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, municipality, or any local taxing authority. Inquiry concerning the application of any Federal tax to these bonds should be directed to the District Director of Internal Revenue for the district in which the taxpayer resides.

§ 346.14 Certifying officers.

Officers authorized to certify requests for payment or for any other transaction involving Individual Retirement Bonds include:

(a) *Post offices.* Any postmaster, acting postmaster, or inspector-in-charge, or other post office official or clerk designated for that purpose. A post office official or clerk, other than a postmaster, acting postmaster, or inspector-in-charge, should certify in the name of the postmaster or acting postmaster, followed by his own signature and official title. Signatures of these officers should be authenticated by a legible imprint of the post office dating stamp.

(b) *Banks and trust companies.* Any officer of a Federal Reserve Bank or Branch, or of a bank or trust company chartered under the laws of the United States or those of any State, Commonwealth, or Territory of the United States, as well as any employees of such bank or trust company expressly authorized to act for that purpose, who should sign over the title "Designated Employee." Certifications by any of these officers or designated employees should be authenticated by either a legible imprint of the corporate seal, or, where the institution is an authorized issuing agent for United States Savings Bonds, Series E, by a legible imprint of its dating stamp.

(c) *Issuing agents of Series E savings bonds.* Any officer of a corporation or any other organization which is an authorized issuing agent for United States

Savings Bonds, Series E. All certifications by such officers must be authenticated by a legible imprint of the issuing agent's dating stamp.

(d) *Foreign countries.* In a foreign country requests may be signed in the presence of and be certified by any United States diplomatic or consular representative, or the manager or other officer of a foreign branch of a bank or trust company incorporated in the United States whose signature is attested by an imprint of the corporate seal or is certified to the Department of the Treasury. If such an officer is not available, requests may be signed in the presence of and be certified by a notary or other officer authorized to administer oaths, but his official character and jurisdiction should be certified by a United States diplomatic or consular officer under seal of his office.

(e) *Special provisions.* The Commissioner of the Public Debt, or his delegate, or any Federal Reserve Bank or Branch is authorized to make special provision for certification in any particular case or class of cases where none of the officers authorized above is readily accessible.

§ 346.15 General provisions.

(a) *Regulations.* All Individual Retirement Bonds shall be subject to the general regulations prescribed by the Secretary with respect to United States securities, which are set forth in Department of the Treasury Circular No. 300, current revision, to the extent applicable. Copies of the general regulations may be obtained upon request from any Federal Reserve Bank or the Department of the Treasury.

(b) *Reservation as to issue of bonds.* The Secretary of the Treasury reserves the right to reject any application for the purchase of Individual Retirement Bonds, in whole or in part, and to refuse to issue or permit to be issued any such bonds in any case or any class or classes of cases if he deems such action to be in the public interest, and his action in any such respect shall be final.

(c) *Additional requirements.* In any case or any class of cases arising under this circular, the Secretary of the Treasury may require such additional evidence as may in his judgment be necessary, and may require a bond of indemnity, with or without surety, where he may consider such bond necessary for the protection of the United States.

(d) *Waiver of requirements.* The Secretary of the Treasury reserves the right, in his discretion, to waive or modify any provision or provisions of this circular in any particular case or class of cases for the convenience of the United States, or in order to relieve any person or persons of unnecessary hardship, if such action is not inconsistent with law, does not impair any existing rights, and he is satisfied that such action would not subject the United States to any substantial expense or liability.

(e) *Fiscal agents.* Federal Reserve Banks and Branches, as fiscal agents of the United States, are authorized to perform such services as may be requested of them by the Secretary of the Treasury in connection with the issue, delivery, redemption, reissue, and payment of Individual Retirement Bonds.

(f) *Reservation as to terms of circular.* The Secretary of the Treasury may at any time, or from time to time, supplement or amend the terms of this circular, or any amendments or supplements thereto.

TABLE OF REDEMPTON VALUES PROVIDING AN INVESTMENT YIELD OF 6 PERCENT PER ANNUM FOR BONDS BEARING ISSUE DATES BEGINNING JANUARY 1, 1975

Table shows how the Individual Retirement Bonds bearing issue dates beginning January 1, 1975, by denomination, increase in redemption value during successive half-year periods following issue. The redemption values have been determined to provide an investment yield of approximately 6 percent per annum, compounded semiannually, on the purchase price from issue date to the beginning of each half-year period. The period to maturity is fixed in accordance with the provisions of § 346.1(b) of this circular.

Issue price	$50.00	$100.00	$500.00
Period after issue date	Redemption values during each half-year period (values increase on first day of period shown)		
First ½ year	$50.00	$100.00	$500.00
½ to 1 year	51.50	103.00	515.00
1 to 1½ years	53.05	106.10	530.50
1½ to 2 years	54.64	109.28	546.40
2 to 2½ years	56.28	112.56	562.80
2½ to 3 years	57.96	115.92	579.60
3 to 3½ years	59.70	119.40	597.00
3½ to 4 years	61.49	122.98	614.90
4 to 4½ years	63.34	126.68	633.40
4½ to 5 years	65.24	130.48	652.40
5 to 5½ years	67.20	134.40	672.00
5½ to 6 years	69.21	138.42	692.10
6 to 6½ years	71.29	142.58	712.90
6½ to 7 years	73.43	146.86	734.30
7 to 7½ years	75.63	151.26	756.30
7½ to 8 years	77.90	155.80	779.00
8 to 8½ years	80.24	160.48	802.40
8½ to 9 years	82.64	165.28	826.40
9 to 9½ years	85.12	170.24	851.20
9½ to 10 years	87.68	175.36	876.80
10 to 10½ years	90.31	180.62	903.10
10½ to 11 years	93.01	186.02	930.10
11 to 11½ years	95.81	191.62	958.10
11½ to 12 years	98.68	197.36	986.80
12 to 12½ years	101.64	203.28	1,016.40
12½ to 13 years	104.69	209.38	1,046.90
13 to 13½ years	107.83	215.66	1,078.30
13½ to 14 years	111.06	222.12	1,110.60
14 to 14½ years	114.40	228.80	1,144.00
14½ to 15 years	117.83	235.66	1,178.30
15 to 15½ years	121.36	242.72	1,213.60
15½ to 16 years	125.00	250.00	1,250.00
16 to 16½ years	128.75	257.50	1,287.50
16½ to 17 years	132.62	265.24	1,326.20
17 to 17½ years	136.60	273.20	1,366.00
17½ to 18 years	140.69	281.38	1,406.90
18 to 18½ years	144.91	289.82	1,449.10
18½ to 19 years	149.26	298.52	1,492.60
19 to 19½ years	153.74	307.48	1,537.40
19½ to 20 years	158.35	316.70	1,583.50
20 to 20½ years	163.10	326.20	1,631.00

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