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highlights

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Twelve agencies have agreed to a six-month trial period based on the assignment of two days a week beginning February 9 and ending August 6 (See 41 FR 5453). The participating agencies and the days assigned are as follows:

Monday	Tuesday	Wednesday	Thursday	Friday
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DOT/PSOO	LABOR		DOT/PSOO	LABOR

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

Comments on this trial program are invited. Comments should be submitted to the Director of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

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(For Details, See 41 FR 22997, June 8, 1976)

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"Alpine Lakes Area Management Act of 1976"
(Jul. 12, 1976; 90 Stat. 905)

H.R. 9771..... Pub. Law 94–353
"Airport and Airway Development Act Amendments of 176"
(Jul. 12, 1976; 90 Stat. 871)

H.R. 10451..... Pub. Law 94–356
"Nuclear Career Incentive Act of 1975"
(Jul. 12, 1976; 90 Stat. 901)

H.R. 10572..... Pub. Law 94–358
To amend title 5 of the United States Code to provide that the provisions relating to the withholding of city income or employment taxes from Federal employees shall apply to taxes imposed by certain nonincorporated local governments
(Jul. 12, 1976; 90 Stat. 910)

H.R. 13069..... Pub. Law 94–354
To extend and increase the authorization for making loans to the unemployment fund of the Virgin Islands
(Jul. 12, 1976; 90 Stat. 888)

H.R. 14236..... Pub. Law 94–355
"Public Works for Water and Power Development and Energy Research Appropriation Act, 1977"
(Jul. 12, 1976; 90 Stat. 889)

H.R. 14237..... Pub. Law 94–351
Making appropriations for Agriculture and Related Agencies programs for the fiscal year ending September 30, 1977, and for other purposes
(Jul. 12, 1976; 90 Stat. 851)

S. 229..... Pub. Law 94–359
To amend the Endangered Species Act of 1973 in order to permit the disposal of certain endangered species products and parts lawfully held within the United States on the effective date of such Act
(Jul. 12, 1976; 90 Stat. 911)

S. 268..... Pub. Law 94–352
To designate the Eagles Nest Wilderness, Arapaho and White River National Forests, in the State of Colorado
(Jul. 12, 1976; 90 Stat. 870)

S. 3168..... Pub. Law 94–350
"Foreign Relations Authorization Act, Fiscal Year 1977"
(Jul. 12, 1976; 90 Stat. 823)

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Title 3—The President

CORRECTION

Proclamation 4445

Temporary Quantitative Limitation on the Importation Into the United States of Certain Articles of Stainless Steel or Alloy Tool Steel

On page 24105 of the June 15, 1976 issue of the FEDERAL REGISTER, there was a typographical error in the quota quantity for Japan in item 923.22. Item 923.22 should read as follows:

"Item	Articles	Quota quantity (In short tons) effective on or after—		
		June 14, 1976	June 14, 1977	June 14, 1978
923.22	Bars of stainless steel of the types provided for in item 608.52:			
	Japan	13,000	14,000	14,500
	European Economic Community	2,500	2,600	2,700
	Canada	1,500	1,600	1,700
	Sweden	1,500	1,500	1,600
	Other:			
	Countries entitled to the rate of duty in rates of duty column numbered 1 (total).	5,100	5,200	5,300
	Other (total)	2	2	2

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 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 76-SW-31, Amdt. 39-2669]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Model 206L Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring modification of the fuel system to provide a means for relief of pressure due to thermal expansion of the fuel on Bell Model 206L helicopters was published in 41 FR 20703.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One commentator objected to the AD on the basis of an informal survey of operators and of shipping records which indicated that all owners or operators of applicable helicopters had been supplied with the hardware necessary to accomplish the modification. However, this information does not constitute evidence of 100 percent compliance with the requirements of the AD; therefore, publication of this AD as proposed is appropriate.

§ 39.13 [Amended]

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 FR 13697), Section 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BELL. Applies to Model 206L helicopters, Serial Numbers 45006 through 45020, with fuel valve Part Number 206-063-640-1 installed, certificated in all categories. Compliance required within the next 100 hours time in service after the effective date of this AD, unless already accomplished.

To prevent failure of fuel system components due to excessive pressure from thermal expansion of the fuel after engine shutdown, remove fuel shutoff valve P/N 206-063-640-1 and replace it with fuel shutoff valve P/N 206-063-640-3.

Bell Helicopter Textron Service Bulletin No. 206L-76-2 pertains to this subject and provides approved instructions for this replacement activity.

This amendment becomes effective August 19, 1976.

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

Issued in Fort Worth, Texas, on July 1, 1976.

A. H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.76-20127 Filed 7-14-76;8:45 am]

[Airspace Docket No. 76-SO-54]

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

Revocation of Federal Airway

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the present VOR Airway V-3E from Florence, S.C., to Raleigh, N.C., via Fayetteville, N.C. Because this action merely revokes a codesignated airway and does not effect airspace designation or the continued designation of that airspace as V-56 and V-136, it is a minor matter in which the public would have no particular desire to comment. Therefore, notice and public procedure thereon are unnecessary. In order to provide sufficient time for changes to be depicted on appropriate charts, this amendment will be made effective September 9, 1976.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT, September 9, 1976, as hereinafter set forth.

§ 71.123 [Amended]

Section 71.123 (41 FR 307) is amended as follows:

In V-3 "Florence, S.C.; Pinehurst, N.C.; Raleigh, N.C. including an E alternate from Florence to Raleigh via Fayetteville, N.C., excluding the airspace between the main and this alternate airway;" is deleted and "Florence, S.C.; Pinehurst, N.C.; Raleigh-Durham, N.C.;" 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 July 6, 1976.

EDWARD J. MALO,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.76-20126 Filed 7-14-76;8:45 am]

[Airspace Docket No. 75-WE-34]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Areas

On February 17, 1976, a Notice of Proposed Rule Making (NPRM) was published in the FEDERAL REGISTER (41 FR 7117) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 73 of the Federal Aviation Regulations that would change the time of designation for restricted areas R-4816N and R-4816S Dixie Valley, Nev. It would also change the altitude limits of the corridor established for VFR flights by nonradio equipped aircraft around restricted areas R-4804, Twin Peaks, Nev., R-4812 Sand Springs, Nev., and R-4816S Dixie Valley, Nev.

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

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., November 4, 1976, as hereinafter set forth.

§ 73.48 [Amended]

In § 73.48 (41 FR 681):

(a) The time of designation for R-4816N Dixie Valley, Nev., is changed to read as follows:

Time of designation. 0700 to 2400 local time, Monday through Saturday.

(b) The time of designation for R-4816S Dixie Valley, Nev., is changed to read as follows:

Time of designation. 0700 to 2400 local time, Monday through Saturday.

(c) The designated altitudes for R-4804 Twin Peaks, Nev., is changed to read as follows:

Designated altitudes. Surface to but not including flight level 180 excluding that portion from 2,000 feet AGL up to but not including 4,000 feet AGL, which lies north of and one NM from U.S. Highway 50, between the intersections of U.S. Highway 50 with longitudes 118°25'30" W. and 118°09'50" W.

(d) The designated altitudes for R-4812 Sand Springs, Nev., is changed to read as follows:

Designated altitudes. Surface to but not including flight level 180 excluding that portion from 2,000 feet AGL up to but not including 4,000 feet AGL, which lies north of and one NM from U.S. Highway 50, between the intersections of U.S. Highway 50 with longitudes 118°25'30" W. and 118°09'50" W.

(e) The designated altitudes for R-4816S Dixie Valley, Nev., is changed to read as follows:

Designated altitudes. 500 feet AGL to but not including flight level 180 excluding that portion from 2,000 feet AGL up to but not including 4,000 feet AGL, which lies north of and one NM from U.S. Highway 50, between the intersections of U.S. Highway 50 with longitudes 118°25'30" W. and 118°09'50" W.

(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 July 6, 1976.

EDWARD J. MALO,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.76-20124 Filed 7-14-76;8:45 am]

[Airspace Docket No. 76-SO-28]

PART 73—SPECIAL USE AIRSPACE

Designation of Temporary Restricted Areas

On April 5, 1976, a Notice of Proposed Rule Making (NPRM) was published in the FEDERAL REGISTER (41 FR 14394) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 73 of the Federal Aviation Regulations that would designate temporary restricted areas in the vicinity of Valparaiso, Fla., to encompass a portion of a joint military exercise "Brave Shield XV" to be conducted from October 11 through October 17, 1976.

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

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 11, 1976, as hereinafter set forth.

§ 73.29 [Amended]

In § 73.29 (41 FR 664) the following temporary restricted areas are added:

R-2911A BRAVE SHIELD XV

Boundaries. Beginning at Lat. 30°39'00" N., Long. 86°55'00" W., to Lat. 30°44'00" N., Long. 86°52'00" W., to Lat. 30°45'00" N., Long. 86°38'00" W., to Lat. 30°43'00" N., Long. 86°38'00" W., thence west along the northern boundary of Restricted Area R-2915A to point of beginning.
Designated altitudes. 500 feet AGL to 3000 feet AGL.
Time of designation. 0600 to 1900 local time, daily, October 11-17, 1976.
Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.
Using agency. US Air Force Tactical Air Command/USAF Readiness Command (TAC/USAFRED), Langley AFB, Va.

R-2911B BRAVE SHIELD XV

Boundaries. Beginning at Lat. 30°41'00" N., Long. 86°05'10" W., to Lat. 30°41'00" N., Long. 85°56'00" W., to Lat. 30°24'00" N., Long. 85°56'00" W., thence northwest along the eastern boundary of Restricted Area R-2914 to point of beginning.
Designated altitudes. 1000 feet AGL to 3000 feet AGL.
Time of designation. 1201 through 2359 local time, daily, October 11-17, 1976.
Controlling agency. Federal Aviation Administration, Jacksonville ARTC Center.
Using agency. US Air Force Tactical Air Command/USAF Readiness Command (TAC/USAFRED), Langley AFB, Va.

(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 July 6, 1976.

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.76-20125 Filed 7-14-76;8:45 am]

[Airspace Docket No. 76-NW-10]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Extension of a Jet Route

On May 6, 1976, a Notice of Proposed Rule Making (NPRM) was published in the FEDERAL REGISTER (41 FR 18685) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 75 of the Federal Aviation Regulations that would extend Jet Route No. 5 from Seattle, Wash., to Vancouver, British Columbia.

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

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 GMT, September 9, 1976, as hereinafter set forth.

§ 75.100 [Amended]

Section 75.100 (41 FR 704) is amended as follows:

1. In Jet Route No. 5 the heading "(Los Angeles, Calif., to Seattle, Wash.)" is deleted.

2. In Jet Route No. 5 text "to Seattle, Wash." is deleted and "; Seattle, Wash.; to Vancouver, British Columbia, excluding that portion within Canada." 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 July 6, 1976.

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.76-20123 Filed 7-14-76;8:45 am]

[Docket No. 76-NW-11-AD; Amdt. 39-2664]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing 747 Series Airplanes

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an Airworthiness Directive was adopted on June 25, 1976, and made effective immediately for all known United States operators of Boeing Model 747 series airplanes. The directive requires inspection of the outer wing dry bays, engine struts and overwing fuel filler caps and related corrective action. After the issuance of the telegraphic AD, a request for approval of an equivalent means for complying with the fuel filler cap provisions of the AD has been received and was considered satisfactory. Therefore, item 3 of the AD has been revised to include an allowance for equivalent designs.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the Airworthiness Directive effective immediately. These conditions still exist and the Airworthiness Directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of the Federal Aviation Regulations.

BOEING. Applies to all Boeing 747 series airplanes certificated in all categories.

Compliance required as indicated.

Within 20 days after the effective date of this Airworthiness Directive, accomplish the following:

1. Inspect the dry bay areas between the outboard reserve tanks, wing station 1280, and the surge tanks, wing station 1485, for evidence of fuel leaks, unless already accomplished per Boeing service letter 747-SL-28-3 dated June 11, 1976. Verify the existence of a clear drain path through each vent/drain hole and stringer limber hole to prevent accumulation of fluids. Repair leaks per Boeing 747 Maintenance Manual Chapter 28-11-00, Figure 802. Aircraft exhibiting leakage rates exceeding Maintenance Manual limits must be repaired before further flight, except that the airplane may be flown in accordance with FAR 21.197 to a base where the repair can be performed. Clean all dry bay access door clamp rings and wing skin mating surfaces. Tighten all attach bolts to 35-40 inch-pounds of torque. This inspection is not required on 747-SP airplanes with active 2 and 3 reserve tanks and 747-200 airplanes with auxiliary fuel tanks.

2. Unless already accomplished per Boeing service letter 747-SL-28-4 dated June 21, 1976, inspect all engine struts for evidence of fuel leakage. Inspections shall be accomplished by gaining access on the left side of each nacelle strut through the B, C, and D panels with prefix numbers 452, 462, 472, or 482. Repair all fuel leaks per Boeing Maintenance Manual Chapter 28-22-07 before further flight, except that the airplane may be flown in accordance with FAR 21.197 to a base where the repair can be performed.

3. Unless already accomplished per Boeing service letter 747-SL-28-5 dated June 21, 1976, inspect overwing fuel filler caps for approved part numbers 10-3297-119 (GABB P/N 38222-2) or 10-3297-147 (GABB P/N 38222-3) and determine that non-metallic lanyards are installed, or provide corrective action in a manner approved by the Chief, Engineering and Manufacturing Branch, FAA, Northwest Region.

Report all findings to the Chief, Engineering and Manufacturing Branch, FAA, Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108 through the assigned FAA principal maintenance inspector. The report must include the following:

(1) Airplane serial number.
(2) Airplane total time.
(3) Description of condition and location of leaks. (Reporting approved by the Office of Management and Budget under OMB No. 04-R0174.)

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

All persons affected by this directive who have not already received these documents may obtain copies by request to the Boeing Company, P.O. Box 3707, Seattle, Washington 98124. These documents may also be examined at FAA, Northwest Region, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective July 15, 1976 for all persons except those to whom it was made effective immediately by telegram dated June 25, 1976.

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

Issued in Seattle, Washington July 6, 1976.

C. B. WALK, JR.,
Director, Northwest Region.

NOTE.—The incorporation by reference provisions in the document were approved by the Director of the Federal Register on June 19, 1967.

[FR Doc.76-20231 Filed 7-14-76;8:45 am]

[Docket No. 76-CE-6-AD; Amdt. 39-2670]

PART 39—AIRWORTHINESS DIRECTIVES

Cessna 210 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an Airworthiness Directive (AD) applicable to Cessna 210 series airplanes was published in the FEDERAL REGISTER on February 23, 1976, (41 FR 7961). The proposal would require the replacement and inspection of the main landing gear saddles in accordance with Cessna Service Letter SE75-26.

Interested persons were afforded an opportunity to participate in the making of the amendment. No comments were received.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.89 (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD.

CESSNA. Applies to Models 210 thru 210J Serial Numbers 57001 thru 57575, 210-57576 thru 21059199) and Models T210F thru T210J (Serial Numbers T210-0001 thru T210-0454) airplanes.

Compliance required as indicated, unless already accomplished.

To decrease the possibility of main landing gear extension failures, accomplish the following:

(A) On Model 210 and 210A (Serial Numbers 21057001 thru 21057840) airplanes, within the next 100 hours' time in service after the effective date of this AD for those airplanes with over 1,000 hours, time in service, or upon the accumulation of 1,100 hours' time in service for those airplanes with less than 1,000 hours' time in service, and thereafter at each 1,000 hours' time in service, replace the P/Ns 1241004-1 and 1241004-2 main landing gear saddles in accordance with Cessna Service Letter SE75-26 dated December 5, 1975, or later approved revisions.

(B) On Models 210B thru 210G (Serial Numbers 21057841 thru 21058936) and T210F and T210G (Serial Numbers T210-0001 thru T210-0307) airplanes, within the next 100 hours' time in service after the effective date of this AD for those airplanes with over 1,000 hours' time in service or upon accumulation of 1,100 hours' time in service for those airplanes with less than 1,000 hours' time in service, replace the P/Ns 1241423-1 and 1241423-2 main landing gear saddles with improved saddles of the same part number in accordance with Cessna Service Letter SE75-26 dated December 5, 1975, or later approved revisions.

NOTE.—The improved main landing gear saddle is identified in Figure 1 accompanying this AD.

(C) On those airplanes having improved main landing gear saddles installed per Paragraph B and on Models 210H and 210J (Serial Numbers 21058937 thru 21059199) and Models T210H and T210J (Serial Numbers T210-0308 thru T210-0454) airplanes, within the next 100 hours' time in service after the effective date of this AD, for airplanes with over 1,200 hours' time in service or upon accumulation of 1,300 hours' time in service for those airplanes with less than 1,200 hours' time in service, and at each annual inspection thereafter, inspect the P/Ns 1241423-1 and 1241423-2 main landing gear saddles in accordance with dye penetrant or magnaflux inspection procedures for cracks with particular attention given to the area shown in Figure 1 accompanying this AD. Replace any saddles showing evidence of cracks.

(D) On those airplanes on which main landing gear saddles have been replaced, base the compliance time for Paragraphs A, B, and C on the new saddle's time in service rather than the airplane time in service.

(E) Any equivalent method of compliance with this AD must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

NOTE.—A significant savings of manhours will result if initial compliance with this AD and modifications required by AD 76-04-01 (Amendments 39-2517 and 39-2556) are accomplished at the same time.

This amendment becomes effective August 16, 1976.

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

Issued in Kansas City, Missouri, on July 6, 1976.

JOHN E. SHAW,
Acting Director, Central Region.

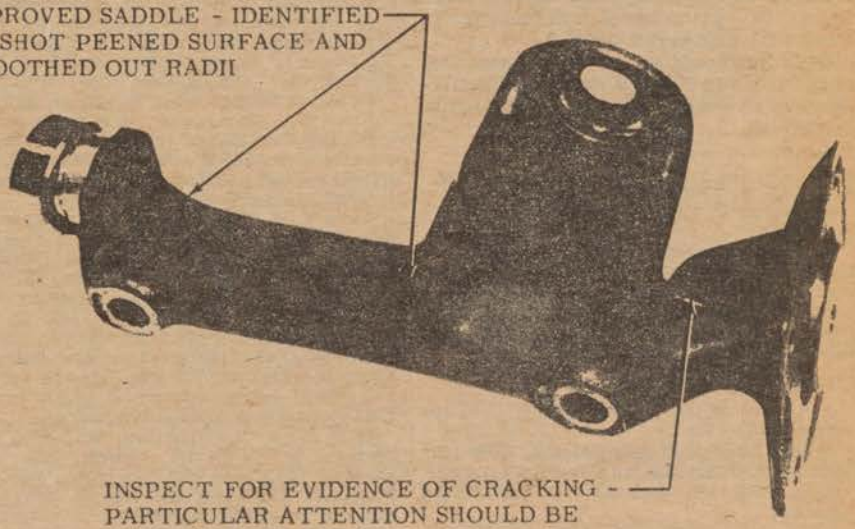


Figure 1. Main Landing Gear Saddle.

[FR Doc.76-20233 Filed 7-14-76;8:45 am]

[Airspace Docket No. 76-SO-62]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Biloxi, Miss., control zone.

The Biloxi control zone is described in § 71.171 (41 FR 355). In the description, an extension is predicated on the Keesler RBN 036° bearing. The RBN has been decommissioned. It is necessary to alter the control zone by revoking this extension. Since this amendment lessens the burden on the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., September 9, 1976, as hereinafter set forth.

§ 71.171 [Amended]

In § 71.171 (41 FR 355), the Biloxi, Miss., control zone is amended as follows: "* * * within 3 miles each side of the 036° bearing from Keesler RBN, extending from the 5-mile radius zone to 8.5 miles northeast of the RBN; * * *" is deleted.

(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 July 2, 1976.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.76-20232 Filed 7-14-76;8:45 am]

[Airspace Docket No. 76-AL-6]

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

Alteration of Federal Airways

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to redefine segments of colored airways predicated on the relocated Campbell Lake, Alaska, nondirectional radio beacon (NDB).

Relocation of the Campbell Lake NDB to Lat. 61°10'18" N., Long. 150°02'44" W. was necessary when the land lease for the previous site was terminated. Some of the colored airways are defined by bearings from the NDB. These bearings are redefined herein to retain the present

position of their first outbound intersection. Additionally, since there is no requirement for the Campbell Lake reporting point at its new location it is hereby rescinded.

The realignment of the airways is dependent upon the operation of the Campbell Lake NDB at its new location. As the location of the NDB is an administrative matter within the authority of the FAA, notice and public procedure on this amendment to Part 71 is unnecessary. Since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective on September 9, 1976.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., September 9, 1976, as hereinafter set forth.

§ 71.103 [Amended]

1. Section 71.103 (41 FR 305) is amended as follows:

In G–8 "a bearing of 266° from Campbell Lake, Alaska, RBN; Campbell Lake RBN; INT Campbell Lake RBN 026°" is deleted and "a bearing of 254° from Campbell Lake, Alaska, RBN; Campbell Lake RBN; INT Campbell Lake RBN 032°" is substituted therefor.

§ 71.105 [Amended]

2. Section 71.105 (41 FR 305) is amended as follows:

In A–1 "Campbell Lake, Alaska, RBN 122° bearings;" is deleted and "Campbell Lake, Alaska, RBN 123° bearing;" is substituted therefor.

§ 71.107 [Amended]

3. Section 71.107 (41 FR 306) is amended as follows:

In R–103 "Campbell Lake, Alaska, NDB 208° bearings;" is deleted and "Campbell Lake, Alaska, 206° bearings;" is substituted therefor.

§ 71.211 [Amended]

4. Section 71.211 (41 FR 635) is amended by deleting "Campbell Lake, Alaska, RBN".

(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 July 9, 1976.

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

[FR Doc.76–20360 Filed 7–14–76;8:45 am]

[Airspace Docket No. 76–CE–6]

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

Alteration of Federal Airways and Reporting Points

On June 7, 1976, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (41 FR 22845) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would rescind the Blue Springs, Mo., reporting point and realign several airways because of the relocation of the Blue Springs VORTAC to Napoleon, Mo.

Interested persons were afforded an opportunity to participate in the proposed rule making through the 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., September 9, 1976, as hereinafter set forth.

§ 71.123 [Amended]

Section 71.123 (41 FR 307, 7088, 10418, 11275, 14883, 20650) is amended as follows:

a. In V–10 "Blue Springs, Mo., including a N alternate via INT Emporia 050° and Topeka, Kans., 099° radials; Kirksville, Mo., including a N alternative via INT Blue Springs 016° and Kansas City, Mo., 060° radials;" is deleted and "Napoleon, Mo., including a N alternate via INT Emporia 050° and Topeka, Kans., 099° radials; Kirksville, Mo., including a N alternative via INT Napoleon 005° and Kansas City 060° radials;" is substituted therefor.

b. In V–12 "Blue Springs, Mo.; Columbia, Mo., Foristell, Mo., including a S alternate from INT Macon, Mo., 202° and Columbia 273° radials to INT Hallsville, Mo., 137° and Columbia 104° radials via Jefferson City, Mo.;" is deleted and "Napoleon, Mo.; Columbia, Mo.; Foristell, Mo., including a S alternate from INT Jefferson City, Mo., 308° and Columbia 276° radials via Jefferson City to the INT of Jefferson City 042° and Columbia 104° radials;" is substituted therefor.

c. In V–13 "Blue Springs, Mo.; INT Blue Springs 347° and St. Joseph, Mo., 132° radials;" is deleted and "Napoleon, Mo.; INT Napoleon 336° and St. Joseph, Mo., 132° radials;" is substituted therefor.

d. In V–116 "From INT Kansas City, Mo., 076° and Blue Springs 016° radials via Macon, Mo.;" is deleted and "From INT Kansas City, Mo., 076° and Napoleon, Mo., 005° radials via Macon, Mo.;" is substituted therefor.

e. In V–159 "Blue Springs, Mo.; INT Blue Springs 347° and St. Joseph, Mo., 132° radials;" is deleted and "Napoleon, Mo.; INT Napoleon 336° and St. Joseph, Mo., 132° radials;" is substituted therefor.

f. In V–161 "Blue Springs, Mo.; INT Blue Springs 016° and Lamoni, Iowa, 174° radials; Lamoni;" is deleted and "Napoleon, Mo.; Lamoni, Iowa;" is substituted therefor.

g. V–206 is amended to read as follows: "V–206 From Napoleon, Mo., via Kirksville, Mo., to Ottumwa, Iowa."

h. V–424 is amended to read as follows: "V–424 From Napoleon, Mo., to Macon, Mo."

§ 71.203 [Amended]

In § 71.203 (41 FR 623) "Blue Springs, Mo." is deleted.

(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 July 8, 1976.

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

[FR Doc.76–20361 Filed 7–14–76;8:45 am]

[Airspace Docket No. 76–CE–8]

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

Alteration of Transition Areas

On pages 22843 and 22844 of the FEDERAL REGISTER dated June 7, 1976, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition areas at Grain Valley, Missouri, and Lee's Summit, Missouri.

Interested persons were given 30 days to submit written comments, suggestions or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below.

This amendment shall be effective 0901 G.m.t., September 9, 1976.

(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 Kansas City, Missouri, on July 7, 1976.

JOHN E. SHAW,
Acting Director, Central Region.

§ 71.181 [Amended]

In § 71.181 (41 FR 440), the following transition areas are amended to read:

GRAIN VALLEY, MISSOURI

That airspace extending upward from 700 feet above the surface within a 5½ mile radius of the East Kansas City Airport (Latitude 39°00'56" N, Longitude 94°12'47" W) and within three miles each side of the 217° radial of the Napoleon, Missouri, VORTAC (Latitude 39°05'43.5" N, Longitude 94°07'43.0" W) extending from the 5½ mile radius area to 8 miles northeast of the airport.

LEE'S SUMMIT, MISSOURI

That airspace extending upward from 700 feet above the surface within a 5 statute mile radius of the McComas Airport (Latitude 38°57'50" N, Longitude 94°22'25" W), excluding those portions which overlie the Grandview, Missouri, and Grain Valley, Missouri, 700 foot transition areas.

[FR Doc.76–20363 Filed 7–14–76;8:45 am]

[Airspace Docket No. 76–RM–16]

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

Designation of Compulsory Reporting Points

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate Gunnison, Colo., VORTAC, Myton, Utah, VORTAC, and Hayden, Colo., VOR as low altitude airway compulsory reporting points. These compulsory reporting points are required because radar coverage is not available at the minimum en route altitudes at these fixes. Designation of these NAVAIDs as compulsory reporting points would expedite traffic flow in these areas and reduce frequency congestion.

Because this action merely designates presently established NAVAIDs as compulsory reporting points without any changes in airspace, it is a minor matter on which the public would have no particular desire to comment. Therefore, no-

tice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., September 9, 1976, as hereinafter set forth.

§ 71.203 [Amended].

Section 71.203 (41 FR 623) is amended as follows: "Gunnison, Colo."; "Myton, Utah"; and "Hayden, Colo." are added.

(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 July 9, 1976.

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

[FR Doc.76-20357 Filed 7-14-76;8:45 am]

[Airspace Docket No. 76-WA-11]

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

Reporting Point Name Change

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to change the name of the CRACK Alaskan high altiutde reporting point to JIMMY.

The name CRACK has been used for a reporting point on Green 8 airway and also for a reporting point on Jet Route J115 which are less than two miles apart. The name of the reporting point on the Jet Route is hereby changed to JIMMY to eliminate possible confusion.

Because this action merely renames an existing reporting point without changing any airspace, it is a minor matter on which the public would have no particular desire to comment. Therefore, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., September 9, 1976, as hereinafter set forth.

§ 71.213 [Amended]

In § 71.213 (41 FR 637) "CRACK": is deleted and "JIMMY": 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 July 9, 1976.

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

[FR Doc.76-20359 Filed 7-14-76;8:45 am]

[Airspace Docket No. 76-NW-7]

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

PART 73—SPECIAL USE AIRSPACE

Alteration of Federal Airway and Restricted Area

On April 29, 1976, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (41 FR 17933) stating that the Federal Aviation Administration (FAA) was considering amendments to Parts 71 and 73 of the Federal Aviation Regulations that would designate a north alternate to V-298 between Yakima, Wash., and Pasco, Wash., and redefine Restricted Area R-6714.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Subsequent to publication of the notice in the Federal Register, it has been determined that the military has a continuing requirement for that portion of R-6714 north of latitude 46°51'00" N., that was proposed to be omitted in the redefinition of the restricted area. Accordingly, that portion of R-6714A north of latitude 46°51'00" N., is retained in the redefinition. All comments received were favorable to the proposed airway and the segmenting of R-6714 into various subparts for the purpose of accommodating use of airspace on a joint use basis.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective 0901 G.m.t., September 9, 1976, as hereinafter set forth.

§ 71.123 [Amended]

In § 71.123 (41 FR 307) V-298 is amended as follows:

In V-298 all before "Pendleton, Oreg.," is deleted and "From Yakima, Wash., via INT Yakima 129° and Pasco, Wash., 276° radials; Pasco; including a north alternate from Yakima, 45 miles 8 miles wide, 13 miles 7 miles wide (3 miles N and 4 miles S of centerline) to Pasco;" is substituted therefor.

§ 73.67 [Amended]

In § 73.67 (41 FR 698), Restricted Area R-6714, is revised to read as follows:

R-6714A YAKIMA, WASHINGTON

Boundaries. Beginning at latitude 46°51'00" N., longitude 119°58'00" W.; along the west shore of the Columbia River to latitude 46°42'30" N., longitude 119°58'30" W.; to latitude 46°33'00" N., longitude 120°04'00" W.; to latitude 46°37'00" N., longitude 120°20'00" W.; to latitude 46°40'35" N., longitude 120°26'35" W.; to latitude 46°43'00" N., longitude 120°26'38" W.; to latitude 46°51'00" N., longitude 120°21'30" W.; to latitude 46°51'00" N., longitude 120°16'30" W.; to latitude 46°54'30" N., longitude 120°15'00" W.; clockwise along the arc of a 12 mile radius, circle centered at latitude 46°44'45" N., longitude 120°20'00" W.; to latitude 46°51'00" N., longitude 120°08'30" W.; to point of beginning.

Designated altitudes. Surface to 29,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Admtnistration, Seattle ARTC Center.

Using agency. Commanding General, Fort Lewis, Wash.

R-6714B YAKIMA, WASHINGTON

Boundaries. Beginning at latitude 46°42'30" N., longitude 119°58'15" W.; along the west shore of the Columbia River, to latitude 46°38'30" N., longitude 119°55'30" W.; to latitude 46°33'00" N., longitude 119°55'30" W.; to latitude 46°33'00" N., longitude 120°04'00" W.; to point of beginning.

Designated altitudes. Surface to 29,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Seattle ARTC Center.

Using agency. Commanding General, Fort Lewis, Wash.

R-6714C YAKIMA, WASHINGTON

Boundaries. Beginning at latitude 46°33'00" N., longitude 120°04'00" W.; to latitude 46°33'00" N., longitude 120°09'00" W.; to latitude 46°37'00" N., longitude 120°20'00" W.; to point of beginning.

Designated altitudes. Surface to 29,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Seattle ARTC Center.

Using agency. Commanding General, Fort Lewis, Wash.

(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 July 9, 1976.

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

[FR Doc.76-20355 Filed 7-14-76;8:45 am]

[Airspace Docket No. 76-SO-33]

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

PART 73—SPECIAL USE AIRSPACE

Redesignation of Restricted Areas

The purpose of these amendments to Parts 71 and 73 of the Federal Aviation Regulations is to sectionalize and stratify the configuration of the airspace within the restricted area complex of R-3702 and R-3703, Fort Campbell, Ky., and to reduce the time of designation from "continuous" to "by NOTAM 24 hours in advance." This will allow for additional release of portions of this airspace when not needed by the using agency.

Since these amendments merely reidentify existing special use airspace areas with no change in the overall configuration, and should reduce the burden on the public by permitting the deactivation of these special use airspace areas, this is a minor matter upon which notice and public procedure thereon are unnecessary. Also, for that reason, it is in the public interest to make these

amendments effective as soon as practicable.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended effective July 15, 1976 as hereinafter set forth.

§ 71.151 [Amended]

In § 71.151 (41 FR 345) "R–3702 Fort Campbell, Ky." and "R–3703 Fort Campbell, Ky." are deleted, and "R–3701C Fort Campbell, Ky.", "R–3702A Fort Campbell, Ky.", "R–3702B Fort Campbell, Ky.", and "R–3703C Fort Campbell, Ky." are added.

§ 73.37 [Amended]

In § 73.37 (41 FR 675), R–3702 Fort Campbell, Ky., and R–3703 Fort Campbell, Ky., are revoked, and the following restricted areas are added:

R–3701A FORT CAMPBELL, KY.

Boundaries. Beginning at Lat. 36°39'00" N., Long. 87°34'13" W., to Lat. 36°39'00" N., Long. 87°32'30" W., to Lat 36°39'15" N., Long. 87°30'12" W., to Lat. 36°39'30" N., Long. 87°29'45" W., to Lat. 36°39'30" N., Long. 87°28'33" W., to Lat. 36°38'23" N., Long. 87°28'33" W., to Lat. 36°38'23" N., Long. 87°31'22" W., to Lat. 36°37'41" N., Long. 87°31'54" W., to Lat. 36°38'00" N., Long. 87°32'22" W., to Lat. 36°38'21" N., Long. 87°32'42" W. to Lat. 36°38'19" N., Long. 87°34'13" W., thence to point of beginning.
Altitudes. Surface to and including 5,000 feet MSL.
Time of designation. By NOTAM 24 hours in advance.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, Ft. Campbell, Ky.

R–3701B FORT CAMPBELL, KY.

Boundaries. Beginning at Lat. 36°39'00" N., Long. 87°34'13" W., to Lat. 36°39'00" N., Long. 87°32'30" W., to Lat. 36°39'15" N., Long. 87°30'12" W., to Lat. 36°39'30" N., Long. 87°29'45" W., to Lat. 36°39'30" N., Long. 87°28'38" W., to Lat. 36°38'23" N., Long. 87°28'33" W., to Lat. 36°38'23" N., Long. 87°31'22" W., to Lat. 36°37'41" N., Long. 87°31'54" W., to Lat. 36°38'00" N., Long. 87°32'22" W., to Lat. 36°38'21" N., Long. 87°32'42" W., to Lat. 36°38'19" N., Long. 87°34'13" W., thence to point of beginning.
Altitudes. 5,000 feet MSL to and including 10,000 feet MSL.
Time of designation. By NOTAM 24 hours in advance.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, Ft. Campbell, Ky.

R–3701C FORT CAMPBELL, KY.

Boundaries. Beginning at Lat. 36°39'00" N., Long. 87°34'13" W., to Lat. 36°39'00" N., Long. 87°32'30" W., to Lat. 36°39'15" N., Long. 87°30'12" W., to Lat. 36°39'30" N., Long. 87°29'45" W., to Lat. 36°39'30" N., Long. 87°28'33" W., to Lat. 36°38'23" N., Long. 87°28'33" W., to Lat. 36°38'23" N., Long. 87°31'22" W., to Lat. 36°37'41" N., Long. 87°31'54" W., to Lat. 36°38'00" N., Long. 87°32'22" W., to Lat. 36°38'21" N., Long. 87°32'42" W., to Lat. 36°38'19" N., Long. 87°34'13" W., thence to point of beginning.
Altitudes. 10,000 feet MSL to and including FL 180.
Time of designation. By NOTAM 24 hours in advance.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, Ft. Campbell, Ky.

R–3702A FORT CAMPBELL, KY.

Boundaries. Beginning at Lat. 36°43'30" N., Long. 87°48'15" W., to Lat. 36°43'30" N., Long. 87°43'00" W., to Lat. 36°42'00" N., Long. 87°40'30" W., to Lat. 36°39'00" N., Long. 87°40'00" W., to Lat. 36°39'00" N., Long. 87°34'13" W., to Lat. 36°38'19" N., Long. 87°34'13" W., to Lat. 36°38'21" N., Long. 87°32'42" W., to Lat. 36°38'00" N., Long. 87°32'32" W., to Lat. 36°37'41" N., Long. 87°31'54" W., to Lat. 36°32'00" N., Long. 87°32'30" W., to Lat. 36°32'00" N., Long. 87°35'00" W., to Lat. 36°33'30" N., Long. 87°42'30" W., to Lat. 36°35'30" N., Long. 87°45'00" W., to Lat. 36°37'30" N., Long. 87°48'15" W., thence to point of beginning.
Altitudes. Surface to and including FL 220.
Time of designation. By NOTAM 24 hours in advance.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, Ft. Campbell, Ky.

R–3702B FORT CAMPBELL, KY.

Boundaries. Beginning at Lat. 36°43'30" N., Long. 87°48'15" W., to Lat. 36°43'30" N., Long. 87°43'00" W., to Lat. 36°42'00" N., Long. 87°40'30" W., to Lat. 36°39'00" N., Long. 87°40'00" W., to Lat. 36°39'00" N., Long. 87°34'13" W., to Lat. 36°38'19" N., Long. 87°34'13" W., to Lat. 36°38'21" N., Long. 87°32'42" W., to Lat. 36°38'00" N., Long. 87°32'32" W., to Lat. 36°37'41" N., Long. 87°31'54" W., to Lat. 36°32'00" N., Long. 87°32'30" W., to Lat. 36°32'00" N., Long. 87°35'00" W., to Lat. 36°33'30" N., Long. 87°42'30" W., to Lat. 36°35'30" N., Long. 87°45'00" W., to Lat. 36°37'30" N., Long. 87°48'15" W., thence to point of beginning.
Altitudes. FL 220 to and including FL 270.
Time of designation. By NOTAM 24 hours in advance.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, Ft. Campbell, Ky.

R–3703A

Boundaries. Beginning at Lat. 36°37'41" N., Long. 87°31'54" W., to Lat. 36°38'23" N., Long. 87°31'22" W., to Lat. 36°38'23" N., Long. 87°28'33" W., to Lat. 36°37'12" N., Long. 87°28'33" W., to Lat. 36°37'12" N., Long. 87°29'50" W., to Lat. 36°34'00" N., Long. 87°29'50" W., to Lat. 36°32'00" N., Long. 87°32'30" W., thence to point of beginning.
Altitudes. Surface to and including 5,000 feet MSL.
Time of designation. By NOTAM 24 hours in advance.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, Ft. Campbell, Ky.

R–3703B

Boundaries. Beginning at Lat. 36°37'41" N., Long. 87°31'54" W., to Lat. 36°38'23" N., Long. 87°31'22" W., to Lat. 36°38'23" N., Long. 87°28'33" W., to Lat. 36°37'12" N., Long. 87°28'33" W., to Lat. 36°37'12" N., Long. 87°29'50" W., to Lat. 36°34'00" N., Long. 87°29'50" W., to Lat. 36°32'0" N., Long. 87°32'30" W., thence to point of beginning.
Altitudes. 5,000 feet MSL to and including 10,000 feet MSL.
Time of designation. By NOTAM 24 hours in advance.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, Ft. Campbell, Ky.

R–3703C

Boundaries. Beginning at Lat. 36°37'41" N., Long. 87°31'54" W., to Lat. 36°38'23" N., Long. 87°31'22" W., to Lat. 36°38'23" N., Long. 87°28'33" W., to Lat. 36°37'12" N., Long. 87°28'33" W., to Lat. 36°37'12" N., Long. 87°29'50" W., to Lat. 36°34'00" N., Long. 87°29'50" W., to Lat. 36°32'00" N., Long. 87°32'30" W., thence to point of beginning.
Altitudes. 10,000 feet MSL to FL 180.
Time of designation. By NOTAM 24 hours in advance.
Controlling agency. Federal Aviation Administration, Memphis ARTC Center.
Using agency. Commanding General, Ft. Campbell, Ky.

(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 July 9, 1976.

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

[FR Doc.76–20353 Filed 7–14–76;8:45 am]

[Airspace Docket No. 76–GL–14]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

On May 20, 1976, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (41 FR 20704) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 73 of the Federal Aviation Regulations that would relocate Restricted Areas R–6905A and R–6905B across Lake Michigan.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No objections were received. However, comments were received that R–6905B would adversely restrict VFR aircraft from crossing Lake Michigan between Manitowoc and Ludington and that R–6905A would adversely affect VFR aircraft flying along the shoreline. Consequently, it was suggested that the restricted area be revised to reduce these inconveniences to VFR pilots. It was also suggested that the balloon be marked in such a manner as to be conspicuous to pilots.

Aircraft that wish to cross Lake Michigan during the periods that the restricted area is active must operate above the restricted area ceiling of 6,000 feet MSL or circumnavigate R–6905A to the north if a lower altitude is desired. We do not consider these alternatives to be an undue inconvenience. Similarly, aircraft that wish to fly along the lake shoreline during periods of low visibility may continue this practice if desired except that during the periods that the restricted area is active they would be required to deviate their course slightly in-

land until past the three-mile extremity of the restricted area. Moreover, extension of R–6905A to the shoreline allows key tests to be conducted at shoreline locations. Relocation of the restricted area to the north permits key samplings without interfering with Manitowoc and Ludington airport operations.

While the suggestion that the balloon be appropriately marked would provide an additional safety precaution, it would require a provision by the using agency that is not currently contained in Federal Aviation Regulations, Part 101, Subpart B, governing the operation of marked balloons within restricted areas. Restricting the flight of aircraft in the designated airspace containing the balloon activities provides an element of safety that should compensate for the lack of balloon lights and coloring.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., September 9, 1976, as hereinafter set forth.

§ 73.69 [Amended]

In § 73.69 (41 FR 700) the description of R–6905A and R–6905B is revised to read as follows:

1. R–6905A, LAKE MICHIGAN

Boundaries. Within 1½ NM each side of a direct line between coordinates Lat. 44°17'00" N., Long. 87°32'00" W., and Lat. 44°05'00" N., Long. 86°29'00" W., ending at the shoreline.

Designated altitude. Surface to 6,000 feet MSL.

Time of use. As activated by NOTAM, 12 hours in advance.

Controlling agency. Federal Aviation Administration, Chicago ARTC Center.

Using agency. University of Wisconsin.

2. R–6905B, LAKE MICHIGAN

Boundaries. Within 1½ NM each side of a direct line between coordinates Lat. 44°09'00" N., Long. 86°56'30" W., and Lat. 43°15'00" N., Long. 87°10'00" W.

Designated altitude. Surface to 6,000 feet MSL.

Time of use. As activated by NOTAM, 12 hours in advance.

Controlling agency. Federal Aviation Administration, Chicago ARTC Center.

Using agency. University of Wisconsin.

(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 July 9, 1976.

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

[FR Doc.76-20351 Filed 7-14-76;8:45 am]

[Airspace Docket No. 76-EA-43]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to alter the title and text of the Indiantown Gap, Pa., Restricted Area R–5802. The U.S. Army advised that the name of the Using agency of the Indiantown Gap, Pa., Restricted Area R–5802 is changed from Commanding General, Indiantown Gap Military Reservation, Annville, Pa., to Commander, Fort Indiantown Gap, Annville, Pa.

Because this action is merely an editorial change and involves no changes in airspace, it is a minor matter on which the public would have no desire to comment. Therefore, notice and public procedure are unnecessary.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., September 9, 1976, as hereinafter set forth.

§ 73.58 [Amended]

In § 73.58 (41 FR 693), R–5802, Indiantown Gap, Pa., is amended as follows:

1. The title, "R–5802, Indiantown Gap, Pa." is amended to read: "R–5802 Fort Indiantown Gap, Pa."

2. In the text, the using agency is amended as follows: "Commanding General, Indiantown Gap Military Reservation, Annville, Pa." is deleted and "Commander, Fort Indiantown Gap, Annville, Pa." 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 July 9, 1976.

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

[FR Doc.76-20354 Filed 7-14-76;8:45 am]

[Airspace Docket No. 76-NW-17]

PART 73—SPECIAL USE AIRSPACE

Restricted Area-Time of Designation

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to redescribe the time of designation of R–3202 Subarea A, B and C. Since the continually varying times of sunrise and sunset are not always readily available while in flight, the time of use of this restricted area will now be expressed in local clock time without reference to sunrise or sunset.

Since this amendment is editorial in nature, and no substantive change in the regulation is effected, it is a minor matter upon which the public is not particularly interested. For this reason, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., September 9, 1976, as hereinafter set forth.

§ 73.32 [Amended]

Section 73.32 (41 FR 673) is amended as follows:

In R–3202 Saylor Creek, Idaho, "Sunrise to 8 hours after sunset," is deleted and "0700 to 0100 local time," is substituted therefor, where it appears in Subarea A, B and C.

(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 July 9, 1976.

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

[FR Doc.76-20358 Filed 7-14-76;8:45 am]

[Airspace Docket No. 76-NW-16]

PART 73—SPECIAL USE AIRSPACE

Revocation and Alteration of Restricted Areas

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to revoke Restricted Area R–6705, Strait of Juan De Fuca, Wash., and change the time of designation for Restricted Area R–6707, Queets, Wash., from sunrise to sunset, to Monday through Friday, 0800 to 1700 local time.

Since this amendment restores airspace to the public use and reduces the burden on the public, notice and public procedure thereon are unnecessary and for that reason it is in the public interest to make this amendment effective as soon as practicable.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective July 15, 1976 as hereinafter set forth.

§ 73.67 [Amended]

In § 73.67 (41 FR 698):

1. "R–6705 Strait of Juan De Fuca, Wash." title and text is deleted.

2. The time of designation for R–6707, Queets, Wash., is changed to read as follows:

Time of designation. 0800 to 1700 local time, Monday through Friday.

(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 July 9, 1976.

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

[FR Doc.76-20352 Filed 7-14-76;8:45 am]

[Airspace Docket No. 76-CE-7]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH POINTS

Alteration of Jet Route

On June 7, 1976, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (41 FR 22845) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 75 of the Federal Aviation Regulations that would realign a segment of J–87.

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

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is

amended, effective 0901 G.m.t., September 9, 1976, as hereinafter set forth.

§ 75.100 [Amended]

Section 75.100 (41 FR 704) is amended as follows:

1. In Jet Route No. 87 "(Humble, Tex., to Northbrook, Ill.,)." is deleted.
2. In Jet Route No. 87 "Butler, Mo.; INT of the Butler 009° and the Kirksville, Mo., 242° radials; Kirksville;" is deleted and "Butler, Mo.; Kirksville, Mo.;" 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 July 8, 1976.

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

[FR Doc.76-20362 Filed 7-14-76;8:45 am]

[Airspace Docket No. 76-WA-9]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Waypoint Name Change; Correction

In FR Doc. 76-17631 appearing at page 24581 in the FEDERAL REGISTER of June 17, 1976, the penultimate line which reads "35°14'03'' N., 111°20'14'' W., Tuba City, Ariz." is corrected to read "35°41'03'' N., 111°20'14'' W., Tuba City, Ariz.".

Issued in Washington, D.C. on July 9, 1976.

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

[FR Doc.76-20356 Filed 7-14-76;8:45 am]

[Docket No. 15905; Amdt. No. 1029]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 F.R. 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Information Center, AIS-230, 800 Independence Avenue, SW., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of $150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for $30.00 each.

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

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

§ 97.23 [Amended]

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs *effective September 9, 1976.*

Greencastle, IN—Putnam County Arpt., VOR/DME-A, Original
Kansas City, KS—Fairfax Muni. Arpt., VOR Rwy 17, Amdt. 8
Kansas City, KS—Fairfax Muni. Arpt., VOR-D, Amdt. 3
Olathe, KS—Executive Arpt-Johnson County Arpt., VOR Rwy 17, Amdt. 2
Olathe, KS—Executive Arpt-Johnson County Arpt., VOR Rwy 35, Amdt. 6
Iron Mountain Kingsford, MI—Ford Arpt., VOR Rwy 1, Amdt. 7
Grain Valley, MO—East Kansas City Arpt., VOR-A, Amdt. 2, cancelled
Grain Valley, MO—East Kansas City Arpt., VOR Rwy 23, Original
Higginsville, MO—Higginsville Industrial Muni. Arpt., VOR Rwy 16, Amdt. 1
Kansas City, MO—Kansas City Muni. Arpt., VOR Rwy 3, Amdt. 10
Kansas City, MO—Kansas City Muni. Arpt., VOR Rwy 18, Amdt. 15
Kansas City, MO—Kansas City Muni. Arpt., VOR Rwy 21, Amdt. 9
Kansas City, MO—Kansas City Int'l Arpt., VOR Rwy 27, Amdt. 8
Lee's Summit, MO—McComas Arpt., VOR-A, Original, cancelled
Lee's Summit, MO—McComas Arpt., VOR-B, Orginal
Brockport, NY—Ledgedale Airpark, VOR Rwy 28, Orginal
Kent, OH—Andrew W. Paton of Kent State University, VOR-A, Amdt. 8
Ravenna, OH—Portage County Arpt., VOR-A, Amdt. 2
St. George, UT—St. George Muni. Arpt., VOR-B, Original
St. George, UT—St. George Muni. Arpt., VOR-C, Original

* * * *effective August 26, 1976.*

Mattoon-Charleston, IL—Coles County Memorial Arpt., VOR Rwy 6, Amdt. 8
Mattoon-Charleston, IL—Coles County Memorial Arpt., VOR Rwy 24, Amdt. 7
New Roads, LA—False River Air Park, VOR/DME-A, Amdt. 1
Belzoni, MS—Belzoni Muni. Arpt., VOR Rwy 21, Amdt. 3, cancelled
Belzoni, MS—Belzoni Muni., Arpt., VOR/DME Rwy 21, Original
Pasco, WA—Tri-Cities Arpt., VOR-A, Amdt. 6

* * * *effective July 2, 1976.*

Scottsbluff, NE—Scotts Bluff County Arpt., VOR Rwy 23, Amdt. 7

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, *effective September 9, 1976.*

Kansas City, MO—Kansas City Int'l Arpt., LOC(BC) Rwy 27, Amdt. 5
Akron, OH—Akron Muni. Arpt., LOC Rwy 25, Amdt. 7

* * * *effective August 26, 1976.*

Lansing, MI—Capital City Arpt., LOC(BC) Rwy 9, Amdt. 13
Medford, OR—Medford-Jackson County Arpt., LOC/DME(BC) B, Amdt. 15

* * * *effective July 29, 1976.*

Chicago, IL—Chicago O'Hare Int'l Arpt., LOC(BC) Rwy 22L, Original

* * * *effective July 2, 1976.*

Scottsbluff, NE—Scotts Bluff County Arpt., LOC(BC) Rwy 12, Amdt. 2

§ 97.27 [Amended]

3. Section 97.27 is amended by orignating, amending, or canceling the following NDB/ADF SIAPs, *effective September 9, 1976.*

Kansas City, KS—Fairfax Muni. Arpt., NDB-B, Amdt. 9
Boonsville, MO—Jesse Viertel Memorial Arpt., NDB Rwy 18, Amdt. 2
Clinton, MO—Clinton Memorial Arpt., NDB Rwy 4, Amdt. 2
Clinton, MO—Clinton Memorial Arpt., NDB Rwy 22, Amdt. 3
Kansas City, MO—Kansas City Int'l Arpt., NDB Rwy 1, Amdt. 11
Kansas City, MO—Kansas City Muni. Arpt., NDB Rwy 18, Amdt. 13
Sedalia, MO—Sedalia Memorial Arpt., NDB Rwy 18, Amdt. 2
Sedalia, MO—Sedalia Memorial Arpt., NDB Rwy 36, Amdt. 2
Akron, OH—Akron Muni. Arpt., NDB Rwy 25, Amdt. 7
Kent, OH—Andrew W. Paton of Kent State University, NDB Rwy 1, Amdt. 5
St. George, UT—St. George Muni. Arpt., NDB-A, Amdt. 2, cancelled

* * * *effective August 26, 1976.*

Honolulu, HI—Honolulu Int'l Arpt., NDB Rwy 8, Amdt. 11
Mattoon-Charleston, IL—Coles County Memorial Arpt., NDB Rwy 29, Amdt. 2
French Lick, IN—French Lick Muni. Arpt NDB Rwy 26, Amdt. 3
Wauseon, OH—Fulton County Arpt., NDB Rwy 27, Amdt. 2
Lubbock, TX—Lubbock Regional Arpt., NDB Rwy 8, Original

* * * *effective July 29, 1976.*

Manning, SC—Clarendon County Arpt., NDB Rwy 1, Original
El Paso, TX—El Paso Int'l Arpt., NDB Rwy 22, Amdt. 24

* * * *effective July 2, 1976.*

Miami, FL—New Tamiami Arpt., NDB Rwy 9R, Amdt. 1
Scottsbluff, NE—Scotts Bluff County Arpt., NDB Rwy 12, Amdt. 2

§ 97.29 [Amended]

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, *effective September 9, 1976.*

Kansas City, KS—Fairfax Muni. Arpt., ILS-A, Amdt. 12
Iron Mountain Kingsford, MI—Ford Arpt., ILS Rwy 1, Amdt. 4
Kansas City, MO—Kansas City. Int'l Arpt., ILS Rwy 1, Amdt. 5
Kansas City, MO—Kansas City Int'l Arpt., ILS Rwy 19, Amdt. 2
Kansas City, MO—Kansas City Muni. Arpt., ILS Rwy 18, Amdt. 15

* * * *effective August 26, 1976.*

Mattoon-Charleston, IL—Coles County Memorial Arpt., ILS Rwy 29, Amdt. 2
Seattle, WA—Seattle-Tacoma Int'l Arpt., ILS Rwy 16R, Amdt. 6
Seattle, WA—Seattle-Tacoma Int'l Arpt., ILS Rwy 34R, Amdt. 7

* * * *effective July 29, 1976.*

Chicago, IL—Chicago O'Hare Int'l Arpt., ILS Rwy 22L, Amdt. 3, cancelled
El Paso, TX—El Paso Int'l Arpt., ILS Rwy 22, Amdt. 25

* * * *effective July 1, 1976.*

Denver, CO—Jeffco Arpt., ILS Rwy 29R, Amdt. 3

§ 97.31 [Amended]

5. Section 97.31 is amended by arigiating, amending, or canceling the following RADAR SIAPs, *effective August 26, 1976.*

Honolulu, HI—Honolulu Int'l Arpt., RADAR-1, Amdt. 10

§ 97.33 [Amended]

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, *effective September 9, 1976.*

Kansas City, KS—Fairfax Muni. Arpt., RNAV Rwy 17, Amdt. 2
Kansas City, KS—Fairfax Muni. Arpt., RNAV-C, Amdt. 4
Olathe, KS—Executive Airport-Johnson County Airport, RNAV Rwy 17, Amdt. 1
Kansas City, Mo—Kansas City Int'l Arpt., RNAV Rwy 1, Amdt. 3

* * * *effective July 1, 1976.*

Denver, CO—Jeffco Arpt., RNAV Rwy 29R, Amdt. 3

Correction: In docket number 15856, amendment number 1027, to Part 97 of the Federal Aviation Regulations, published in the FEDERAL REGISTER dated Tuesday, July 6, 1976, on page 27720, under § 97.29, effective June 18, 1976 * * * Riverside, Ca—Riverside Muni. Arpt., Ils Rwy 9 * * * delete "Original" and insert "Amdt. 1".

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1438, 1354, 1421, 1510, and sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c).)

Issued in Washington, D.C., on July 8, 1976.

JAMES M. VINES,
Chief,
Aircraft Programs Division.

NOTE.—Incorporation by reference provisions in §§ 97.10 and 97.20 (35 FR 5610), approved by the Director of the Federal Register on May 12, 1969.

[FR Doc.76-20364 Filed 7-14-76;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 9024]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Rentex, Inc. t/a Homefinders of America, etc., et al.

Subpart—Advertising falsely or misleadingly: § 1310 Advertising falsely or misleadingly; 13.10-1 Availability of merchandise and/or facilities; § 13.135 Nature of product or service; § 13.205 Scientific or other relevant facts. Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements; 13.533-20 Disclosures; 13.533-25 Displays, in-house; 13.533-45 Maintain records; 13.533-45(k) Records, in general; 13.533-55 Refunds, rebates and/or credits; 13.533-60 Release of general, specific, or contractual constrictions, requirements, or restraints. Subpart—Failing to maintain records: § 13.1051 Failing to maintain records; 13.1051-10 Accurate. Subpart—Misrepresenting oneself and goods—Goods: § 13.1740 Scientific or other relevant facts; § 13.1765 Undertakings, in general. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1863 Limitations of product; § 13.1895 Scientific or other relevant facts.

(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)

In the matter of Rentex, Inc., a corporation d/b/a Homefinders of America, Homelocators of America, North American Homefinders and other names; Larry S. Glist, and Larry Senderhauf, individually and as officers of said corporation; Homelocators, Inc., a corporation d/b/a Rentex of Seattle and Rentex of Tacoma, and Rodney Molzahn, individually and as an officer of said corporation

Consent order requiring a Denver, Colo., real estate listing agency, among other things, to cease misrepresenting the availability of rental housing and failing to disclose relevant facts concerning said housing. Respondent is required to verify every 72 hours (in advertising, verification must be made every 24 hours) if rental housing is still available or remove listing; post and present to customers, prior to purchase of service, a statement containing a description and limitations of the offered services and advise whether rental housing currently available suits their needs. Further, the order requires respondents to disclose to purchasers the availability date, monthly rent, landlord restrictions, deposit requirements and other pertinent information.

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

[1] Copies of the Complaint, Decision and Order filed with the original document.

ORDER

It is ordered, That respondents Rentex, Inc. and Homelocators, Inc., corporations, their successors and assigns, and their officers, Larry S. Glist and Larry Senderhauf, individually and as officers of Rentex, Inc., and Rodney Molzahn, individually and as an officer of Homelocators, Inc., and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division, franchisee, licensee or other device, in connection with the advertising, offering for sale or sale of rental housing information or similar information services to consumers in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, as amended, do forthwith cease and desist from:

I. (A) Advertising or representing, directly or by implication, that:

(1) Rental housing is available for lease, sublease or rent UNLESS

(a) All rental housing which is being advertised has been verified daily as actually available for rent and all rental housing which has not been verified as actually available for rent that day is cancelled the same day or promptly in the morning of the next business day if cancellation is not possible on the same day due to the business hours of the advertising medium involved;

(b) In the case of all other representations, the rental housing has been verified as actually available for rent within the previous 72 hours or removed from the rental listings until so verified.

(2) Rental housing is available for lease, sublease or rent unless the following information is fully and accurately and clearly and meaningfully disclosed:

(a) The date of availability of the rental housing, if it is not currently available;

(b) The monthly rent;

(c) The fact that damage deposit, security deposit clean-up fees, rent prepayment, or any similar charges over and above the monthly rent are required, if applicable;

(d) The number of bedrooms;

(e) The fact that a lease is required, if applicable;

(f) Any landlord restrictions (such as no pets, no children, etc.) except those prohibited by federal, state, or local law;

(g) The type of neighborhood (residential, rural, commercial, high-rise or other similar description);

(h) The type of dwelling (single family, apartment, duplex, houseboat, etc.);

(i) The location of the rental housing by appropriate reference to the reasonably smallest definable neighborhood (whether community district, zip code district or otherwise) in which it is located;

(j) The utilities paid for, if any;

(k) The telephone number of the landlord.

Provided, That, in the case of advertising, only (a), (b), and (h) must be disclosed: *And provided further,* That respondents shall not be liable under this order provision where it neither knew

nor upon reasonable inquiry could have known that the information was false.

(3) Renting housing fitting a person's stated needs is currently listed as available for lease, sublease or rent unless such is the fact.

(B) Failing to disclose to each prospective customer of the service whether or not rental housing fitting a person's stated needs is currently listed as available for lease, sublease or rent prior to the time such person enters into any agreement obligating him or her to undertake the service.

(C) Failing to provide to each prospective customer of the service, prior to the time such person enters into any agreement obligating him or her to undertake the service, in boldface capital letters of 14-point or larger type with no information to the contrary or in mitigation thereof, the following statement exactly as it appears below:

NOTICE

We are an information service only. We make no attempt to secure you housing. The service offers only compiled information concerning available rental housing units. No guarantee is made that you will find rental property by using this service [and no refund is offered.] [1]

(D) Failing to post the notice statement required by paragraph I.C. of this order with nothing to the contrary or in mitigation thereof in a clear and conspicuous manner and in a location and print size easily viewable by the customer at respondents' place of business.

(E) Failing to keep adequate records, which may be inspected by Federal Trade Commission staff members upon reasonable notice, of the following:

(1) Customer contracts including a complete and up-to-date description of the customer's needs for rental housing;

(2) Information on rental housing obtained from the landlord, including but not limited to the following:

(a) Name and telephone number of the landlord;

(b) Date or dates the information was received;

(c) All the information contained in paragraph I.A.2. of this order.

(3) Information which will disclose the date and, in the case of advertised rental housing, the time of day of each verification of availability for rent of rental housing in respondents' rental listings.

(4) A cross-reference system which will enable a person to find in respondents' rental listings information concerning any specifically advertised rental housing.

Such records shall be retained by respondents for two years after such record is made.

II

It is further ordered, That:

(A) Respondent Rentex, Inc. deliver a copy of this order to each of its present or future franchise or license holders or to any other person or entity connected with said respondent who sells or promotes the sale of rental housing information to consumers;

(B) Respondent Rentex, Inc. provide each person or entity described in paragraph (A) above with a form, returnable to said respondent, clearly stating his or her intention to be bound by and to conform his or her business practices to the requirements of this order; respondent Rentex, Inc. shall retain said statement during the period said person or entity is so engaged, and make said statement available to the Commission's staff for inspection and copying upon request;

(C) Respondent Rentex, Inc. inform each person or entity described in paragraph A above that respondent Rentex, Inc. shall not use or engage or shall terminate the use or engagement of any such person or entity, unless such person or entity agrees to and does file notice with said respondent that he or she will be bound by the provisions contained in this order; and that said respondent is obligated by this order to discontinue dealing with or to terminate the use or engagement of those persons or entities who engage on their own in the acts or practices prohibited by this order;

(D) In the event such person or entity will not agree to file notice set forth in paragraph B above with respondent Rentex, Inc. and be bound by the provisions of this order, respondent Rentex, Inc. shall not use or engage or continue the use or engagement of such person or entity to sell or promote the sale of rental housing information to consumers;

(E) Respondent Rentex, Inc. institute a program of continuing surveillance adequate to reveal whether the business practices of each of said persons or entities described in paragraph (A) above conform to the requirements of this order; and

(F) Respondent Rentex, Inc. discontinue dealing with or terminate the use or engagement of any person or entity described in paragraph (A) above, who continues on his or her own any act or practice prohibited by this order, as revealed by the aforesaid program of surveillance.

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 or corporations, the creation or dissolution of subsidiaries, or any other change in the corporation which may affect compliance obligations arising out of the order.

In the event that either of the corporate respondents merges with another corporation or transfers all or a substantial part of its business or assets to any other corporation or to any other person, said respondent shall require said successor or transferee to file promptly with the Commission a written agreement to be bound by the terms of this order: *Provided,* That if respondent wishes to present to the Commission any reasons why said order should not apply in its present form to said successor or transferee, it shall submit to the Commission a written statement setting forth said reasons prior to the consummation of said succession or transfer.

It is further ordered, That the individual respondents named herein promptly notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment in which (1) they are involved in a management, policy-making or ownership capacity, and (2) which involves the sale of information to consumers for a fee. Such notice shall include respondents' current business address and a statement as to the nature of the business or employment in which they are engaged, as well as a description of their 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 May 25, 1976.

CHARLES A. TOBIN,
Secretary.

[FR Doc.76-20386 Filed 7-14-76;8:45 am]

[1] The material in brackets shall be included, if no refund is offered.

Title 22—Foreign Relations

CHAPTER I—DEPARTMENT OF STATE

[Departmental Reg. 108.723]

PART 6—FREEDOM OF INFORMATION POLICY AND PROCEDURES

Amendment to the Freedom of Information Act Regulation

A notice of proposed rulemaking regarding amendments to Title 22, Part 6 of the Code of Federal Regulations was published in the FEDERAL REGISTER on May 13, 1976 (41 FR 19646).

Interested persons were invited to submit written comments for consideration by June 7, 1976. No unfavorable comments were received, and the proposed amendment is hereby adopted without change as set forth below.

AUTHORITY: Sec. 4 of the Act of May 26, 1949, as amended (63 Stat. 11; 22 U.S.C. 2658); E.O. 11652 (37 FR 5209); 5 U.S.C. 552, as amended by Pub. Law 93-502.

Effective date: This revision is effective June 14, 1976.

For the Secretary of State.

LAWRENCE S. EAGLEBURGER,
Deputy Under Secretary for Management.

In Title 22 CFR § 6.14 (a) (1) (i) and (ii) and (c) are revised as follows:

§ 6.14 Schedule of fees and method of payment for service rendered.

(a) * * *

(1) Search for records, per hour or fraction thereof—

(i) Professional (GS–9 level and above) ---------- $11.00
(ii) Clerical (GS–8 level and below) ---------- 6.00

* * * * *

(c) Where it is anticipated that the fees chargeable under this section will amount to more than $50 and the requester has not indicated in advance his willingness to pay fees as high as are anticipated, the requester shall be promptly notified of the amount of the anticipated fees or such portion thereof as can readily be estimated. In appropriate cases, an advance deposit may be required. The notice or request for an advance deposit shall extend an offer to the requester to confer with knowledgeable Departmental personnel in an attempt to reformulate the request in a manner which will reduce the fees and meet the needs of the requester. Dispatch of such a notice or request shall suspend the running of the period for response by the Department until a reply is received from the requester.

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Title 32—National Defense

CHAPTER VI—DEPARTMENT OF THE NAVY

PART 705—PUBLIC AFFAIRS REGULATIONS

PART 765—RULES APPLICABLE TO THE PUBLIC

Public Affairs Practices

Pursuant to the authority conferred in 5 U.S.C. 301 and 10 U.S.C. 5031, the Secretary of the Navy, on June 14, 1974, adopted the Department of the Navy Public Affairs Regulations (SECNAV INST 5720.44). These regulations had been previously omitted from codification. A new Part 705 of Title 32, CFR, entitled "Public Affairs Regulations" is established, and it reflects numerous provisions contained in the above regulations which are of interest to the public. 32 CFR 765.17, 765.18 and 765.19 which dealt with the same subject matter in a more limited scope, are hereby superseded and revoked.

These regulations are not published for public comment prior to adoption, because they relate to military functions that are exempt from the rulemaking provisions under 5 U.S.C. 553 and were adopted prior to the effective date of the nonstatutory rulemaking provisions that were administratively established for the Departments of Defense and the Navy in 32 CFR Part 296 and 32 CFR 701.57.

1. Accordingly, Title 32 CFR is hereby amended by adding a new Part 705, providing as follows:

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AUTHORITY: 5 U.S.C. 301; 10 U.S.C. 5031

§ 705.1 Purpose.

The regulations and rules in this part prescribe policies and procedures for the Department of the Navy pertaining to public affairs practices.

§ 705.2 Chief of Information and the Office of Information (CHINFO).

(a) The Chief of Information is the direct representative of the Secretary of the Navy and of the Chief of Naval Operations in all public affairs and internal relations matters. As such, he has the authority to implement public affairs and internal relations policies and to coordinate Navy and Marine Corps public affairs and internal relations activities of mutual interest.

(b) He will keep Navy commands informed of Department of Defense policies and requirements. No command within the Department of the Navy, except Headquarters, Marine Corps, will deal directly with the Office of the Assistant Secretary of Defense (Public Affairs) on public affairs matters unless authorized to do so by the Chief of Information.

(c) The Chief of Information will be consulted on all Navy public affairs and internal relations matters and informed of all operations and proposed plans and policies which have national or international (and in the case of audiovisual material, regional) public affairs aspects.

(d) The Chief of Information heads both the Office of Information, including its geographically separated Branch Offices (NAVINFO's), and the Navy Internal Relations Activity. In addition, he exercises command of the Navy Exhibit Center, Fleet Home Town News Center, and (on behalf of the Secretary of the Navy as Executive Agent for the Department of Defense) exercises responsibility for the High School News Service.

(e) The Office of Information Branch Offices (NAVINFO's) are located in Atlanta, Chicago, Dallas, Los Angeles and New York.

(1) As representatives of the Secretary of the Navy, the Chief of Naval Operations and the Chief of Information, NAV INFO's establish and maintain close personal relationships with regional television, radio, film, publishing and other mass media organizations, including those oriented to minority audiences, to assist in informing the public about Navy activities and naval personnel.

(2) Areas covered by the respective offices are:

(i) *NAVINFO, Atlanta.* Alabama, the District of Columbia, Florida, Georgia, Kentucky, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia and West Virginia.

(ii) *NAVINFO, Chicago.* Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin.

(iii) *NAVINFO, Dallas.* Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma and Texas.

(iv) *NAVINFO, Los Angeles.* Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington and Wyoming.

(A) Additionally, Los Angeles is the Navy representative for all appropriate liaison with motion picture and network television offices in the Hollywood area. Naval activities will channel all requests for information or assistance originating from these media to NAVINFO, Los Angeles, which will coordinate with CH INFO.

(v) *NAVINFO, New York.* Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont and the Virgin Islands.

(A) Additionally, New York is the Navy representative for all appropriate liaison with television and radio networks in the New York area and with magazine and book publishers in that area. Requests for assistance originating from these media should be directed to NAVINFO, New York, which will coordinate with CH INFO.

(3) Except as specifically directed by CHINFO, the Branch Offices do not have responsibility or authority for community relations or internal relations.

(4) Direct liaison between NAVINFO's and Naval District public affairs offices, Navy recruiters and other naval activities afloat and ashore is encouraged.

§ 705.3 Public Affairs Officer (PAO).

(a) The public affairs officer is the direct representative of the officer in command in public affairs matters. Ap-

pointment of a public affairs officer in no way relieves the officer in command of his responsibility in these matters.

(b) The public affairs officer will be assigned as a special assistant to the commander/commanding officer. He will keep the chief of staff and executive officer advised of his official activities.

(c) Although the Chief of Information does not exercise a direct command relationship over most field public affairs officers, there are many instances in which coordination and guidance will be necessary. Liaison will be maintained, as appropriate.

(1) The Chief of Information, as the Navy's senior public affairs officer, acts as the sponsor and adviser of the entire public affairs community, Navywide.

(2) A local public affairs officer can be of assistance to the Office of Information in certain instances. For example, ensuring that CHINFO and other interested authorities are immediately notified of any public affairs incident that may attract attention at the national level. Also, by providing CHINFO with feature material of general interest and forwarding local press clippings considered to be of sufficient importance to interest the Secretary of the Navy and the Chief of Naval Operations.

(d) The duties of a public affairs officer will vary with the type and size of the command and the requirements set by the officer in command. In addition to the standard responsibilities in public information and internal and community relations, such duties may include advising a Naval Reserve Public Affairs Company or maintaining a history of the command.

(e) If the public affairs officer acts as correspondent for a civilian newspaper or other publication or commentator for a civilian radio station, he shall not receive compensation for it, unless specifically authorized by the Secretary of the Navy, in accordance with § 700.1116(f) of this chapter.

§ 705.4 Communication directly with private organizations and individuals.

(a) Questions from the public and requests from groups or individuals for pamphlets, photos, biographies, historical matter, etc., must be promptly answered. (32 CFR Part 701, subparts A–D refers.)

(b) Assistance within the command's capabilities should (an in some cases, must be fully and courteously explained. channel for obtaining the item exists, such as a publication stocked by the Superintendent of Documents (Government Printing Office), or photos, as explained in the paragraph below the requester may be directed to it. Under some circumstances, a charge may be made. (Consult Part 701 of chapter or the command's Freedom of Information authority for details.) If a lengthy search, beyond the convenient manpower resources of the command, would be required, the requester may be offered the opportunity of examining the material at the command instead of copies being made.

(c) If a request is refused, the reason must be fully and courteously explained, as required by Part 701 of this chapter.

(d) Copies of released U.S. Navy photos may be purchased by the general public.

(1) Photos made within the last 10 years may be purchased from the Naval Photographic Center. Information on the conditions of sale can be obtained by writing to the Commanding Officer, Naval Photographic Center, Naval Station, Washington, D.C. 20390.

(2) Photos made more than 10 years prior to the current date may be purchased from the National Archives. Details are available from: Audio-Visual Branch National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

§ 705.5 Taking of photos on board naval ships, aircraft and installations by members of the general public.

(a) Visitors will not be allowed to take photographic equipment on board a naval ship or aircraft or into a naval activity or to take photographs within a naval jurisdiction unless specially authorized by the officer in command or higher authority.

(b) Guests of the Navy who wish to take photos within naval jurisdictions will be advised of areas where photography is permitted. An escort will be assigned to assure that security is maintained, unless photography is permitted throughout the ship, aircraft or installation, or the areas in which it is not permitted are appropriately guarded or secured.

(c) If there is reason to believe that film exposed by a visitor or media photographer contains classified information, the film will be processed under Navy jurisdiction.

(1) Classified photos, if any, will be retained. All unclassified film will be returned to the owner.

(2) When film exposed by civilian visitors or media representatives in sensitive areas is beyond the capability of the local command to process, it may be forwarded to the Commanding Officer, Naval Photographic Center, for processing. Any special processing instructions should be sent with the film.

§ 705.6 Releasing public information material to the media.

(a) Methods of releasing information:

(1) Release at the seat of government and/or as approved by the Assistant Secretary of Defense (Public Affairs).

(i) Overall responsibility for release of information rests with the Assistant Secretary of Defense (Public Affairs). The Chief of Information is responsible for coordinating with him releases of national and international interest (and in the case of audiovisual material, of regional interest) and for arranging for local release of such material if considered appropriate by OASD(PA). Information of the above types and also information proposed for release at the seat of government, with the exception of "spot news," as described in paragraph (b) of this section, following.

(2) Releases by local commands:

(i) News of purely local interest may be released by the command concerned. Higher and coordinating authorities (such as the District Commandant) will be informed, when appropriate, that the release has been made.

(ii) News of national or other wide interest may be released by a local command under the following circumstances:

(A) The Assistant Secretary of Defense (Public Affairs), having approved a release, directs that it be issued by the command concerned.

(B) An event of immediate and urgent news interest, such as a disasterous accident, occurs at the command, and emergency announcements must be made as delay in issuing information would be against the best interests of the Navy. The officer in command will make a "spot news" release of all appropriate information considered releasable.

(*1*) Copies of spot news releases made (or a description if the announcement is made orally) will be forwarded promptly to the Chief of Information.

(2) If the situation is considered critical, the spot news release will be forwarded by telephone or message.

(b) Means through which information is released to media:

(1) Navy oriented information material (written, taped, motion picture, still photo) is regularly released to all media presumed to be interested.

(2) Similar material is provided in response to query from a news media representative. The material may be produced by the Navy, or the newsman may be assisted in researching, filming, etc. himself.

(3) Exclusive releases:

(i) Information concerning naval activities may be provided on an exclusive basis only when a specific request or inquiry is received from one news media representative for material not requested by other media.

(ii) In such cases, and assuming that the information is properly releasable, the following rules will apply:

(A) If prior to the time information is given to the newsman making the original inquiry or request substantially similar inquiries or requests are received from other newsmen, the first inquirer will be so informed, and subsequent inquirers will be advised that a prior request has been received. None of the inquirers will be told the identity of the individuals or media who have placed these similar inquiries.

(B) If not more than three similar requests are received, the information will be provided simultaneously to each inquirer.

(C) If more than three requests for substantially the same information have been received before any are answered, inquirers will be advised as soon as possible that the information cannot be given on an exclusive or limited basis, and a general release covering the subject will be issued to all media.

(4) News conferences:

(i) A news conference is held when a command has something specific to announce to the press that cannot be handled in a news release or by phone call. A news conference should not be called just to get together with the press. A request from the press is also a reason for conducting a news conference. Special events, significant operations or serious accidents are frequent reasons for calling news conferences. If requested, spokesmen may be made available to the press for questions without specific subject matter in mind, but the press should be clearly informed of the nature of this meeting. Technically, this is not considered a news conference.

(ii) When a news conference is held, it is essential that all interested media be invited to attend.

(iii) A record of what is said should be kept. Ideally, the news conference should be tape recorded and a public affairs officer should be present.

(iv) Official spokesmen will be prepared to answer questions in a frank and candid manner. If the answer would compromise military security, the inquirer should be so advised. If the answer is not known to the spokesman, he should say so and add that the matter will be checked and any available unclassified information provided later.

(v) Newsmen are not normally asked to submit their questions in advance. If this is considered advisable, as in cases where highly technical answers may be required, the answers are prepared in advance and given to all attending newsmen (not just the questioner) at the news conference.

(5) Interviews. These are similar to news conferences except that they involve a single newsman (who has usually requested the interview) and a single Navy spokesman.

(i) Required procedures are essentially the same as for news conferences. However, a public affairs officer should be present only if desired by the person being interviewed. The interview may be taped, if the newsman agrees.

(ii) Without penalizing initiative displayed by a newsman in asking pertinent questions, care should be exercised by the naval spokesman not to make a major revelation of news material to a single media outlet in the course of a routine interview.

(iii) If major areas of difficulty arise in the interview, the Chief of Information should be notified of them.

(6) Background briefings; "Not for attribution"; or "Off the record."

(i) Since there is a possibility or risk of a misunderstanding arising in these briefings, it is important that all concerned understand and agree to the ground rules.

(ii) In general, information will not be made public unless it can be openly attributed to the Navy and disseminated without reservation. Occasionally, a backgrounder may be helpful. An example is a briefing of embarked newsmen in advance of an operation, providing information which may not be reported until the operation is over. The purpose is to help the newsmen understand the operation while it is taking place.

§ 705.7 Radio and television.

(a) Navy relationships with radio and TV representatives are of two types:

(1) Dissemination to them of Navy produced tapes, photos, films, etc. (This is discussed in more detail in § 705.17).

(2) Cooperation with them when they produce a program on a Navy subject. This is discussed in the paragraph following:

(b) Requirement for approval by higher authority.

(1) Commanding officers may:

(i) Release audiovisual material which is spot news, as defined in § 705.6(a)(2)(ii) preceding, or is of purely local interest.

(ii) Participate in local community audiovisual projects of benefit to the Department of Defense or in the national interest.

(iii) Approve one-time, one-station participation by personnel of their commands (as individuals) in programs of purely local interest.

(2) All other audiovisual material originated by the Department of the Navy or requiring Navy cooperation must be approved by the Chief of Information, who will effect the necessary coordination and/or approval of the Assistant Secretary of Defense (Public Affairs).

(i) Requests for assistance from nongovernmental audiovisual media will be forwarded, with the maximum available details and an evaluation of the request, through the chain of command to the Chief of Information.

(ii) No direct coordination or contact between local naval commands and the Assistant Secretary of Defense (PA) is authorized unless specifically provided for by separate directives or correspondence.

(c) Navy cooperation in productions by audiovisual media representatives (nongovernment).

(1) The production or project must:

(i) Be consistent with the goals and aims of the Department of Defense and/or be in the national interest.

(ii) Portray military operation, historical incidents, persons and places, in such a manner as to give a true portrayal and interpretation of military life.

(iii) Comply with accepted standards of dignity and propriety in the industry.

(2) There will be no deviation from established safety standards.

(3) Operational readiness shall not be impaired.

(4) Official activities of military personnel assisting the production must be within the scope of normal military activities. Exceptions to this policy will be made only in unusual circumstances.

(5) Diversion of ships, equipment, personnel and material resources from normal military locations or military operations will not normally be authorized for filming. Exceptions to such policy must be authorized by the Assistant Secretary of Defense (Public Affairs), through the Chief of Information.

(i) The production company concerned must reimburse the government for any extra expense involved. A strict accounting of the additional expenses incurred and charged to the production company must be maintained by the designated project officer. A copy of this accounting will be forwarded to the Chief of Information.

(6) Naval material and personnel will not be employed in such a manner as to compete with commercial and private enterprise. In this regard, any person or agency requesting their use will furnish a noncompetitive certification.

(7) Additional details on procedures will be found in DOD Instruction 5410.16.

(8) In addition to cooperation requested by the media, commands will be alert to the advantages of providing Navy programming and/or encouraging participation by Navy personnel in local radio and TV programming. Examples are community forums, local talent shows, educational and religious programs, children's shows, sports programs, etc.

(d) Participation by individual Navy personnel on radio or TV programs:

(1) In general, such participation is encouraged if it is:

(i) Dignified and considered in the interests of the Navy.

(ii) Compatible with operational commitments.

(iii) Not in competition with the regular employment of professional performers.

(2) The public affairs officer will screen requests for such appearances for members of his command to see that the programs are in good taste, and that neither the Navy nor its personnel are exposed to embarrassment for the sake of entertainment.

(3) Approval of participation by Navy individuals:

(i) Approval is not required for personnel attending audience participation broadcasts if they are selected at random from the audience.

(ii) One-time, one-station participation of purely local interest may be approved by the officer in command concerned.

(iii) If participation will be on a network (defined as more than one station, even if local) or if the same person or program is requested by two or more unrelated stations, approval by the Chief of Information must be obtained even if the show is of local interest only.

(e) Use of official footage:

(1) Use of official U.S. Navy stock film footage on TV broadcasts is not authorized without approval and clearance by the Chief of Information and the Department of Defense.

(2) Use of Navy public information motion pictures cleared for TV is authorized and encouraged except that such films may be used on subscription or pay TV only when offered to the viewers at no cost.

(3) Navy films will not be cut or portions duplicated for TV use in lieu of

stock footage without prior approval by the Chief of Information.

(f) Music clearance. The Navy assumes no responsibility for clearance of music used on Navy recordings, transcriptions, or films not specially produced or authorized for radio or TV broadcast.

(g) Disclaimers. A disclaimer is not necessary if a product is advertised on a program in which the Navy participates, but there must be no stated or implied endorsement of it by the Navy or by naval personnel appearing on the program.

(h) Requests for courtesy prints of commercial television programs:

(1) Requests will not be made directly to the producer or network concerned, but will be forwarded to the Chief of Information by the Navy requester.

(2) These courtesy prints will be exhibited only under circumstances which cannot be construed as competitive with commercial ventures.

§ 705.8 Motion pictures.

(a) The rules and procedures given in the preceding for TV will also apply to cooperation with commercial motion picture producers.

(b) The Navy assists in the production of commercial, privately financed, nontheatrical motion pictures of institutional or of educational value to the public. The Navy will not:

(1) Solicit their production.

(2) Provide lists of subjects the Navy considers "desirable."

(3) State that the Navy will use a commercially produced film.

(4) Imply endorsement of a product.

(5) Permit the use of official Navy seals.

(c) Navy participation will be in accordance with provisions of the current Defense Appropriations Act relating to the use of contract funds and subject to the review of the Chief of Information.

(d) When a commercial film which has been produced with Navy cooperation is screened in a community, local commands can provide Navy exhibits for display in theater lobbies, coordinate displays of recruiting material, and arrange for personal appearances of Department of Defense and Department of the Navy military and civilian personnel, provided such cooperation is approved by the Chief of Information and the Assistant Secretary of Defense (Public Affair).

§ 705.9 Availability of motion pictures to external audiences.

(a) *Public access.* Navy and Marine Corps general motion pictures and motion picture projects not previously cleared for public exhibition will require clearance by the Chief of Information or the Marine Corps Director of Information, as appropriate, prior to public viewing. Concurrent review of legal rights and instruments associated with the production will be carried out by Patent Counsel, Naval Air Systems Command (AIR–OOP). Cleared motion pictures may also be made available for free loan as determined by the individual services. In addition, cleared motion pictures may be provided for rent or sale through the National Audio-visual Center, National Archives and Records Service (GSA), Washington, DC 20409.

(b) *Foreign military training.* Motion pictures from the Navy inventory may be made available for foreign military training programs on approval by the Chief of Naval Operations. Classified motion pictures selected for such use will also require a security review by the Chief of Naval Operations.

§ 705.10 Still photography.

(a) Policy and procedures on taking photos by the general public, given in § 705.5 apply also to media representatives.

(b) Basic policy and procedures for still photos are set forth in the Manual of Naval Photography, OPNAVINST 3150.6D.

(c) Authority to forbid photography:

(1) On Navy property, the officer in command may forbid the taking of photographs and may confiscate film, reviewing it if it is suspected that classified material has been photographed. In such cases, all unclassified photos will be returned promptly to the photographer.

(2) Navy personnel have no authority to confiscate film off Navy property. If, as in an accident, classified equipment is exposed which cannot be removed or covered, Navy representatives will ask news media photographers not to photograph it and will inform them of 18 U.S.C. 793(e), 795, 797, which makes it a criminal offense to photograph classified material. Navy personnel will not use force if media photographers refuse to cooperate, but will instead seek the assistance of appropriate civil authorities and/or the photographer's superior in recovering film or photographs presumed to be of classified nature.

(3) If media photographers are uncooperative in regard to protection of classified material, an account of the matter will be forwarded to the Chief of Information.

(d) Release of photographs:

(1) Most unclassified photographs of interest to the public may be released to news media. However, the rights of individuals photographed and special constraints such as those described in section 0403 of the Public Affairs Regulations must be taken into consideration before a decision is made to release a photograph. In addition, photos which might be harmful to recruiting or otherwise not be in the Navy's best interests will not be used unless this failure to release them constitutes suppression of legitimate news.

(2) Photographs of strictly local interest can be made available by the command to local media without being submitted to review by higher authority.

(3) If a feature type photo released locally is considered of possible interest elsewhere, because of its human interest or artistic merit, a single print should be forwarded to the Chief of Information, together with a notation of the distribution made.

(4) Photographs of national interest:

(i) "Spot news" photos may be released by a District Commandant or Fleet or Force Commander.

(ii) If a photo has been released by a local command to national news media:

(A) The original negative or transparency will be forwarded by the fastest available means to the Commanding Officer, Naval Photographic Center, Naval Station, Washington, D.C. 20390. Such forwarding will be in accordance with the Manual of Naval Photography, par. 0445, subparagraphs 3 and 4.

(B) One print, a copy of the letter of transmittal, and the distribution list will be forwarded to the Chief of Information.

(C) Navy units with a Unified Command will forward the photos through Unified Command channels.

(D) All other commands will forward the photos to the Chief of Information who will effect coordination with the Office of the Assistant Secretary of Defense (Public Affairs) and, if necessary, arrange for security review.

(iii) Photography of research activities is normally considered to be of national interest.

(iv) Still photographs of national news interest may be forwarded, unprocessed, for release by the Chief of Information by any command not subject to the authority of a Unified or Specified Commander. Such forwarding will be in accordance with paragraph 0445, subparagraph 3, of the Manual of Naval Photography. All available caption material will be forwarded with this unprocessed photography.

§ 705.11 Supplying photographs and services to other than Navy and Marine Corps.

(a) To avoid competition with civilian photographic organizations, naval aircraft will not be used to take photographs for, nor will photographs or mosaic maps be provided to any individuals, corporations, or agencies other than departments or agencies of the federal government, without specific permission from the Chief of Naval Operations.

(b) In the case of natural catastrophe, or other circumstances where prompt action is required, the senior officer present may authorize a departure from the preceding paragraph. In all such cases, a report of the circumstances will be made to the Chief of Naval Operations.

(c) This policy does not preclude releases to the media, news companies, and others in accordance with established procedures, or the sale of released photographs to private agencies or individuals under existing Department of Defense regulations and Part 701, Subparts A–D, Availability to the public of Department of the Navy Information and Records. Normally, requests by individuals for still photographs and motion picture photography for private use are forwarded to the Commanding Officer, Naval Photographic Center, Naval Station, Washington, DC 20390, for action. Procedures for the collection or authority for waiver of fees for service and material provided

are set forth in Volume III, NAVCOMPT Manual, and Part 701, Subparts A–D.

(d) Navy aerial photography released for sale to the public is transferred to the United States Department of the Interior. Inquiries regarding the purchase of this photography should be directed to Chief, Map Information Office, Geological Survey, Department of the Interior, Washington, DC 20025.

(e) Navy training films suitable for sale to the public are transferred to the National Audio-Visual Center, National Archives and Records Service, General Services Administration, Washington, DC 20408. Inquiries regarding the sale of Navy training films should be addressed to the National Audio-Visual Center.

(f) This policy does not preclude releases to contractors and others properly engaged in the conduct of the Navy's business. However, when services are performed for other agencies of the government, and under certain conditions, for other military departments, the Navy Comptroller Manual prescribes that such are subject to reimbursement.

(g) All private inquiries from foreign nationals should be returned, advising the addressee to contact his local U.S. Information Service officer for the desired material. § 705.12 *Print media.* Requests for reprints of items published in national media will be addressed to the Chief of Information. Commands will be careful not to reproduce on their own authority any copyrighted material without advance permission from the copyright holder.

§ 705.13 Commercial advertising.

(a) The Navy encourages cooperation with advertisers. However, the layout, artwork and text of the proposed advertisement must be submitted to the Chief of Information for review and for clearance by other appropriate authorities.

(b) Requests from commercial enterprises (including those with Navy contracts) for use of Navy personnel, facilities, equipment or supplies for advertising purposes must be referred to the Chief of Information.

(c) Official Navy photos which have been cleared and are released for open publication may be furnished for commercial advertising, if properly identified and captioned. No photos will be taken exclusively for the use of an advertiser.

(d) Navy cooperation in commercial advertising, publicity and other promotional activities will be based on the following requirements.

(1) It must be in accordance with the provisions of 32 CFR Part 721.

(2) It must be in good taste and not reflect discredit on the Navy or the U.S. Government. Statements made must be matters of fact, without misleading information or other objectionable features.

(3) It must not indicate that a product is used by the Navy to the exclusion of similar products offered by other manufacturers or appear to endorse or selectively benefit or favor (directly or indirectly) any private individual, sect, fraternal organization, commercial venture or political group, or be associated with solicitation of votes in a political election. It will not infer Navy responsibility for the accuracy of the advertiser's claims or for his compliance with laws protecting the rights of privacy of military personnel whose photographs, names or statements appear in the advertisement. It will neither indicate that a product has undergone Navy tests nor disclose data from any Navy tests which may have been made.

(4) It may not promote the use of tobacco or alcohol.

(e) Use of uniforms and naval insignias. These may be used provided it is done in a dignified manner.

(f) Use of naval personnel:

(1) Personnel may receive no compensation.

(2) Personnel will not be inconvenienced or have their training or normal duties interrupted.

(3) Written consent from the person concerned must be obtained before a photo may be used.

(4) Navy civilians and military personnel on active duty may not use their position titles or ranks in connection with any commercial enterprise or endorsement of a commercial product. (Retired personnel and Reserves not on active duty may use their military titles in connection with commercial enterprises if this does not give rise to the appearance of sponsorship of the enterprise by the Navy or Department or in any way reflect discredit upon them.)

(5) Testimonials from naval personnel are not banned, but the person giving the testimonial must not be specifically identified.

(i) The use of name, initials, rank or rate of Navy personnel appearing in testimonial advertising is not permitted, but such expressions as, "says a Navy chief," may be used.

(ii) Care will be taken to ensure that testimonials from Navy personnel are presented in such a way as to make clear that the views expressed are those of the individual and not of the Department of the Navy.

§ 705.14 Embarkation of media representatives.

(a) *General.* (1) Although this paragraph applies primarily to embarkation in ships, provisions which are applicable to embarkation on aircraft or visits to shore installations apply also to those situations.

(2) See also § 705.37 on transportation of non-Navy civilians.

(b) *Invitations to embark.* (1) Invitations should be extended as far in advance as possible and inclusive information on the following should be provided:

(i) Type, scope and duration of operation or cruise.

(ii) Communications, methods of press transmission, and charges, if any.

(iii) Transportation arrangements.

(iv) Approximate cost of meals and/or quarters, and the statement that the newsman will be expected to pay for these and other personal expenses incurred.

(2) It should be made clear to the newsman that there may be limits on movement from one participating unit to another. If helicopters or highline transfers are to be used, their limitations and hazards should be explained.

(3) On operations where security is critical, embarkation of newsmen may be made contingent to their agreement to submit copy for security review. Under such circumstances, the reason for the review will be made clear prior to embarkation, and every effort will be made to avoid any interpretation of such review as "censorship" or interference with freedom of the press.

(c) *Arrangements aboard ship.* (1) Where appropriate, a briefing should be held at the earliest convenient time after embarkation at which newsmen may meet the commanding officer and other key personnel and guests and at which previously supplied information is reviewed.

(2) If feasible, an escort officer will be assigned to each newsman (or group of newsmen having similar requirements).

(3) It should be reported in the ship's newspaper (and on radio and closed-circuit TV, if any) that newsmen will be embarked, giving their names and the media they represent.

(4) If a correspondent is interested in home town material, personnel from his area should be contacted in advance, if possible, to determine if and when they would be available for interviews and photos.

(5) Representatives of press associations and radio and TV networks will be embarked in the Exercise Commander's flagship or the Exercise Control ship, when possible. This ship should also control the ship-to-shore press radio and teletype circuit (RATT).

(6) When more than one representative from the same medium is embarked, an attempt should be made to have them located at separate vantage points.

(d) Communications:

(1) Every effort will be made to provide suitable communication facilities for newsmen embarked (including equipment and personnel, if feasible).

(2) All persons embarked with permission of proper authority and accredited as correspondents are eligible to file press traffic, as provided for in Division of Naval Communications Publication 26 (DNC–26), "Commercial Traffic Regulations."

(3) Navy radio or wire transmission facilities, where available, may be made available to news media (including accredited civilian photographers) when operational requirements permit, in accordance with instructions set forth by the Director of Naval Communications. This includes making live broadcasts or telecasts. (A live network broadcast or telecast must, however, be approved by the Chief of Information.)

(4) Messages and instructions from editors and station managers to embarked newsmen will be handled as press

traffic, as authorized in DNC–26.

(5) Stations receiving press circuits will be authorized to receipt for press traffic without asking for time-consuming "repeats."

(6) Under normal circumstances, press copy will be transmitted on a first-come, first-served basis; however, newsmen will be informed that the prerogative of limiting the amount to be filed during any one period rests with the Exercise Commander.

(7) If it becomes necessary for operational reasons for newsmen to pool copy, such messages shall be filed as "multiple address messages" or book messages, as appropriate, or when requested by the newsmen concerned.

(8) If the locale of the exercise permits newsfilm and press mail to be flown ashore, flights should be scheduled on a high priority basis to connect with scheduled commercial air traffic. Operational aircraft as well as scheduled government air flights should be considered for delivery of television news film, radio tapes and photography to the nearest commercial communications facility.

(e) *Voluntary submission of material by a newsman for security review.* When a review is not required but is sought by the newsman, no attempt will be made to delete or change any material, whether or not it appears critical of the Navy or of naval personnel. If any classified information is included, the newsman will be asked to delete it. In addition, his attention will be drawn to any inaccurate or possibly misleading statements.

§ 705.15 Employment of Navy personnel as correspondents or staff members of civilian news media.

(a) A member of the naval service on active duty or Navy civilian may act as correspondent for a news periodical or service, radio or TV station or network, or may work part-time for such an organization. The Secretary of the Navy will, however, be immediately informed, via the Chief of Information.

(1) See section 0307 (par. 5), section 0308 (par. 4), and section 0309 (par. 3) of the Navy Public Affairs Regulations for regulations referring to personnel assigned to public affairs staffs receiving compensation for such work.

(2) In time of war, only personnel assigned to public affairs billets and such other personnel as the Secretary of the Navy may authorize can act as correspondents for civilian media.

(b) Military personnel on active duty and Navy civilians may not serve on the staff of a "civilian enterprise" newspaper published for personnel of a Navy installation or activity.

§ 705.16 Navy produced public information material.

(a) *Still photo*—(1) *General.* (i) The policy and procedures given for media produced still photos in § 705.10, apply to Navy produced photos.

(ii) The Office of Information does not issue, nor have funds available for the purchases of, any photographic equipment or supplies for Navy commands. Details on the establishment of authorized laboratories and acquisition of equipment and supplies are given in the Manual of Navy Photography (OPNAVINST 3150.6D).

(2) *Photographic coverage of command events.* (i) If more than two photographers are required to cover a public event, consideration should be given to having them wear appropriate civilian attire.

(ii) Personnel in uniform who are amateur photographers and who are attending the event as spectators will not be discouraged from taking photos.

(3) *Unofficial photos taken by Navy personnel.* (i) The following regulations apply to Navy civilian employees and to Navy personnel in transit through a command, as well as to active duty personnel assigned to the command.

(ii) Personal cameras and related equipment are permitted on Navy ships, aircraft and stations at the discretion of the officer in command.

(iii) An officer in command may screen all photos taken by naval personnel with personal cameras within the jurisdiction of the command to protect classified information or to acquire photos for official use, including public affairs. Photographs taken by bystanders at times of accident, combat, or similar significant events can be valuable for preparation of official report and public release. They should be collected for screening and review as expeditiously as possible.

(iv) Amateur photographers should also be encouraged to volunteer the use of interesting or significant photos for public affairs use.

(v) Photos made by naval personnel, with either personal cameras and film, Navy equipment and film, or any combination thereof, may be designated "Official Navy Photo" if it is considered in the best interests of the Navy.

(A) All precautions will be taken to protect such film from loss or damage, and all unclassified personal photos not designated as "official" will be returned to the owner immediately after review.

(B) When a photo taken by an individual who is not an official photographer is selected for public affairs release:

(*1*) The photographer will receive credit for his work in the same manner as an official photographer.

(2) The original negative or transparency will be retained and assigned an official file number. It will then be handled like any other official Navy photograph.

(3) At least one duplicate negative or transparency of each unclassified personal photo which has been designated as "official" will be prepared and delivered to the photographer. A black-and-white print may also be prepared for the photographer's personal use.

(b) *Audiovisual.* (1) The Chief of Information releases TV featurettes directly to local TV stations and the Office of Information's Branch Offices (NAV INFO's). After such featurettes have been cleared for public release by the Assistant Secretary of Defense (Public Affairs).

(2) The Assistant Secretary of Defense (PA) must approve, prior to commitment of funds, the initiation of Navy audiovisual productions intended for public release.

(3) Motion picture film.

(i) Film of major news value will be forwarded immediately, unprocessed, to the Commanding Officer, U.S. Naval Photographic Center. The package should be labeled as follows:

NEWS FILM—DO NOT DELAY

Commanding Officer, U.S. Naval Photographic Center (ATTN: CHINFO Liaison), U.S. Naval Station, Washington, DC 20390.

NEWS FILM—DO NOT DELAY

The Commanding Officer of the Naval Photographic Center will be advised (with an information copy to the Chief of Information) of its forwarding, the subject, type and amount of footage, method of delivery, and estimated time of arrival in Washington.

(ii) The original negative of motion picture photography of feature value (photography which will not lose its timeliness over a reasonable length of time) will be forwarded to the Naval Photographic Center, and a copy of the forwarding letter will be sent to the Chief of Information.

(4) Additional guidance and procedures will be found in Chapter 8 of the Manual of Naval Photography (OP NAVINST 3150.6D).

§ 705.17 Participation guidelines.

(a) The provisions of this section refer to participation by naval personnel and use of Navy facilities and material in events sponsored by nongovernment organizations except where otherwise stated.

(b) In accordance with the established responsibilities of local officers in command, these officers will continue to determine whether facilities, equipment and personnel within their cognizance may be provided for such programs (except in the Washington, D.C. area where the Assistant Secretary of Defense (Public Affairs) is the authorizing authority).

(c) Officers in command will ensure that participation is appropriate in scope and type, and is limited to those occasions which are: in keeping with the dignity of the Department of the Navy, in good taste and in conformance with the provisions of Part 721 of this chapter. The national, regional, state or local significance of the event and the agency sponsoring the event will be used as guides in determining the scope and type of Navy participation to be authorized.

(d) Participation in community relations programs is authorized and encouraged to accomplish the aims and purposes as set forth in § 705.18 (following). Where mutually beneficial to the Department of Defense and the public, support authorized and provided is always subject to operational considerations, availability of requested support and the policy guidance provided herein.

(e) Military personnel, facilities, and materiel may be used to support nongovernment public affairs programs when:

(1) The use of such facilities, equipment and personnel will not interfere with the military mission or the training or operational commitments of the command.

(2) Such programs are sponsored by responsible organizations.

(3) Such programs are known to be nonpartisan in character, and there is no reason to believe that the views to be expressed by the participants will be contrary to established national policy.

(f) The sponsoring organizations or groups will be clearly identified in all cases where naval personnel participate as speakers, or military support is furnished.

(g) Public affairs programs sponsored by civilian organizations will not be cosponsored by a naval command unless expressly authorized by the Chief of Information.

(h) Participation will not normally be authorized in public events when the presence of military participants deprives civilians of employment. Officers in command will screen all requests for use of material and personnel in Navy-sponsored social functions held off military installations.

(i) Navy participation and cooperation must not directly or indirectly endorse, or selectively benefit, or appear to endorse, benefit or favor, any private individual, group, corporation (whether for profit or nonprofit), sect, quasi-religious or ideological movement, fraternal, or political organization, or commercial venture, or be associated with the solicitation of votes in a political election.

(j) Providing use of government facilities, such as transportation, housing, or messing, at government expense to private groups is normally interpreted as a selective benefit or favor and is not authorized as part of a community relations program. Therefore, such provisions are normally not authorized as part of a community relations program, even though certain uses of facilities may be authorized under directives on domestic action or other programs.

(2) The above does not bar private groups from providing entertainment on base. However, the appearance must be for entertainment and not for fund-raising, or any political or promotional purpose.

(j) Community relations programs must always be conducted in a manner free from any discrimination because of race, creed, color, national origin, or sex.

(1) Navy participation in a public event is not authorized if admission, seating and other accommodations and facilities are restricted in a discriminatory manner.

(2) Exceptions for participation may be made under certain circumstances for an ethnic or ideological group when they do not entertain any purpose of discriminating against any other group. Any such exceptions must be referred to the Chief of Information for consideration.

(3) Support to nationally recognized veterans' organizations is authorized when the participation is in support of positive programs which are not in themselves discriminatory.

(4) Navy support to nonpublic school activities is authorized when the participation is clearly in support of educational programs or Navy recruiting.

(5) Commands should ensure minority participation in all community relations activities and events, as appropriate. This includes but is not limited to the following:

(i) Ensure that the minority community is aware of the procedure for obtaining Navy support for community events and that they are appraised of the use of Navy demonstration teams, units, and speakers.

(ii) Encourage Navy involvement in, and attention to, local minority community events.

(iii) Continue to cultivate a rapport with key members of all minority communities.

(k) Participation is not authorized if there is fund raising of any type connected with the event, except as provided for in § 705.34.

(l) No admission charge may be levied on the public solely to see an Armed Forces demonstration, unit, or exhibit.

(1) When admission is charged, the Armed Forces activity must not be the sole or primary attraction.

(2) A general admission charge need not be considered prohibitory to Navy participation, but no specific or additional charge may be made because of Navy participation.

(3) Participation shall be incidental to the event except for programs of a patriotic nature, celebration of national holidays, or events which are open to the general public at no charge for admission.

(4) The provisions of this paragraph do not apply to the Navy's Blue Angel Flight Demonstration Team or to the Navy Band and other special bands engaged in authorized concert tours conducted at no additional cost to the government.

(m) Some participation in or support of commercially sponsored programs on audio or visual media is allowable. See §§ 705.7 and 705.8.

(n) Some participation which supports commercial advertising, publicity and promotional activities or events is allowable. See section 0405, par. 3 of the Navy Public Affairs Regulations.

(o) Navy speakers may be provided for certain events at which other forms of Navy participation may not be appropriate. See section 0604, par. 8 of the Navy Public Affairs Regulations.

(p) When participation is in the mutual interest of the Navy and the sponsor of the event, participation will be authorized at no additional cost to the government. Additional costs to the government (travel and transportation of military personnel, meals and quarters, or standard per diem allowances, etc.) will be borne by the sponsor.

(q) Department of Defense policy prohibits payment by the Armed Forces for rental of exhibit space, utilities, or janitorial costs. Exception may be given under unusual circumstances.

(r) Navy participation in professional sports events and post-season bowl games will frequently be authorized at no additional cost to the government, will emphasize Joint Service activity when possible, and must support recruiting programs. Chief of Information approval is required.

(s) Navy support of beauty contests, fashion shows, Easter and Christmas parades, and motion picture premiers will not usually be authorized. Requests for exceptions will be considered on a case-by-case basis by the Chief of Information.

(t) Questions as to appropriateness of Navy participation, or as to existing Navy and OASD (PA) policy, may be referred to the Chief of Information.

(u) Procedures for requesting participation are addressed in § 705.21.

§ 705.18 Authority and coordination.

(a) Each naval command will coordinate its community relations program with the senior authority having responsibility for community relations in its area (District Commandant, Unified Commander, or other).

(b) Within policy limitations outlined in this section, the command receiving a request for Navy participation, and processing the required resources, has the authority to process the request and provide the support requested.

(c) Requests for support exceeding local capability, or requiring approval from higher authority, or requiring an exception to policy will be referred as directed in § 705.21 for determination.

(d) The Assistant Secretary of Defense (Public Affairs) has the overall responsibility for the Department of Defense community relations program. Civilian sponsors should be advised to address requests for approval of the following types of programs directly to the Director of Community Relations, Office of the Assistant Secretary of Defense (Public Affairs), Pentagon, Washington, D.C. 20301:

(1) National and international events, including conventions, except those taking place in overseas areas which are primarily of internal concern to Unified Commanders.

(2) Events outside the United States which have an interest and impact extending beyond the Unified Command areas, or which require assistance from outside the command area.

(3) Public events in the Washington, D.C. area.

(4) Aerial, parachute, or simulated tactical demonstrations held in the public domain, except those held in areas assigned to overseas Unified Commands.

(5) Aerial reviews on military installations within the United States if the review involves more than one Service.

(6) Programmed national sports, professional athletic events, formal international competitions, and contests between a Navy and professional team in

the public domain. See section 0605, par. 18 of the Navy Public Affairs Regulations.

(7) Performing Navy units appearing on regional or national television.

(8) Overall planning for Armed Forces Day (not including local activities.)

(9) Granting exceptions to policy.

(e) Overseas, Unified Commanders are designated to act for and on behalf of the Secretary of Defense in implementing community relations programs within their command areas and in granting any exceptions to policy or regulations. This authority may be delegated.

(1) Policy, direction and guidance for Unified Command community relations programs are provided to Navy components of these commands by the Unified Commander concerned.

(2) Authority of the Commander-in-Chief, Pacific extends to planning and execution of community relations programs in Alaska and Hawaii. Participation in events held in Alaska and Hawaii will be governed by the same principles as policies applicable to other states.

(3) Community relations programs and events taking place within the United States which have an effect on a Unified or Specified Command as a whole, or are otherwise of significant concern to the Unified Command, require complete coordination through appropriate channels between the Unified Command and naval activities concerned.

(4) Unified Commanders overseas requiring Navy support for a community relations program or participation in a public event should coordinate their requirements with the appropriate Navy component command.

(f) The Secretary of the Navy will plan and execute Navy community relations programs and approve Navy participation in public events not otherwise reserved or assigned to the Secretary of Defense. This authority may be delegated.

§ 705.19 Financing.

(a) The financial requirements for community relations purposes will be kept to the minimum necessary to accomplish Department of Defense objectives.

(b) Costs of participation will normally be at government expense for the following types of events and programs when they are in the primary interest of the Department of Defense:

(1) Public observances of national holidays.

(2) Official ceremonies and functions.

(3) Speaking engagements.

(4) Programmed, scheduled tours by Navy information activity support units (e.g., an exhibit from the Navy Exhibit Center) when this method of reaching special audiences is considered by the Secretary of the Navy to be the most effective and economical way of accomplishing a priority public affairs program.

(5) Tours by units (e.g., the Navy Band) for which appropriated funds have been specifically provided.

(6) Support of recruiting.

(7) Events considered to be in the national interest, or in the professional, scientific, or technical interests of the Navy or Department of Defense, when approved by the Secretary of Defense or the overseas Unified Commander, as appropriate.

(c) Navy participation in all other public events will normally be at no additional costs to the government.

(1) Continuing type costs to the government which would have existed had the Navy not participated in the event will not be reimbursed by the sponsor.

(2) Transportation costs may be excluded from the costs to be borne by the sponsor when the transportation can be accomplished by government aircraft on a normal training flight or opportune airlift.

§ 705.20 Use of Navy material and facilities.

(a) The load of equipment and permission to use facilities will be dependent on the following:

(1) The program support must be within the command's public affairs responsibility.

(2) The load of the equipment must not interfere with the military mission of the command.

(3) Equipment must be available within the command or obtainable from another Navy command in the local area.

(4) The event must be of the type for which participation is considered appropriate.

(5) It must not be in any direct or implied competition with a commercial source.

(6) There must be no potential danger to persons or private property that could result in a claim against the government. Safety requirements will be observed.

(b) Use of open mess facilities will be permitted only under one of the following conditions:

(1) Incident to the holding of a professional or technical seminar at the command.

(2) Incident to an official visit to the command by a civic group.

(3) Navy League Council luncheon or dinner meetings (not to exceed one per quarter per group).

(4) Incident to group visits by the Boy Scouts of America, Boys Clubs of America, the Navy League Sea Cadets (by virtue of their federal charters), Girl Scouts and the Navy League Shipmates, and a few representative adult leaders.

(c) Use of the official Navy flag will be in accordance with SECNAVINST 10520.-2C and of official emblem in accordance with OPNAVINST 5030.11A.

(d) Requests not meeting the criteria cited here, but which are considered by the officer in command to have merit, may be referred to the Chief of Information.

§ 705.21 Requests for Navy participation.

(a) Decisions will be made on a case-by-case basis. Events which are inappropriate for one type of participation may be entirely appropriate for another type of participation. A positive and flexible approach should be employed.

(b) Requests by civilian organizations for Navy participation in programs or events they sponsor should be addressed to the nearest naval installation and should be evaluated and authorized at that level if possible. Request exceeding local resources, or requiring authorization from higher authority, should be forwarded through appropriate channels.

(c) Requests for Armed Forces participation in public events are to be submitted on official request forms (§§ 705.33, 705.34 and 705.36) by the sponsors of events occurring outside a command's area of direct knowledge and local capability, or involving a type or level of participation unavailable locally, or requiring approval of higher authority.

(d) Fact sheets expounding upon normally requested assets are enclosed in §§ 705.33, 705.34 and 705.36 and may be reproduced and distributed locally.

(e) The official request form is to be used on all requests referred to the Chief of Information and to the Office of Assistant Secretary of Defense (Public Affairs).

§ 705.22 Relations with Community Groups.

(a) Naval commands will cooperate with and assist community groups within their capabilities, to the event authorized by current instructions, and will participate in their activities to the extent feasible.

(b) Navy commands will encourage membership of personnel in community organizations.

(c) Officers in command will withhold approval of requests from community groups, organizations or individuals whose purposes are unclear, pending advice from the Chief of Information.

(d) Commands may make facilities, less housing and messing, available to community groups, at no expense to the government, when it is in the best interest of the Navy to do so. Mess facilities may not be used for meetings of civic groups or other associations unless all the members of the group concerned are authorized participants of the mess as prescribed in NAVPERS 15951, except as provided below:

(1) Requests to make open mess facilities available to professional or technical seminars or civic groups meeting in connection with an official visit to the activity may be submitted to the officer in charge of the mess, or other appropriate authority. Such requests may be approved when it is shown that the inspection of the activity or the holding of a professional seminar is of principal importance and the use of mess facilities is incidental thereto.

(2) Because of the exceptional nature of the Navy League, as recognized by the Secretary of the Navy, open mess facilities may be used for luncheon or dinner meetings of Navy League Councils, but not more often than once per quarter per group.

(e) Relations with Industry and Labor in the Community:

(1) Relations with Navy contractors and with industry and business in general are the responsibility of the officer in command, with the assistance of his public affairs officer.

(2) Navy commands will cooperate with industry and its representatives in planning and executing community relations projects of mutual interest.

(i) Visits to commands will be scheduled for industrial and employee groups under the same conditions as for other civilian groups.

(ii) A contractor may be identified in a news release, exhibit, or the like whenever the major responsibility for the product can be clearly and fairly credited to him. In such cases, both the manufacturer's name for the product and the Navy designation of it will be used.

(iii) Commands will not solicit, nor authorize others to solicit, contractors to provide advertising, contributions, donations, subscriptions, etc. Where there is a legitimate need for industrial promotion items, such as scale models, the command will contact the Chief of Information for advice as to the procedure for requesting procurement.

(iv) Similarly, if Defense contractors wish to distribute information material through official Navy channels, the Office of Information will be queried as to the desirability and feasibility of undertaking the desired distribution.

(v) Visits to contractor facilities are governed by the provisions of DOD Manual 5520.22–M (Industrial Security Manual for Safeguarding Classified Information). If nationally known press representatives will be involved, prior approval must be obtained both from the contractor (via the Chief of Information) and from the Assistant Secretary of Defense (Public Affairs).

(3) Commands will maintain the same relationship with labor unions as with other community groups and will not take action in connection with labor disputes. Personnel inadvertently or incidentally involved in labor disputes will consult officers in command for guidance.

(f) Emergency Assistance to the Community:

(1) Navy commands will offer and provide assistance to adjacent communities in the event of disaster or other emergency.

(2) The Chief of Information will be advised immediately of action when taken, and copies of subsequent reports to the Chief of Naval Operations will be forwarded to the Chief of Information.

(3) Navy commands will participate in planning by local Civil Defense officials.

§ 705.23 Guest cruises.

(a) *General policy.* (1) The embarkation of civilian guests in Navy ships is appropriate in the furtherance of continuing public awareness of the Navy and its missions.

(i) Examples of embarkations for public affairs purposes are (but not limited to): Individuals, community service clubs, civic groups, the Navy League, and trade and professional associations.

(ii) Embarkation of media representatives on assignment is discussed in § 705.14.

(iii) Other categories may be established by the Secretary of the Navy, subject to the approval of the Secretary of Defense.

(2) It has also been demonstrated that the occasional embarkation on cruises of families and personal guests of naval personnel has contributed materially to the morale of the family circle and has instilled in each individual a sense of pride in his ship. For further information see OPNAVINST 5720.2G.

(3) Embarkations should be conducted within the framework of regularly scheduled operations; underway periods solely to accommodate guests are not authorized.

(4) Commander-in-Chief, Pacific Fleet, Commander-in-Chief, Atlantic Fleet, Commander-in-Chief, U.S. Naval Forces Europe, Commander Military Sealift Command (and their subordinate commands if so designated), Chief of Naval Education and Training, and District Commandants may authorize the embarkation of female civilians for daylight cruises. Embarkation of civilians for overnight cruises must be authorized by the Chief of Naval Operations via the Chief of Information.

(5) All guest visits are normally authorized on an unclassified basis.

(6) In all instances, due precautions must be taken for the safety of the guests. (See section 0403, pars. 6(b) and, 6(e), of the Navy Public Affairs Regulations, for procedures to be followed in the case of death of, or injury to, civilians embarked on naval ships.)

(7) For further information on policy, procedures, and eligibility criteria, see OPNAVINST 5720.2G.

(b) *Authority.* (1) Authority to establish procedures for the conduct of the embarkation of guests for public affairs purposes (including the Secretary of the Navy Guest Cruise and Guest of the Navy Cruise programs, which are discussed in § 705.24) is vested in the Secretary of the Navy. This authority is limited only insofar as the Chairman of the Joint Chiefs of Staff and the commanders of the Unified and Specified Commands (and their component commanders, if so designated) have the authority to use Navy ships to embark individuals other than news media representatives for public affairs purposes.

(i) Public affairs embarkations originating within the geographical limits of the Unified Command will be approved by and coordinated with the commanders of such commands. This authority may be delegated. Requests for such embarkations originating with the subordinate fleet or force command of a Unified Command will be submitted via the operational chain of command, to the appropriate commander of the Unified Command, unless delegated.

(ii) Requests for public affairs embarkations originating from any Navy source other than the Chairman of the Joint Chiefs of Staff, or the Unified and Specified Commanders or their subordinate commands, will be submitted to the Chief of Information, who will effect coordination with the Chief of Naval Operations and/or the Assistant Secretary of Defense (Public Affairs) as appropriate.

(iii) When guests debark in a foreign port which is in the geographic area of a Unified Command other than that in which the cruise originated, the Chief of Information will coordinate travel by obtaining concurrence of all appropriate commanders and the approval of the Chief of Naval Operations, and the Assistant Secretary of Defense (Public Affairs) as appropriate.

(2) Officers in command to whom authority to embark guests for public affairs purposes is delegated will make maximum use of this authority.

(c) *Secretary of the Navy Guest Cruise and Guest of the Navy Cruise Programs.* (1) The objective of these two programs is: To expose top-level and middle-level opinion leaders in the fields of business, industry, science, education, and labor to the operation of the U.S. Navy, in order that they may gain a better understanding of its capabilities and problems, the complicated nature of modern sea-based equipment, and the high levels of responsibility and training required of Navy men and women.

(2) In addition to policy contained in paragraph (c)(1) of this section, the following policy guidelines apply to the conduct of the Secretary of the Navy Guest Cruise and the Guest of the Navy Cruise Programs.

(i) *Secretary of the Navy Guest Cruise Program.* (A) Only aircraft carriers and cruisers will be used.

(B) Cruises will be conducted once each quarter on each coast, contingent upon the availability of appropriate ships.

(C) The optimum number of guests is 15.

(D) Guests will be drawn from top-level executives and leaders who have not had previous exposure to the Navy. "Previous exposure" is defined as active or reserve service in the U.S. Navy or U.S. Marine Corps within the last 10 years; membership in the Navy League or any other Navy-oriented organization; or participation in a cruise on a U.S. Navy ship in the last 10 years.

(E) Whenever feasible, Secretary of the Navy Guests will be greeted by CIN CLANTFLT or CINCPACFLT, or in their absence by the SOPA. Comprehensive unclassified briefings will be given dealing with the Navy's mission, fleet operations, and current problems.

(F) Cruises will vary in length from three to seven days, when appropriate, to conform with the operating schedule of the ship.

(ii) *Guest of the Navy Cruise Program.* (A) All types of ships will be used. This will include carriers when available, after selection of a cruise for the Secretary of the Navy Guest Cruise Program.

(B) Guest of the Navy Cruise guests will be drawn from middle-level executives and leaders who have not had pre-

vious exposure to the Navy. Guests should include persons who have direct impact on recruiting, such as secondary school principals, guidance counselors, coaches and teachers.

(C) Cruises of relatively short duration (three to five days) are preferred, although cruises u pto seven days are authorized. Protracted cruises will not be approved except for special circumstances.

(D) Invitations will be extended by the District Commandants. Invitations will include:

(*1*) Statement of the purpose of the Guest of the Navy Cruise Program.

(*2*) Authorization for embarkation and, if applicable, for COD flights, with instructions for reporting on board.

(*3*) Name and rank of the commanding officer and, if applicable, name and rank of embarked flag officer.

(*4*) A caution that guests should not accept the invitation unless they are in good health.

(*5*) Statement to the effect that the tempo of operations might cause changes in scheduling which could result in the invitation having to be withdrawn.

(E) The following necessary information may be included separately with a letter of invitation: recommended wardrobe, passport and immunization requirements, availability of emergency medical and dental facilities, ship's store and laundry facilities, statement that guest's use of a camera will be authorized subject to certain restrictions, and a listing of those restrictions. In addition, the following statement will be included with each invitation, or form part of the attached information sheets:

> The Department of the Navy has no specific authority to use its funds to defray or reimburse any personal expenses of a navy guest. As a result, the Department of the Navy cannot provide you with transportation to the port of embarkation or from the port of debarkation. Your expenses for meals will be quite nominal while you are on board a naval ship or facility. You should make provision for any extraordinary expense which may arise. For example, if a personal or other emergency arises which necessitates your returning home during the cruise, you should be prepared to take commercial transportation at your own expense from the most distant point on the cruise itinerary.
>
> Navy ships and aircraft, by their very nature, present certain hazards not normally encountered on shore. These hazards require persons on board to exercise a high degree of care for their own safety.
>
> Acceptance of this invitation will be considered your understanding of the above arrangements and limitations.

(iii) *Applicable to both Programs.* (A) Guests will provide their own transportation from home to the ship and return, and must reimburse the Navy for living and incidental expenses while embarked so that the program may be conducted at no additional expense to the government.

(B) Because the number of billets available to accommodate all of the potential guests is limited, the guest's opportunity to communicate his experience to his associates must be considered. For this reason, one of the criteria for selection of guests will be their level of activity in civic, professional, and social organizations. In nominating and selecting guests, effort will be made to ensure that minority citizens are included as appropriate.

(C) Atlantic cruises will be made on ships operating between East Coast ports, or between CONUS and the U.S. Caribbean ports of San Juan, PR, or Charlotte Amalie (St. Thomas), Virgin Islands. Pacific cruises will be made on ships operating between West Coast ports; between CONUS and ports in Hawaii, Alaska, Mexico or Canada; or between ports within Hawaii or Alaska.

(D) Guests will be informed of security restrictions. Unclassified photography should be permitted on board, as pictures renew guests' feelings of identification with a ship. Guests will be advised of areas, however, where photography is prohibited, and security regulations will be courteously but firmly enforced.

(E) Guests will be billeted in officers quarters and normally subsisted in the wardroom. It is not necessary that guests be assigned individual rooms. Billeting with ship's officers promotes mutual understanding, and guests feel more closely identified with the ship's company. They will be invited to dine at least once in each mess on board, if the length of the cruise permits. Guests will be encouraged to speak freely and mingle with the crew.

(F) Guests will be accorded privileges of the cigar mess, commissioned officers mess (open) ashore—with the exception of package store privileges—and the use of ship's or Navy Exchange laundry and tailor shops. Other Navy Exchange privileges will be limited to purchase of items for immediate personal use.

(G) Only emergency medical and dental care will be provided and then only where civilian care is not conveniently available.

(*1*) In the event of injury to civilians embarked in Navy ships and aircraft or visiting naval activities, commanding officers will notify the Chief of Information, the appropriate Commandant, and operational commanders, by message, of the injury and action taken.

(*2*) In the event of an emergency not covered by Navy Regulations, the facts and circumstances will be reported immediately to the Secretary of the Navy.

(H) Guests may be allotted time for side trips at their own expense when an itinerary includes naval activities or ports adjacent to recognized points of interest.

(I) As a souvenir of the cruise, it is suggested that guests be provided with a photograph of the ship, perhaps suitably inscribed by the commanding officer, prior to debarkation.

(J) Any publicity will be limited to that initiated by the participants. Navy-sponsored publicity will be avoided unless sought by the participants. At the same time, media inquiries or inquiries from the general public will be answered fully, the purposes of the cruise program outlined and the fact stressed that no cost to the government is incurred.

§ 705.24 Exhibits.

(a) Navy exhibits are representations or collections of naval equipment, models, devices and information and orientation material placed on public display for information purposes before audiences at conventions, conferences, seminars, demonstrations, exhibits, fairs, or similar events. Also included are general purpose displays in public buildings or public locations. Museums also occasionally request a Navy exhibit on a permanent or temporary loan basis.

(1) Exhibits may be displayed in any appropriate location or event (including commercially owned spaces such as shopping centers, malls, etc.) provided it is clearly established that such areas are places the general public frequents and that the exhibit is not for the purpose of drawing the public to that location, and that it is determined that participation is in the best interests of the Department of Defense and the Department of the Navy.

(b) Exhibits will be used for the following purposes only:

(1) To inform the public of the Navy's mission and operations.

(2) To disseminate technical and scientific information.

(3) To assist recruiting of personnel for Navy military service and for civilian employment in the Department of the Navy.

(c) Exhibit requests and procedures:

(1) Requests for Navy exhibits, other than local exhibits, should be forwarded to the Navy Exhibit Center with an information copy to the Chief of Information.

(i) Requests for exhibits must be submitted well in advance of their proposed dates of use.

(ii) Requests for mobile exhibits requiring tractor-trailer transportation should be forwarded prior to November 15th previous to the year desired. A tour itinerary of mobile exhibits will then be established for the following year.

(iii) The period of time for which an exhibit is authorized will be determined by the nature of the event and the type of exhibit (e.g., equipment from local resources used for a local celebration would normally not be exhibited for more than three days; but, a formal exhibit at an exposition might remain for the duration of the event).

(2) The office of the Assistant Secretary of Defense (Public Affairs) is the approving authority for Navy exhibits in events of international or national scope, or those requiring major coordination among the Armed Forces, or with other agencies of the Federal Government.

(i) All Navy activities will forward such requests to the Chief of Information for coordination with the OASD (PA).

(ii) Subordinate commands of a Unified Command will forward exhibit requests of the above types to the Unified

Commander concerned, via the chain of command. See § 705.28 following, "Interagency Exhibit Program."

(3) The official OASD(PA) Request Form for Armed Forces Participation will be used. See Armed Forces Request Form, § 705.36.

(4) Requests for exceptions to policy for exhibit displays should be forwarded to the Chief of Information.

(5) Policy guidance on costs is defined in § 705.19.

(6) Occasionally, a project officer will be assigned to coordinate use of the exhibit with the sponsor.

(i) Project officers are normally commissioned officers, equivalent civilian personnel, local recruiters or reservists, who have been assigned the responsibility of coordinating Service participation in a special event.

(ii) The project officer should establish immediate liaison with the sponsor.

(iii) The project officer should assist in determining the actual location of the exhibit, make arrangements for assembling and disassembling the exhibit material, and supervise these operations.

(iv) The project officer will ensure Navy and Department of Defense policies are followed, and will coordinate local news releases concerning Navy participation.

§ 705.25 Navy Exhibit Center.

(a) The center is a field activity of the Chief of Information and is located in the Washington Navy Yard. Its primary mission is to produce, transport and display U.S. Navy exhibits throughout the United States. It also facilitates assignments of Navy combat artists and, additionally, produces exhibits for its own tours and for short-term loans to naval commands.

(b) The exhibit center will also construct exhibits and advise commands on exhibits, as feasible. Commands should fill as many local exhibit requirements as possible within their own resources.

§ 705.26 Exhibit availability report.

(a) A center index of exhibits which are available at the local level in each Naval District is maintained by the exhibit center. To achieve maximum effectiveness for an overall integrated program, an up-to-date registry of all exhibits is required.

(b) A current inventory of exhibits headquartered in Washington, DC, and managed by the Navy Exhibit Center for scheduling purposes may be obtained by writing to: Officer-in-Charge, Navy Exhibit Center, Washington Navy Yard, Washington, DC 20374.

§ 705.27 Industrial Information Program.

(a) The Chief of Information and the Navy Exhibit Center assist the Chief of Naval Material in supporting the Industrial Information Program by developing and providing exhibits for display at the following:

(1) Exhibits of business opportunities.

(2) Industrial procurement conference.

(3) Research and development clinics.

(4) Other appropriate industry related activities.

(b) Official Navy use of privately prepared industrial exhibits (on loan or by gift) is limited to those which do not contain advertising.

(c) Additional information on this program is contained in SECNAVINST 5050.4B.

§ 705.28 Interagency exhibits program.

(a) Overseas and international exhibit activities of the U.S. Government are the responsibility of the Interagency Exhibits committee, which initiates and develops a comprehensive annual program to assure the maximum effectiveness of U.S. exhibit efforts overseas and internationally, and reviews proposed exhibit activities.

(b) The Assistant Secretary of Defense (Public Affairs) is the Department of Defense representative on this committee. All requests for military support of interagency exhibits at international events will be coordinated with his office.

(1) Components of a Unified Command will process such requests from subordinate commands through the Unified Commander concerned.

(2) All other Navy activities will forward requests to the Chief of Information for coordination with the Assistant Secretary of Defense (Public Affairs).

(c) The following information is to be included with report submitted:

(1) U.S. government agency making request.

(2) Support requested.

(3) Cost of support requested.

(4) Department of Defense interest in exhibit.

(5) Recommendations.

§ 705.29 Navy Art Collection.

(a) The U.S. Navy has continued to record its military actions, explorations, launchings, etc., in fine art form since before World War II. The present Navy Combat Art Collection contains over 4,000 paintings and sketches. A significant number of new works is being added each year. The combat artists of World War II have been replaced by civilian artists who witness today's Navy in action, record their impressions, and donate their works of art to the Department of the Navy.

(1) The voluntary services of most of the artists are arranged through the Navy Art Cooperation and Liaison Committee (NACAL) which operates in close cooperation with the Salmagundi Club of New York City and the Municipal Art Department of the City of Los Angeles.

(2) The Chief of Information has established liaison with the Salmagundi Club in order to maintain a continuing historical record of the Navy. Organized in 1871, the Salmagundi Club is the oldest club of professional artists in the United States. The Club appointed a Navy Art Cooperation and Liaison (NACAL) Committee to advise the Navy on art matters and to nominate artists for assignment to paint Navy activities through the world. The Chief of Information reviews the nominations, and issues SECNAV invitational travel orders to each artist approved.

(3) The following policy pertains:

(i) All finished art portraying the Navy and produced by Navy artists on active duty for that purpose and by guest artists working under invitational travel orders becomes the property of the Department of the Navy.

(ii) Civilian artists selected to paint Navy life through cooperation of a private sponsor and the Chief of Information may be authorized by the Chief of Information or the Office of the Secretary of Defense to retain their works.

(iii) Paintings, sketches, drawings and other forms of artwork will not be accepted by the Department of the Navy unless all reproduction rights are surrendered and unless they become the permanent property of the Department of the Navy.

(iv) Requests for reproduction of combat art for use in advertising or publication will be directed to the Chief of Information.

(b) Responsibilities:

(1) The Chief of Information exercises supervision and control of the Navy Art Program and issues SECNAV invitational travel orders and letters of invitation to artists selected for assignment.

(2) When directed by the Chief of Information or other appropriate Navy authority, a NACAL project officer will perform the following functions:

(i) Act as a local liaison officer for the NACAL Program.

(ii) Assist NACAL artists on assignments within his area.

(3) The Officer-in-Charge, U.S. Navy Exhibit Center will:

(i) Plan trips for the NACAL Program.

(ii) Approve requests for art displays.

(iii) Provide logistic support for the maintenance, storage, shipment and display of the Navy Combat Art Program.

(c) Requests for art displays should be forwarded to the Officer-in-Charge, Navy Exhibit Center, Washington Navy Yard, Washington, DC 20374, with an information copy to the Chief of Information.

(d) Exhibition of Navy Art:

(1) "Operation Palette I" is a carefully selected group of 75 to 100 combat art paintings depicting Navy and Marine Corps activities during World War II. The schedule of "Operation Palette I" is promulgated by the Officer-in-Charge, Navy Exhibit Center and supervised by the Chief of Information, with the concurrence of District Commandants. Schedules are arranged so that the exhibition travels within a particular Naval District for several months at a time. District Commandants designate project officers for each city where "Operation Palette I" is exihibited. The project officer makes all arrangements, including suitable location, publicity and personnel to assist the chief petty officer who travels with the collection. Promotional kits are provided by the Officer-in-Charge, Navy Exhibit Center. Requests for exhibitions are not desired, since the

collection always travels on a prearranged tour.

(2) "Operation Palette II" consists of 75 to 100 paintings representative of the worldwide operations of the contemporary Navy and Marine Corps * * * the Navy today * * *, and travels on prearranged tours similar to "Operation Palette I."

(3) Other exhibitions of original paintings from the Combat Art Collection may be scheduled on request by either Navy commands or civilian art groups. Requests should be directed to the Director, Community Relations Division, Office of Information, Navy Department, Washington, D.C. 20350 and contain the following:

(i) The occasion.

(ii) Inclusive dates. (Not less than 10 days or more than 90 days sub-custody.)

(iii) Expected attendance and type of publicity planned.

(iv) Amount of space allotted.

(v) If Navy-sponsored show, certification that 24-hour security will be provided for the paintings while in custody.

(vi) If civilian-sponsored show, statement that transportation and insurance requirements will be met. (Physical security must be available for exhibit, with an attendant on duty during open hours and locked building or other means of protecting exhibit when closed to the public.)

(e) Navy Combat Art Lithograph Program:

(1) This program makes available full color, high quality lithographs which are faithful reproductions of the original artwork on quality paper of selected works of art from the Navy Art Collection.

(2) Additional information and ordering details are contained in CHINFO NOTICE 5605, which is issued periodically.

§ 705.30 Aerospace Education Workshop.

(a) This program is devised by the Navy to give students at colleges and universities conducting teacher training a comprehensive background in the field of aviation. The teachers in turn integrate this knowledge into their education programs.

(b) Appropriate commands are encouraged to provide assistance to educational institutions sponsoring the workshop program: *Provided*, That such support does not interfere with the command's primary mission and that such cooperation involves no additional expense to the government.

(c) The Chief of Naval Operations has cognizance of all assistance provided by the Navy to the Aerospace Education Workshop program. A summary report of local command participation in Aerospace projects will be submitted to the Chief of Naval Operations via the appropriate chain of command. Information copies of such reports will be sent to Commander, Navy Recruiting Command and the Chief of Information. For further information see OPNAVINST 5726.1C.

§ 705.31 USS Arizona Memorial, Pearl Harbor.

(a) Limited space and the desirability of keeping the Memorial simple and dignified require the following practices to be observed:

(1) Rendering of formal ceremonies on the USS Arizona Memorial will be confined to Memorial Day.

(2) Observances on December 7, or any other date, at the request of individuals or organizations, will consist of simple wreath-laying, or other appropriate expressions conducted with dignity.

(3) Plaques intended for display on the Memorial may be presented by headquarters of national organizations only. Plaques from regional, state or local organizations cannot be accepted. Only one plaque will be accepted from any organization. The overall size of the plaques, including mounting, must be no larger than 12 inches square.

(b) The Commandant, Fourteenth Naval District, is designated to coordinate all formal or informal observances involving the Memorial.

§ 705.32 Aviation events and parachute demonstrations.

(a) Armed Forces aircraft and parachutists may be authorized to participate in appropriate public events which meet basic Department of Defense criteria. This participation may be by one of the officially designated military flight or parachute demonstration teams, flyover by aircraft, a general demonstration of capabilities by aircraft, or the static display of aircraft.

(b) Events which are appropriate for aviation participation include: Dedication of airports; aviation shows; aircraft exposition; air fairs; recruiting programs; civic events which contribute to the public knowledge of naval aviation equipment and capabilities and to the advancement of general aviation; public observances of certain national holidays (Armed Forces Day, Veterans Day, Memorial Day and Independence Day); national conventions of major veterans organizations; memorial services for deceased, nationally recognized dignitaries; and receptions for foreign dignitaries.

(c) Support of Armed Forces recruiting is the primary purpose of military flight and parachute demonstration teams. Armed Forces recruiting teams are available to assist sponsors in coordinating advance publicity and information coverage to insure maximum exposure for the demonstration team and the event. This assistance is at no additional expense to the sponsor; however, the sponsor is required to give full support to the recruiting effort and to cooperate fully with local service officials. Such support could include (but is not limited to) the provision of prime space for recruiters at the event site and the provision of courtesy passes in controlled quantities to recruiters for the purpose of bringing recruit prospects and recruiting advisors to view the show.

(d) DOD support of air show fund raising efforts in the form of provision of military flight and parachute demonstration teams is limited to charities recognized by the Federal Services Fund-Raising Program. These include such agencies as the United Givers Fund, Community Chests, National Health Agencies (as a group), International Service Agencies and the military aid societies. Armed Forces support to fund-raising events for a single cause, even though the charity is a member of a federated or joint campaign or donates in part to one or several of the campaigns, is inconsistent with the basic position of Department of Defense. The name of the nearest Combined Federal Campaign coordinator will be supplied to the sponsor, or if he chooses, he might elect to work with the local United Givers Fund (Community Chest). As a minimum, the sponsor must agree to provide at least half of the profit above costs to the Combined Federal or United Givers Campaigns to receive Armed Forces support.

(e) Request form. This form is used to request military flight and parachute demonstration team participation in public events. The information is required to evaluate the event for appropriateness and compliance with Department of Defense policies and for coordination with the units involved.

GENERAL

1. Title of Event: _____
Town or City: _____ State: _____
Date: _____ Time—From: _____
To: _____ Place: (Airport, etc.) _____
2. Sponsor: _____
3. The sponsor (is) (is not) a civic organization and the event (does) (does not) have the official backing of the mayor.
4. The sponsoring organization (does) (does not) exclude any person from its membership or practice any form of discrimination in its functions, based on race, creed, color or national origin.
5. Sponsor's representative authorized to complete arrangements for Armed Forces participation and responsible for reimbursing Department of Defense for accrued expenses when required:
Name: _____
Address: _____
City, State: _____ Zip: _____
Telephone: (Office) _____ _____
(AC)
(home) _____ _____
(AC)
6. Purpose of this event (explain fully):
_____
7. Expected attendance: _____
8. Is this event being used to promote funds for any purpose? _____
9. Admission charge: _____
Charge for seating: _____
10. Disposition of profits which may accrue: _____
_____
11. Will admission, seating and all other accommodations and facilities connected with the event be available to all persons without regard to race, creed, color or national origin? _____
12. Will the standard Military Services allowance for quarters and meals be provided by the sponsor for Armed Forces participants? _____
13. Will transportation at sponsor's expense be provided for Armed Forces participants between the site of this event and hotel? _____
14. Will telephone facilities, at sponsors expense, be made available for necessary official

communications regarding the event? _____

15. It may be necessary for representatives of the requested unit to visit the site prior to the event. Will transportation, meals and hotel accommodations be provided by the sponsor? _____

16. Please describe the space which will be provided to recruiters: _____

17. Designate charity beneficiary(s): _____

FLIGHT TEAM, PARACHUTE TEAM, FLYOVERS, STATICS

1. This request is for (check appropriate line):

Flight Team Demonstration	_____
U.S. Navy Blue Angels	_____
U.S. Air Force Thunderbirds. (Cost for either team is $1500.00 for each day team scheduled at your event.)	_____
Aircraft Flyover: (No cost to sponsor.)	_____
Static Aircraft: (Cost is $25.00 per day per crewmember.)	_____
U.S. Army Silver Eagles: (Cost for this team is $750.00 for each day team scheduled at your event.)	_____
Parachute Team Demonstration U.S. Army Golden Knights: (Cost is $25.00 per day per man for each day required to support your event. Team consists of 10–14 personnel.)	_____
(Other) _____:	_____

2. Flight and/or Parachute Team demonstrations are restricted to appropriate events at airports, over open bodies of water, or over suitable open areas of land. Please give the specific location of your event _____. If an airport, name of airdrome facility and longest usable landing runway. Airport: _____

Runway data: _____ feet.

3. Flyovers, Flight and Parachute Team demonstrations require that sponsors secure FAA clearance or waiver. Will steps be taken by sponsor to accomplish this at least sixty days prior to the event? _____

4. Flight and Parachute Team demonstrations must adhere to FAA regulations which specify that spectators not be permitted within 1500 feet of an area over which the flight demonstration takes place, or 250 feet of the jump area over which parachutists are performing. What type of crowd control is planned? _____

5. Flight and Parachute Team demonstrations require that an ambulance and a doctor be on the site during the demonstration. Will this requirement be met? _____

6. Flight and Parachute Team demonstrations require that the sponsor provide a recent aerial photograph, taken vertically from an altitude of 5,000 feet or higher, to the team(s) giving the demonstration. Will this requirement be met? _____

7. Flight Team demonstrations and Static Aircraft displays require that the sponsor provide suitable aircraft fuel (JP jet fuel or aviation gas, as appropriate) and pay the cost of transporting and handling this fuel, if it is not available at the staging airport under military contract prices. Will this requirement be met? _____

8. Flight Team demonstrations and Static Aircraft displays require mobile firefighting, crash and ground-to-air communications equipment at the demonstration site. Will this requirement be met? _____

9. Flight Teams and Static Aircraft displays require that the sponsor provide guards for the aircraft that land and are parked at the site during their entire stay. Will this requirement be met? _____

10. Parachute Team demonstrations may require that the sponsor arrange aircraft transportation from the team's home base to the location of the event, for use as a jump platform and return to the home base. Will this requirement be met, if necessary? _____

11. Name and address of any Armed Forces representative or government official with whom you have discussed possible participation: _____

CERTIFICATION

I certify that the information provided above is complete and correct to the best of my knowledge and belief. I understand that representatives of the Military Services will contact me to discuss arrangements and costs involved prior to final commitments.

Signature: _____

(Sponsor's Representative)

Date of Request: _____

Return this form to: _____

(f) Definitions: A flight team demonstration is an exhibition of precision aerial maneuvers flown by the official Department of Defense military flight demonstration teams, the U.S. Air Force Thunderbirds, the U.S. Navy Blue Angels and the U.S. Army Silver Eagles. An aircraft demonstration is a flight demonstration by aircraft other than those of the teams listed above and designed to portray tactical capabilities of aircraft by a single aircraft (i.e., the U.S. Marine Corps "Harrier") or group of aircraft, including air-to-air refueling, helicopter hover and pick-up or rappelling capabilities, Low Altitude Parachute Extraction System, maximum performance take-off, etc. A parachute demonstration is an exhibition of free-fall and precision landing techniques by the official DOD parachute team, the U.S. Army Golden Knights. Other parachute demonstrations can be performed by the U.S. Navy Parachute Team, or another unofficial team or sports parachute club representing the Department of Defense. A flyover is a flight of not more than four aircraft over a fixed point at a specific time and does not involve precision maneuvers or demonstrations. Flyovers are authorized for certain events when the presence of Armed Forces aircraft overhead would contribute to the effectiveness of the event based on a direct correlation between the event and the aircraft. Flyovers can also be authorized for occasions primarily designed to encourage the advancement of aviation and which are of more than local interest. Flyovers by any of the official DOD flight teams are not authorized. Parades are not considered an appropriate event for authorizing flyover support. The static display of aircraft is the ground display of any military aircraft and its related equipment, not involving flight, taxiing or starting of engines.

(g) Events which are appropriate for Armed Forces aviation participation in the public domain include such activities as dedication of airports and facilities, aviation shows, expositions, and fairs; and other civic events which contribute to the public knowledge of the U.S. Military Services aviation equipment and capabilities. The number one priority for utilization of military aircraft and parachutists in such events in the public domain is to support the recruiting aspects of the all-volunteer force concept. The approval of any such military demonstration will only be authorized if a maximum recruiting benefit exists at each location.

(h) Costs.

(1) The cost for either the United States Air Force Thunderbirds or the United States Navy Blue Angels will be $1500 for each day a demonstration is scheduled. If the United States Army Golden Knights precision parachute team is scheduled for your event, the cost will be $25 per man per day for each day required to support your event, to include the days of travel if required. Under normal conditions, this group is comprised of fourteen members: Nine jumpers, three aircraft crewmen, one ground controller, and a narrator. The sponsor will be advised by the Golden Knights in advance of the costs related to his event for which the government must be reimbursed. The United States Army Silver Eagles helicopter team, composed of seven helicopters, performs precision formation maneuvers and solo helicopter aerobatics to demonstrate the capabilities of modern helicopters and the skill of Army aviators. The Silver Eagles performance lasts about 30 minutes and is conducted entirely in full view of spectators on the crowd line. The cost for the team is $750 for each day a demonstration is scheduled. The sponsor should make a check payable to the Treasurer of the United States for the required amount and present it to the appropriate demonstration team commander in advance of the scheduled event.

(2) Costs associated with static aircraft are normally $25 per day for each crew member plus possible fuel requirements discussed below. Charges for any other military parachuting demonstration (i.e., U.S. Navy Parachute Team, local Armed Forces sport parachute clubs, etc.) will depend on the number of personnel and transportation involved. Checks payable to the Treasurer of the United States should be made available to the appropriate aircraft commander for static displays or parachute team commander upon arrival at the event.

(i) As noted in the Department of Defense request form, the sponsor is required to pay per diem costs for team and static display crew members except for flyovers or aircraft demonstrations not involving landing.

(3) These costs are binding after a team or crew personnel have arrived at the show site, even though weather conditions or other unforeseen circumstances force the event to be cancelled. These funds provided by the sponsor will be utilized by team members or crew personnel for paying housing and subsistence costs. The actual breakdown of the per diem involved is $13.20 for housing, $9.30 for subsistence, and $2.50 for inci-

dental expenses. In those locations where housing and subsistence cannot be procured for these amounts, it will be the responsibility of the sponsor to absorb the additional cost. As stated, these costs will cover participation but does not include certain ground support requirements (i.e., ground transportation, telephone, etc.) to be furnished by a sponsor as outlined in a team support packet.

(4) Other costs that could be incurred by the sponsor are in the area of the sponsor's agreement to provide suitable aircraft fuel (defined as JP jet fuel or aviation gas and lubricants) at U.S. Government contract prices. Where fuel is available from local military stocks—usually military installations—or when fuel is available from commercial into-plane contract locations, the U.S. Government will pay all fuel costs. If military contract fuel is not available at the show site, the sponsor will be required to pay all costs above the contract price and that price charged by the local supplier. However, the sponsor may choose to transport military contract fuel from a military base or a commercial airport having a U.S. Government into-plane contract. In this case, his cost would be only the transporting and handling of this fuel to the show site.

(5) The Department of Defense no longer requires the sponsor to provide the Department with a public liability and property damage insurance policy. This should in no way deter the sponsor from obtaining such liability and property damage insurance he feels is necessary for his own protection. Due to the costs that could accrue to the sponsor in case of cancellations because of inclement weather, the sponsor may wish to consider rain insurance to protect his investment. Previous sponsors have advised us that such insurance is available from most commercial companies.

(i) Other information.

(1) Flight and/or parachute team demonstrations are restricted to appropriate events at airports, over open bodies of water, or over suitable open areas of land. For the U.S. Air Force Thunderbirds or U.S. Navy Blue Angeles to operate from an airport show site, the following operational requirements must be met:

(i) Minimum useable runway length for the Thunderbirds is 5000 feet by 150 feet in width.

(ii) Minimum useable runway length for the Blue Angels is 6000 feet by 150 feet in width.

(iii) Minimum single landing gear load bearing capacity for Thunderbirds is 45,000 pounds; for Blue Angels, 21,000 pounds. Tandem landing gear load bearing capacity is 155,000 pounds for Blue Angels and Thunderbirds.

(2) A staged performance may not be given if the location planned for the show site does not meet these minimums. The maximum distance for a "staged performance" under normal conditions is 50 nautical miles. It should be noted that staged performances are seldom authorized since the recruiting potential is reduced at such events.

(3) The type and number of static and/or flyover aircraft which may be assigned is entirely dependent upon the Military Services' capability to provide such resources at the time of your event. This capability is affected by operational commitments and sponsors are advised that confirmation of static/flyover aircraft cannot be made by the appropriate Service more than 15–30 days before your event.

(4) The U.S. Army Silver Eagles are normally restricted to performances at airports. Other open land areas may be operationally suitable but require the prior approval of the team commander in each case.

(5) Only one flight demonstration team and a parachute demonstration team may be authorized for any one event. Military aircraft demonstrations may not be authorized for events on the days a flight team is participating. A flyover is not authorized when a flight team is participating unless it can be provided by a locally-based National Guard or Reserve component.

(6) Participation by the U.S. Navy Blue Angels and the U.S. Air Force Thunderbirds is normally limited to two consecutive years in any one event. This usually involves one appearance by each of the two flight teams. This provision may be waived when other appropriate requests have not been received, when the team is performing in the same geographical area and has open dates or when the event is national or international in nature and participation would be in the best interests of Department of Defense. Participation in an event is normally limited to two days unless a third day can be included without preempting other requests.

(7) Sponsors are required to obtain a Federal Aviation Agency (FAA) waiver for any demonstration by military aircraft and/or parachutists in the public domain. The final authorization for such Armed Forces participation hinges upon the sponsor securing this waiver far enough in advance to permit adequate planning (normally not later than 60 days prior to the event). Further guidance on the details of obtaining this waiver will be contained in the team support packet or FAA. FAA regulations require that spectators be confined 1500 feet from a flight or aircraft demonstration and 250 feet from a parachute demonstration.

(i) In some cases, parachute demonstrations require that the sponsor arrange for appropriate transportation for the team and equipment from its home station to the event and return.

(ii) Mass parachute jumps, drops of equipment, assault aircraft demonstrations, or tactical helicopter troop landings under simulated tactical conditions, will be limited to military installations. These activities, except those scheduled as part of regular training programs, are not authorized for public events in the civil domain.

(8) When civilian air racing is involved in an event where Armed Forces participation has also been scheduled, prize monies must come from sources other than admission charges.

(9) Flight team, parachute and aircraft demonstrations also require that the sponsor provide: (i) Recent aerial photograph of the site; (ii) an ambulance and doctor at the site; and (iii) Guards for the Armed Forces aircraft during their entire stay. The aerial photograph should be recent, taken vertically from at least 5,000 feet.

(10) Maximum advantage of Armed Forces recruiting will be taken at appropriate events in the public domain where demonstrations by military aircraft and parachutists have been authorized.

(11) Exception to the policies contained herein will only be considered by OASD(PA) on events of national or international significance.

(12) Department of Defense hosts a scheduling conference in mid-December each year to prepare U.S. Air Force Thunderbirds, U.S. Navy Blue Angels, U.S. Army Golden Knights and U.S. Army Silver Eagles participation schedules for the ensuing year. All requests for such demonstrations from sponsors should reach OASD(PA) prior to the middle of November each year to be considered at this conference. In order to accommodate many requests Department of Defense receives for other parachuting demonstrations, aircraft demonstrations, static aircraft displays, and flyovers, each request must be received by OASD(PA) a minimum of 30 days in advance of the event and preferably 60 days in advance.

(13) If there are any points that a member of the public might wish to have clarified, contact Chief, Aerial Events Branch, OASD(PA), Room 1E790, The Pentagon, Washington, DC 20301. Telephone: AC (202) 695–6795 or 695–9900.

§ 705.33 Participation by Armed Forces bands, choral groups, and troops in the public domain.

(a) Military musical participation in public events which otherwise meet the criteria outlined herein will be limited to patriotic programs as opposed to pure entertainment and will not duplicate a performance within the capability of a civilian group. For example, music to accompany the presentation of the national colors, or a performance of military or patriotic music by a military band, drum and bugle corps or choral group may be authorized; background, dinner, dance or other social music is considered "entertainment."

(b) Requests received for military musical participation in appropriate events in the civilian domain must include an indication from the sponsor that there is no conflict with the local civilian musicians concerning the appearance of Navy musicians. A statement to this effect from the cognizant local musicians' union must be obtained by the sponsor and attached to his request.

(c) Armed Forces musical units may be authorized to provide certain specified musical programs in the public domain. The performance must not place military musicians in competition with profes-

sional civilian musicians. Background, dinner, dance or other social music cannot be authorized. The specified programs which may be authorized usually include a short opening or closing patriotic presentation. Musical selections normally consist of a medley of military or patriotic songs, honors to the President or Vice President (if he is there), or music to accompany the presentation of colors by a Color Detail.

(1) Armed Forces musical units may be authorized to participate in official government, military and civic functions.

(i) Official government functions include those in which senior officials of the Federal Government are involved in the performance of their official duties.

(ii) Official military functions include social activities held on military installations (or off when the Military Service certifies that suitable facilities are not available on post) which are sponsored by the Military Services, have as their principal purpose the promotion of esprit de corps, and are conducted primarily for active duty personnel and their guests.

(iii) Official civic functions include such state, county or municipal events as inaugurals, dedication of public buildings and projects, the convening of legislative bodies, and ceremonies for officially invited government visitors.

(2) Armed Forces musical units may also be authorized to provide patriotic and military programs at national conventions and meetings of nationally-recognized civic, patriotic and veterans organizations.

(d) Bands, drill teams and other units can normally participate at no cost to the sponsor if the event is within the installation's immediate community relations area (approximately 100-mile radius).

(1) Normally, not more than one band or other musical unit will be authorized for a parade in the civilian domain. This guidance, intended to assure widest possible participation in public events of local interest (particularly on national holidays) does not apply to national convention of veterans' groups or other events having national significance.

(2) All Armed Forces participation in international and national events, and in the Washington, DC area, must be authorized by the Assistant Secretary of Defense (Public Affairs).

(3) Requests for Armed Forces musical or troop units when no military installation is accessible, or for the Washington, DC-based ceremonial bands or troop units (when the event is outside the Washington, DC area), should be addressed to the parent Service of the unit:

(I) U.S. ARMY

Chief of Public Information, Department of the Army, Washington, DC 20310.

(II) U.S. NAVY

Chief of Information, Code OI-321, Department of the Navy, Washington, DC 20350.

(III) U.S. AIR FORCE

Director of Information, Secretary of the Air Force, Community Relations Division, Washington, DC 20330.

(IV) U.S. MARINE CORPS

Commandant of the Marine Corps, Code AG, Headquarters, U.S. Marine Corps, Washington, DC 20380.

(4) Armed Forces units may not be authorized to participate when:

(i) The event directly or indirectly endorses or selectively benefits or favors (or appears to do so) any private individual, commercial venture, sect, fraternal organization, political group, or if it is associated with solicitation of votes in a political election.

(ii) Admission, seating and other accommodations or facilities are restricted in any manner with regard to race, creed, color or national origin.

(iii) The sponsoring organization or group excludes any person from its membership or practices any form of discrimination in its functions, based on race, creed, color or national origin.

(iv) An admission charge is levied on the public primarily to see participation by an Armed Forces unit.

(v) There is fund-raising of any type connected with the event, unless all profits are to be donated to a charity which is one of the consolidated programs recognized by the Federal Services Fund-Raising Program. These are the United Givers Fund, Community Chest, National Health Agencies (as a group), the International Service Agencies, and the American Red Cross (when not included in a consolidated campaign). The Military Services' Welfare Societies (Army Emergency Relief, Navy Relief and Air Force Aid Society) are also included.

(5) Sponsors of an event must agree to reimburse the Military Services concerned for transportation and per diem when participation is authorized at no additional cost to the government.

(6) Participation by Armed Forces musical units in other areas is within the authority of local military commanders, and requests for participation should be made directly to those local military installations. All requests should be submitted no earlier than 60 days and preferably no later than 45 days prior to the event.

§ 705.34 Other special events.

(a) *Ship visits.* Requests for visits generally originate with civic groups desiring Navy participation in local events. Often, Members of Congress endorse these requests, advising the Navy of their interest in a particular event.

(b) *Visits to Naval activities*—(1) *Types of visits.* (i) General visits or Open House are occasions when a ship or station acts as host to the general public. These visits will be conducted in accordance with instructions issued by Fleet and Force Commanders, District Commandants, or other cognizant authority.

(ii) Casual visits are visits to ships or stations by individuals or specific groups, as differentiated from the general public. Details and procedures concerning these visits are a matter of command discretion.

(iii) Tours are occasions when a ship or station is host to a specific group on a scheduled date. Some of the larger shore commands also regularly schedule one or more sightseeing type tours daily during seasons when many vacationers ask to visit the command.

(2) *General rules.* Prior approval for general visiting or Open House at any time other than civic-sponsored public observances and official ceremonies for Armed Forces Day, Memorial Day, Independence Day, and Veterans Day, and for observances in overseas areas of similar significant holidays, will be requested as follows: Fleet units visiting U.S. ports, from Senior Officer Present Afloat; fleet units visiting foreign ports, from commander ordering the visit; shore stations and District vessels in the United States, from District Commandants; and overseas shore stations, from the naval area commander.

(c) *Official functions.* (1) Navy units may be authorized by local commanding officers to participate in official government military and civic functions, except in the Washington, DC area where OASD(PA) retains authority.

(2) Official government functions include those in which senior officials of the federal government are involved in the performance of their official duties.

(3) Official military functions include social activities held on military installations (or off, when it is certified that suitable facilities are not available on base), which are sponsored by the Navy, have as their principal purpose the promotion of esprit de corps, and are conducted primarily for active duty personnel and their guests.

(4) Official civic functions include such state, county or municipal events as inaugurals, dedications of public buildings and projects, and convening of legislative bodies and ceremonies for officially invited government visitors.

(5) Overseas, similar functions attended by comparable host-country officials in their official capacities might also be considered appropriate for Navy participation.

(d) A parade which is sponsored by the community as a whole (rather than by a single commercial venture) and held on a Sunday or holiday or at a time when shops are closed for business may be a public event for which participation could properly be authorized; representation by individual commercial ventures in such parades need not be a bar to Navy participation as long as the emphasis is planned and placed on the civic rather than commercial aspects. Such participation will be at no additional cost to the government.

(e) *Fund-raising events.* Navy support of fund-raising events must be limited to recognized, joint or other authorized campaigns. Navy support of fund-raising events or projects for a single cause, even though the cause is a member of one of the federated, joint or authorized campaigns, or donates in part to one or several of the recognized campaigns is not authorized by Department of Defense.

§ 705.35 Armed Forces participation in events in the public domain.

(a) Requests for bands, troops, units, teams, exhibits and other Armed Forces participation should be addressed to the nearest military installation. Local commanders have resources which they can commit to appropriate events if mission requirements permit. If no military installation is accessible, or if resources requested are not available locally or require approval by higher authorities, a standard Department of Defense Request Form should be completed. This form is used to evaluate the request, determine appropriateness of the event and compliance with Department of Defense policies, and efiminate repeated correspondence. The request form should be returned to the office or military command from which it was received unless another address is indicated.

(b) Basic criteria governing Armed Forces participation in public events have been developed by the Department of Defense to ensure compliance with public law, to assure equitable distribution of resources to as many appropriate events as possible, and to avoid excessive disruption of primary training and operational missions of the Military Services. The following general rules and information are included as an aid to you in understanding Department of Defense policies and in planning programs of mutual benefit to the Armed Forces and your community.

(1) When evaluating requests for Armed Forces participation in public events, the interests of the Department of Defense and the public at large, operational requirements of the Military Services, and availability of resources are prime considerations. Commitment of resources to specific events must be balanced with the above factors and with requests for similar participation received from other sources.

(2) Department of Defense participation and cooperation must not directly or indirectly:

(i) Endorse or selectively benefit or favor or appear to endorse or selectively benefit or favor any private individual, group, corporation (whether for profit or nonprofit), sect, quasi-religious or ideological movement, fraternal organization, political organization, or commercial venture.

(ii) Be associated with the solicitation of votes in a political election. Sites such as commercial theaters or department stores, churches or fraternal halls; and events such as testimonials to private individuals or sectarian religious services, are generally inappropriate for Armed Forces participation.

(3) Participation by the Armed Forces in any event or activity may be authorized only if admission, seating and all other accommodations and facilities are available to all without regard to race, creed, color or national origin, and only if the sponsoring organization does not exclude any person from its membership or practice any form of discrimination based on race, creed, color or national origin. This does not bar participation in events sponsored by nationally-recognized veteran's organizations when the program is oriented toward the veterans' interests, nor does it bar participation in non-public school events when the program is directed toward education or recruiting.

(i) No admission charge may be levied on the public solely to see an Armed Forces demonstration, unit or exhibit. When admission is charged, the Armed Forces activity must not be the sole or primary attraction.

(4) Armed Forces participation is authorized in a fund-raising event only when the sponsor certifies that all net profits in excess of actual operating costs will be donated to one of the consolidated programs recognized by the Federal Services Fund-Raising program. These include such agencies as the United Givers Fund, Community Chests, National Health Agencies (as a group), International Service Agencies and the military aid societies.

(5) When Armed Forces participation in an event is in the mutual interest of the Department of Defense and the sponsor of the event, participation will be authorized at no additional cost to the government. Additional costs to the government—travel and transportation of military personnel, meals and quarters or standard per diem allowance, etc.—will be borne by the sponsor.

(6) Department of Defense policy prohibits payment by the Armed Forces for rental of exhibit space, connection of electricity, or utility or janitorial costs.

(7) The duration of participation by military units in any one event is limited in the interests of proper utilization and equitable distribution of Armed Forces manpower and resources. While an exhibit might be scheduled for the duration of an event, a unit such as a military band is limited to three days.

(8) Armed Forces participation in professional sports events and post-season bowl games will normally be authorized at no additional cost to the government, will emphasize joint Service activity and must support recruiting programs. Participation in beauty contests, fashion shows, pageants, Christmas parades, and motion picture premieres is not authorized since military support would violate policy and appropriateness.

§ 705.36 Government transportation of civilian for public affairs purposes.

(a) *General policy.* (1) Regulations on transportation of civilians vary according to whether:

(i) The civilians are news media representatives or not.

(ii) The travel is local or nonlocal (see paragraph (b) of this section).

(iii) The purpose of the travel is to get to a desired destination or is to observe the Navy at first hand.

(2) Authority for embarkation of individuals in naval vessels and military aircraft is vested in the Chief of Naval Operations by § 700.710 of this chapter. Nothing in this part shall be construed as limiting his authority in this regard.

(3) The following policy has been established by DOD for providing all types of Navy transportation to non-Navy civilians.

(i) Military transport facilities shall not be placed in a position of competition with U.S. commercial carriers.

(A) When embarkation of a newsman is necessary for him to obtain news material about a ship, aircraft, cargo or embarked personnel, or when he is invited to report on a matter of special interest to the Navy, it is not considered that the transportation furnished him is in competition with commercial transport.

(B) An exception is also made for short trips between an airport (or other transportation center) and the command. Cars and buses within the resources of the command may be used for meeting guests or taking them to make their travel connections.

(ii) When authorization is requested for travel which is of interest to or will affect more than one command or Service, the approving authority will coordinate the request with all other interested commands, Services and Agencies.

(iii) Travel in connection with any public affairs program arranged by the Navy jointly with another Federal Department or Agency or a foreign government will be authorized only by the Assistant Secretary of Defense (Public Affairs), or those to whom he has delegated this authority. Navy commands desiring authorization of such travel will forward the request to the Chief of Information.

(iv) If a request for travel for nonlocal public affairs purposes is disapproved, sufficient reasons should be provided so that the action is clearly understood by the individual or group concerned.

(b) *Definition of local v. nonlocal travel.* (1) Local travel is travel within the immediate vicinity of the command concerned in connection with a public affairs program of local interest only. (For air travel within the continental U.S., about 150 miles or less is generally considered local.)

(2) Nonlocal travel is that conducted in connection with a public affairs program affecting more than one Service, geographic area or major command, usually of primary concern to higher authority.

(c) *Transportation of news media representatives.* (1) Correspondents when members of groups embarked as regular cruise guests of the Navy. Casual trips by correspondents to ships in port or to shore stations in CONUS. Such visits may be authorized by officers in command of higher authority in accordance with instructions promulgated by the Chief of Naval Operations. Written orders are not required.

(2) Local travel. Commanding officers at all levels are authorized (under Defense Department policy) to approve local travel for public affairs purposes

within the scope of the mission and responsibilities of their command, if:

(i) Public interest in the public affairs purpose involved is confined primarily to the vicinity of that command.

(ii) The travel is being provided for the benefit of local media and meets a naval public affairs objective.

(iii) Scheduled commercial air transportation is not readily available.

(iv) The aircraft to be used is a helicopter, or multiengine dual piloted aircraft, and is within the resources of the host command on a not-to-interfere basis. This provision does not apply to orientation flights.

(3) Nonlocal travel.

(i) Requests for nonlocal travel will be submitted to the Chief of Information, who will forward them with his recommendations to the Chief of Naval Operations and/or the Assistant Secretary of Defense (Public Affairs), as appropriate.

(ii) When the proposed travel is for news coverage of a major emergency nature and the coverage will be impaired or delayed, to the serious detriment of the interests of the Department of Defense, if military transportation is not provided, requests for such travel will be submitted to the Chief of Information, who will forward the request—if approved—to the Assistant Secretary of Defense (Public Affairs). The most expeditious means (including telephone) will be used by commands requesting such emergency travel. Justification will include both the public affairs purpose and the necessity for military carriers.

(4) Travel between the U.S. and overseas area.

(i) As a general rule, correspondents will not be furnished military transportation between the United States and overseas area.

(ii) The Chief of Naval Operations may authorize military transportation for correspondents in unusual circumstances, upon recommendations of the Chief of Information and the Defense Department.

(iii) Requests for government transportation to cover specific assignments overseas should be made at least three weeks prior to the date required and should be addressed to the Assistant Secretary of Defense (Public Affairs) via the Chief of Information or Unified Commander, as appropriate. The requests should include:

(A) A statement that the correspondent is a full-time employee, or has a specific assignment, and that the trip is for the purpose of news gathering.

(B) Appropriate date of entry into area, port of entry, method of travel, proposed duration of visit and travel termination date.

(C) Assurance that the correspondent will observe currency control regulations, and sponsoring agency will guarantee financial obligations incurred.

(5) Embarkation of male correspondents between ports within CONUS.

(i) Male correspondents may be embarked in naval ships for passage between ports within the area of a single Fleet command for the purpose of news gathering at the discretion of the Sea Frontier Commander, Commandants of the Naval Districts, the Chief of Naval Air Training, Fleet, Force and Type commanders and flag officers afloat who have been delegated authority to arrange directly with appropriate Fleet, Force and Type commanders for embarkation of civilians on a local cruise basis.

(ii) Invitational travel orders may be issued.

(6) Embarkation of female correspondents in naval vessels.

(i) Privileges equal to those given male correspondents will be accorded female correspondents whenever practicable.

(ii) Female correspondents may not be embarked overnight in a naval ship without prior approval of the appropriate Fleet Commander-in-Chief. This authority may be delegated to the numbered Fleet Commanders.

(7) Travel in ships of the Military Sealift Command. Correspondents may be carried in ships of the Military Sealift Command on either a space-required or space-available basis when travel is in the best interests of the Navy or the Department of Defense.

(i) Space-available travel will be used when practicable. A nominal charge is made by the Military Sealift Command and must be borne by the correspondents.

(ii) Space-required travel may be authorized when sufficiently in the interest of the Navy, and the charge may be borne by the Navy.

(iii) In either case, determination of Navy interests will be made by the Chief of Information, guided by the transportation policy of the Chief of Naval Operations, whose approval of such embarkation is required.

(iv) Requests for such travel will be submitted to the Chief of Information, who will coordinate with the Chief of Naval Operations and/or the Assistant Secretary of Defense (Public Affairs), as appropriate.

(8) Point to point transportation within the continental United States in naval aircraft other than those operated by the Military Airlift Command.

(i) SECNAVINST 4630.2A contains guidance for travel in military aircraft other than those operated by the Military Airlift Command.

(ii) Naval activities desiring to arrange such transportation will address requests via the chain of command to the operational command of the lowest echelon which has been delegated authority to approve such requests.

(iii) Upon approval of such a request, the naval activity sponsoring the correspondent shall:

(A) Prepare travel orders.

(B) Ensure that any waiver forms, as may be required by governing directives, are executed.

(9) Embarkation of news media representatives of foreign citizenship:

(i) Requests from foreign news media representatives to cruise with units of the U.S. Navy are usually made to the nearest U.S. military installation known to the correspondent, and are often not made in the proper chain of command to the Fleet Commander unless authorized to effect arrangements for an underway cruise.

(A) If the request is received by a command which is not a subordinate of the Fleet Commander concerned, it will be forwarded to the U.S. Naval Attache assigned to the foreign newsman's country. The Attache will then forward the request to the appropriate Fleet Commander, with his recommendations and the result of a brief background check on the newsman and his employer.

(B) If the request is received by a subordinate of the appropriate Fleet Commander, it may be forwarded directly to the latter, but the U.S. Naval Attache in the newsman's country will be given the opportunity to comment on the proposed embarkation.

(ii) A news media representative of foreign citizenship will not be provided military transportation until he is approved by the Department of State or other competent U.S. authority. Commands wishing to transport a foreign newsman who does not have Department of State accreditation should consult the Chief of Information.

(iii) Naval commands should not introduce an embarked third-party (i.e., a foreign media representative) into a foreign country other than his own without first obtaining appropriate clearance from the country to be visited. Approval for entry should be forwarded via appropriate command channels to the cognizant U.S. Naval Attache.

(10) Security considerations.

(i) No media representative known to be affiliated with a group advocating the overthrow of the U.S. government will be permitted aboard naval ships or stations.

(ii) If security review is directed, the reason will be made clear to the correspondent prior to embarkation. News media people refusing to agree to observe security regulations may have their privileges suspended. Failure to observe security regulations will be reported to CHINFO and interested commands.

(d) *Transportation of other civilians.* (1) Although groups normally provide their own transportation to Navy commands, Navy transportation may be authorized when:

(i) Commercial transport is not available.

(ii) A professional group visit has been solicited by the Navy, such as participants in the Naval Academy Information Program ("Blue and Gold") or educators invited to an Aerospace Education Workshop.

(2) Requests for nonlocal transportation under the above circumstances will be made to the Chief of Naval Operations.

(3) Carrier-on-board-delivery (COD) flights and helicopter flights to ships are considered local transportation.

(4) When units or areas of a Unified Command are involved in the public affairs program in connection with which travel authorization is requested by a Navy command which is not a component of the Unified Command concerned, coordination will be effected by the host command, through command channels, via the Chief of Information, to the Assistant Secretary of Defense (Public Affairs), who—as appropriate—will consult with the Unified Commander concerned.

(e) *Special programs.* (1) Cruises are discussed in Chapter 6, section 0604, para. 1 of the Navy Public Affairs Regulations.

(2) Embarkation of news media representatives, especially on operations and exercises, is discussed in Chapter 4, section 0405, paragraph 4 of the Navy Public Affairs Regulations.

(3) Other programs subject to special requirements or which have had exceptions authorized for them include:

(i) Naval Air Training Command Civilian Orientation Cruise Program, conducted by the Chief of Naval Air Training.

(ii) Joint Civilian Orientation Conference, conducted by the Assistant Secretary of Defense (Public Affairs).

(iii) Orientation flights in government aircraft, conducted in accordance with OPNAVINST 3710.7H.

(iv) Space-available air transportation may be provided Navy League members if they are invited to accompany a flag officer attending a Navy League convention or regional meeting and if the trip is economically justifiable, based on military travel considerations and not community relations or public affairs reasons. Approval in each instance will be obtained in advance from the Chief of Naval Operations.

(v) Air transportation for the Naval Sea Cadet Corps of the Navy League.

(A) Flights must be in Navy multiengine, transport type craft.

(B) Point-to-point flights on a space-required basis are governed by an annual quota set by the Chief of Naval Operations. Space-available transportation is authorized and will not be charged against this quota if it will not result in delays of takeoffs or a change in the itinerary planned for the primary mission.

(C) Flights must not interfere with operational commitments or training or result in additional expense to the government.

(D) This transportation is not available to other youth programs, including others sponsored by the Navy League.

(f) *Other instructions on transportation of non-Navy civilians.* Details on policy, procedures, and the transportation of certain categories of people will be found in OPNAVINST 5720.2G and DOD Directive 4515.13.

§ 705.37 Public Affairs and Public Service Awards.

(a) *General.* (1) A number of public service awards are presented by the Department of Defense and the Navy to business and civic leaders, scientists and other nongovernment civilians. Other awards—military and civilian—are presented to members of the naval establishment.

(2) These awards are of public affairs interest in the locale where they are presented and also in the home towns of those who receive them.

(b) *Department of Defense awards.* (1) The Department of Defense Medal for Distinguished Public Service is presented to individuals. The Department of Defense Meritorious Award honors organizations.

(2) Details, including nominating procedures, are given in SECNAVINST 5061.12.

(c) *Secretary of the Navy awards.* (1) The following awards are presented by the Secretary of the Navy: The Navy Distinguished Public Service Award and Navy Meritorious Public Service Citation to individuals; the Navy Certificate of Commendation to members of special committees and groups; and the Navy Certificate of Merit to organizations and associations.

(2) Details are given in SECNAVINST 5061.12.

(3) Nominations for awards to military personnel are considered by the Board of Decorations and Medals, in accordance with SECNAVINST 1650.24A.

(4) Nominations for honorary awards to Department of the Navy civilian employees are considered by the Distinguished Civilian Service Awards Panel. (See Civilian Manpower Management Instruction 451.)

(d) *Chief of Information awards.* (1) Certificate of Public Relations Achievement.

(i) This certificate is signed by the Chief of Information. It honors individuals who are not Navy employees, corporations, or associations.

(ii) It was established to fill the need for a civilian award for public relations achievements which, while not meeting the criteria for public service awards presented by the Secretary of the Navy, are of such Navy-wide significance as to merit recognition at the Department level. Examples of these achievements might be a particularly well done feature article about the Navy in a nationally read newspaper or an outstanding contribution to a locally sponsored event, which ultimately gave national or regional recognition to the Navy.

(iii) The achievement for which the certificate is given shall meet the following criteria:

(A) Contribute to accomplishment of the public information objectives of the Navy.

(B) Be the result of a single outstanding project or program.

(C) Have been accomplished within one year of the date of the official letter of nomination.

(iv) Nominations will be submitted through appropriate administrative channels to the Chief of Information, and will include a description of the service rendered, a statement of its relevance to the accomplishment of the public affairs objectives of the Navy, and a draft of the recommended citation. To avoid possible embarrassment, nominations shall be marked "For Official Use Only" and safeguarded until final action has been taken.

(2) Certificate of Public Affairs Achievements by a Naval Reserve Public Affairs Company.

(i) This award is given for a project of exceptional merit submitted by a Naval Reserve Public Affairs Company.

(ii) See section 0707, paragraph 6 of the Navy Public Affairs Regulations for details on these project reports.

(3) CHINFO Merit Awards.

(i) These awards, or certificates, are presented quarterly to Navy publications and broadcasts considered to be outstanding or to have shown improvement in meeting professional standards of journalism.

(ii) Publications and broadcasts eligible are those which inform the reader concerning aspects of service life or related matters which contribute to the well-being of naval personnel, their dependents, and civilian employees of the Navy. Civilian enterprise periodicals are included if produced for the exclusive use of a naval installation.

(iii) Nominations are made in two ways:

(A) Selection during regular review periodicals and broadcast air-checks received by the Internal Relations Activity.

(B) Nominations from the field. Such nominations are informal and may be made by the officer-in-charge, publications editor, broadcast station manager, or public affairs officer to the Chief of Information, Navy Department, Washington, DC 20350 (ATTN: OP–0071).

(4) Other awards pertaining to public affairs/internal relations.

(i) Silver Anvil award is given by the Public Relations Society of America for outstanding public relations programs carried out during the preceding year. Entry blanks and details may be obtained by writing directly to Public Relations Society of America, 845 Third Ave., New York, NY 10022. All Navy entries will be forwarded via the Chief of Information.

(ii) Freedom Foundation Awards of cash and medals are annually given to service personnel for letters on patriotic themes. Details are carried in ship and station publications, or may be obtained by writing to Freedom Foundations, Valley Forge, PA 19481.

(iii) Thomas Jefferson Awards are the prizes in an annual interservice competition sponsored by civilian media through the Department of Defense's Office of Information for the Armed Forces. The contest is open to all Armed Forces media—broadcast and print. Details can be obtained by writing to Office of Information, Department of the Navy, Washington, DC 20350.

(iv) Navy League Awards. Several annual awards are presented to naval personnel and civilians who have made a notable contribution to the importance of seapower. The awards are for inspirational leadership, scientific and technical progress, operational competence, literary achievement, etc. Nominations

should be forwarded directly to Board of Awards, Navy League of the United States, 818 18th St., NW., Washington, DC 20006.

(v) Nonofficial awards to outstanding Navy students or training units.

(A) Various civilian organizations and private individuals have established awards to be presented to outstanding training units or naval students.

(B) Requests to establish an award for students in the Naval Air Training program should be forwarded to the Chief of Naval Air Training.

(C) Requests to establish an award which will involve more than one school (other than the Naval Air Training Program) will be forwarded to the Chief of Naval Personnel.

(D) All other cases may be decided by the Navy authority at the school concerned.

(E) Directives in the 5061, 1650 and 3590 series issued by pertinent authorities may provide further guidance in individual cases.

(vi) Awards established by a command to honor non-Navy civilians.

(A) Examples of such awards are "Good Neighbor" or "Honorary Crew Member" certificates.

(B) Established to honor persons who have been helpful to the command, they are a valuable community relations program. They should not be awarded to persons or organizations with which the command is associated in a commercial or governmental business capacity.

§§ 765.17, 765.18 and 765.19 [Revoked]

2. Title 32 CFR is further amended by revoking §§ 765.17, 765.18 and 765.19.

Dated: July 8, 1976.

JOHN S. JENKINS,
Captain, JAGC, U.S. Navy, Assistant Judge Advocate General (Civil Law).

[FR Doc.76-20382 Filed 7-14-76;8:45 am]

PART 707—DISTINCTIVE LIGHTS AUTHORIZED FOR SUBMARINES

Display of Distinctive Lights by Submarines

33 U.S.C. 182 and 1073(a) provide that the requirements for the Regulations for Preventing Collisions at Sea, 1960, the Inland Rules, the Great Lakes Rules and the Western River Rules shall not interfere with the operation of any special rules made by the Secretary of the Navy with respect to additional station and signal lights for ships of war.

Upon passage of legislation to implement the Convention on the International Regulations for Preventing Collisions at Sea, 1972, certain sections of the United States Code will provide that, although promulgation of such lights is still authorized, any such special signal lights may not be displayed unless they cannot be mistaken for any light authorized elsewhere under the regulations.

A recent study indicates that the characteristics of the submarine identification light, first authorized by the Secretary of the Navy on July 30, 1963, are of sufficient similarity to those of the light authorized for use by an air cushion vehicle operating in the nondisplacement mode to necessitate a change in the characteristics of the submarine identification light. Since the light authorized for use by air cushion vehicles will not be displayed until after the implementation date of the International Regulations for Preventing Collisions at Sea, 1972, there exists a period of transition during which the existing submarine identification light and a replacement light may be displayed without their being mistaken for any light authorized elsewhere under current Regulations. The study further revealed that the existing requirements concerning placement of the light not less than two feet, nor more than six feet, above the masthead light and visible all around the horizon is no longer possible.

It has been determined that a replacement light displaying an intermittent flashing amber beacon with a sequence of operation of one flash per second for three seconds followed by a three second off period, located where it can best be seen as near as practicable all around the horizon but not less than two feet above or below the masthead light, will constitute a light which cannot be mistaken for any other light authorized under current Regulations or the International Regulations for Preventing Collisions at Sea, 1972. 32 CFR 707.1 is amended to reflect this determination. It has further been determined that invitation of public comment on these amendments prior to adoption is unnecessary and is therefore not required under the rulemaking provisions in Parts 296 and 701 of 32 CFR. This determination is based upon technical findings that the design and placement of this light in the manner prescribed in the amendment herein avoids violating appropriate Regulations which prohibit display of a light which may be mistaken for an authorized light and adversely affecting the ships' ability to perform their military functions.

Accordingly, pursuant to 33 U.S.C. 182 and 1073(a), effective on July 15, 1976, 32 CFR Part 707 is amended as follows:

§ 707.7 [Amended]

1. In paragraph (b) of § 707.1, seventh line, the word "newly" is deleted.

2. Paragraph (c) of § 707.1 is revised to provide as follows:

* * * * *

(c) U.S. submarines may therefore display either an amber rotating light producing 90 flashes per minute or an intermittent flashing amber beacon with a sequence of operation of one flash per second for three (3) seconds followed by a three (3) second off period. The light will be located where it can best be seen, as near as practicable, all round the horizon. It shall not be located less than two (2) feet above or below the masthead light.

Dated: June 29, 1976.

J. WM. MIDDENDORF II,
Secretary of the Navy.

[FR Doc.76-20381 Filed 7-14-76;8:45 am]

PART 742—UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970

Actual Direct Losses, Business, or Farm Operations

Pursuant to the authority conferred in 5 U.S.C. 301 and 42 U.S.C. 4601–4655, the Secretary of the Navy amends Part 742 of 32 CFR by revising § 742.306. Part 742 is based upon a Naval Facilities Engineering Command publication (NAVFAC P–73) entitled "Real Estate Procedures Manual." This directive implements the Federal Management Circular FMC 74–8 of October 4, 1974, issued by the General Services Administration. Since the amendment reflects changes to a nonoriginating directive which implements a previously issued regulation, it has been determined that invitation of public comment on this amendment prior to adoption would be unnecessary and is therefore not required under the rulemaking provisions in Parts 296 and 701 of 32 CFR.

Accordingly, 32 CFR Part 742 is amended as follows:

1. Section 742.306 is revised to provide as follows:

§ 742.306 Actual direct losses, business or farm operations.

(a) Any person displaced from his place of business or farm operation who is entitled to relocate his personal property therefrom but elects not to do so, in whole or in part, shall be required to make a bona fide effort to sell such items as he elects not to relocate as a condition precedent to any reimbursement of costs incurred or direct losses suffered as a result of such sale or failure to sell in accordance with paragraphs (b), (c) and (d) of this section.

(b) The displaced person in any event shall be reimbursed for the reasonable costs incurred in such sales effort.

(c) As to all items of personal property which the displaced person shall elect not to relocate, he shall be paid: (1) The difference between the total fair market value of such property for continued use at its location prior to displacement, and the net proceeds from the sale of all of such property, or (2) the estimated cost of moving such property 50 miles, whichever is less.

(d) In no event shall the cost of removal of any personal property not sold and abandoned in place be considered as an offsetting charge against other pay-

ments to the displaced person under this section.

Dated: June 9, 1976.

JOHN S. JENKINS,
Captain, JAGC, U.S. Navy, Assistant Judge Advocate General (Civil Law).

[FR Doc.76-20383 Filed 7-14-76;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 SYSTEM

Gulf Islands National Seashore, Florida-Mississippi Operation of Seaplanes and Amphibious Aircraft

A proposal was published in the FEDERAL REGISTER of April 1, 1976 (41 FR 13940) to add § 7.12 to Title 36 of the Code of Federal Regulations. The purpose of this amendment is to designate locations on the waters of the Mississippi Sound and the Gulf of Mexico surrounding Ship, Horn, and Petit Bois Islands within the boundaries of Gulf Islands National Seashore on which aircraft may be operated and to establish restrictions on these operations.

Interested persons were given an opportunity to participate in this rulemaking by submission of written comments to the Superintendent of Gulf Islands National Seashore within thirty days after publication of the notice of proposed rulemaking in the FEDERAL REGISTER. Written comments were received in three letters, all of which were in favor of the proposed regulation. No opposition to the proposal was received.

In consideration of the foregoing, it has been determined that the proposed regulation should be adopted without change. Inasmuch as the application of this regulation will relieve a restriction by making aircraft operations possible on waters which had previously been closed, this regulation shall become effective on publication rather than being delayed for 30 days.

Effective date: This regulation shall become effective on July 15, 1976.

Part 7 of Title 36, Code of Federal Regulations, is hereby amended by the addition of § 7.12, as follows:

JOHN E. COOK,
Associate Director, National Park Service.

§ 7.12 Gulf Islands National Seashore.

(a) *Operation of seaplanes and amphibious aircraft.* (1) Aircraft may be operated on the waters within the boundaries of the Seashore surrounding Ship, Horn and Petit Bois Islands, but approaches, landings and take-offs shall not be made within 500 feet of beaches.

(2) Aircraft may be moored to island beaches, but beaches may not be used as runways or taxi strips.

(3) Aircraft operating in the vicinity of any developed facilities, boat docks, floats, piers, ramps or bathing beaches will remain 500 feet from such facilities and must be operated with due care and regard for persons and property and in accordance with any posted signs or uniform waterway markers.

(4) Aircraft are prohibited from landing on or taking off from any land surfaces; any estuary, lagoon, pond or tidal flat; or any waters temporarily covering a beach; except when such operations may be authorized by prior permission of the Superintendent. Permission shall be based on needs for emergency service, resource protection, or resource management.

[FR Doc.76-20434 Filed 7-14-76;8:45 am]

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 3—ADJUDICATION

SUBPART A—PENSION, COMPENSATION, AND DEPENDENCY AND INDEMNITY COMPENSATION

Federal Employees' Compensation—Concurrent Benefits

On page 22103 of the Federal Register of June 1, 1976, there was published a notice of proposed regulatory development to amend § 3.708 to clarify provisions relating to concurrent eligibility to benefits under the Federal Employees' Compensation Act (chapter 81, title 5, United States Code) and benefits payable under laws administered by the Veterans Administration. Editorial changes are made in §§ 3.707 and 3.711.

Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulations.

No written comments have been received and the proposed regulations are hereby adopted without change and are set forth below.

Effective date: These VA Regulations are effective July 9, 1976.

Approved: July 9, 1976.

R. L. ROUDEBUSH,
Administrator.

1. In § 3.707, paragraph (b) is revised as set forth below:

§ 3.707 Dependents' educational assistance.

* * * * *

(b) *Spouse or surviving spouse.* There is no bar to the payment of pension, compensation or dependency and indemnity compensation to a spouse or surviving spouse concurrently with educational assistance allowance under 38 U.S.C. ch. 35.

2. In § 3.708, paragraphs (a) (1), (2) and (3) and (b) are revised as set forth below:

§ 3.708 Federal Employees' Compensation.

(a) *Military service*—(1) *Initial election.* Where a person is entitled to compensation from the Office of Workers' Compensation Programs, under the Federal Employees' Compensation Act (FECA) based upon disability or death due to service in the Armed Forces and is also entitled based upon service in the Armed Forces to pension, compensation or dependency and indemnity compensation under the laws administered by the Veterans' Administration, the claimant will elect which benefit he or she will receive. Pension, compensation, or dependency and indemnity compensation may not be paid in such instances by the Veterans' Administration concurrently with compensation from the Office of Workers' Compensation Programs. Benefits are not payable by the Office of Workers' Compensation Programs for disability or death incurred on or after January 1, 1957, based on military service.

(2) *Right of reelection.* Persons receiving compensation from the Office of Workers' Compensation Programs based on death due to military service may elect to receive dependency and indemnity compensation at any time. Once payment of dependency and indemnity compensation has been granted, all further right to FECA benefits is extinguished and only dependency and indemnity compensation is payable thereafter.

(3) *Rights of children.* Where primary title is vested in the widow of widower, the claimant's election controls the rights of any of the veteran's children, regardless of whether they are in the claimant's custody and regardless of the fact that such children may not be

eligible to receive benefits under laws administered by the Office of Workers' Compensation Programs. A child who is eligible for dependency and indemnity compensation or other benefits independent of the widow's or widower's entitlement may receive such benefits concurrently with payment of FECA benefits to the widow or widower.

* * * * *

(b) *Civilian employment*—(1) *Same disability or death.* Where a person is entitled to compensation from the Office of Workers' Compensation Programs based upon civilian employment and is also entitled to compensation or dependency and indemnity compensation under laws administered by the Veterans' Administration for the same disability or death, the claimant will elect which benefit he or she will receive. On or after September 13, 1960, an award cannot be approved for payment of compensation or dependency and indemnity compensation concurrently with compensation from the Office of Workers' Compensation Programs in such instances and an election to receive benefits from either agency is final. See § 3.958. There is no right of reelection. (5 U.S.C. 8116(b)) A child who is eligible for dependency and indemnity compensation or other benefits independent of the widow's or widower's entitlement may receive such benefits concurrently with payment of FECA benefits to the widow or widower.

(2) *Not the same disability or death.* There is no prohibition against payment of benefits under the Federal Employees' Compensation Act concurrently with other benefits administered by the Veterans' Administration when such benefits are not based on the same disability or death.

3. In § 3.711, paragraph (b) is revised as set forth below:

§ 3.711 Public Law 86–211.

* * * * *

(b) *Service prior to World War I*—(1) *General.* Veterans of the Spanish-American War who meet the service requirements of 38 U.S.C. 512(a) may elect to receive pension under 38 U.S.C. 521. Any widow or widower eligible for pension under 38 U.S.C. 536 may elect to receive pension under 38 U.S.C. 541. An election of pension under 38 U.S.C. 521 or 541 is final, except as provided in paragraph (b)(2) of this section, when the payee (or his or her fiduciary) has negotiated one check for this benefit. There is no right of reelection.

(2) *Aid and attendance.* Any veteran who meets the service requirements of paragraph (b)(1) of this section and who is receiving or entitled to receive pension based on need of regular aid and attendance will be paid whichever is greater: the monthly rate authorized by 38 U.S.C. 512(a), or the monthly rate authorized by 38 U.S.C. 521. A widow or widower of a veteran of the Spanish-American War who is receiving or entitled to receive pension based on a need of regular aid and attendance will be paid whichever is the greater: the monthly rate authorized by 38 U.S.C. 536 (a) and (b) and 544, or the monthly rate authorized by 38 U.S.C. 541 and 544. Elections are not required for these purposes. The change in rate will be effective the first day of the month in which the facts warrant such change.

(38 U.S.C. 512, 536, 541, 544)

[FR Doc.76–20496 Filed 7–14–76;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[PP6F1655/R107; FRL 583–7]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

O,O-Diethyl O-[p-(Methylsulfinyl)Phenyl] Phosphorothioate

On September 5, 1975, notice was given (40 FR 41177) that Chemagro Agricultural Division, Mobay Chemical Corp., PO Box 4913, Kansas City MO 64120, had filed a petition (PP 6F1655) with the Environmental Protection Agency (EPA). This petition proposed that 40 CFR 180.234 be amended by establishing tolerances for residues of the insecticide *O,O*-diethyl *O*-[*p*-(methylsulfinyl)phenyl]phosphorothioate in or on the raw agricultural commodities sorghum grain at 0.06 part per million (ppm) and sorghum forage and fodder at 1.0 ppm. No comments were received in response to this notice of filing.

Chemagro subsequently amended the petition by changing the proposal to combined residues of the insecticide *O,O*-diethyl *O*-[*p*-(methylsulfinyl)phenyl] phosphorothioate and its cholinesterase-inhibiting metabolites and by increasing the proposed tolerances for residues in or on sorghum grain from 0.06 ppm to 0.1 ppm.

The data submitted in the petition and other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerance is sought. There is no reasonable expectation of residues in eggs, milk, and poultry and 40 CFR 180.6(a)(3) applies. Existing tolerances are adequate to cover residues that would result in meat, fat, and meat byproducts. The tolerance established by amending 40 CFR 180.234 will protect the public health.

Since the Agency has sufficient long-term data pertaining to this pesticide for establishing finite residue tolerances in raw agricultural commodities, the negligible residue designator (N) is being deleted. In addition, since by definition the commodity grouping corn includes field and pop, separate citations are being revised to read simply "corn."

Any person adversely affected by this regulation may, on or before August 16, 1976, file written objections with the Hearing Clerk, Environmental Protection Agency, Rm. 1019, East Tower, 401 M St. SW, Washington DC 20460. Such objections should be submitted in quintuplicate and should specify both the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective July 15, 1976, 40 CFR 180.234 is amended and revised as set forth below.

(Section 408(d)(2) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 346a(d)(2)].)

Dated: July 12, 1976.

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

Section 180.234 is amended to include tolerances for sorghum fodder, forage, and grain and the title and text are revised to read as follows.

§ 180.234 *O,O*-Diethyl *O*-[p-(methylsulfinyl)phenyl]phosphorothioate; tolerances for residues.

Tolerances are established for combined residues of the pesticide *O,O*-diethyl *O*-[*p*-(methylsulfinyl)phenyl] phosphorothioate and its cholinesterase-inhibiting metabolites in or on the following raw agricultural commodities.

Commodity:	*Parts per million*
Bananas	0.02
Beets, sugar	0.05
Beets, sugar, tops	0.05
Cattle, fat	0.02
Cattle, mbyp	0.02
Cattle, meat	0.02
Corn, fodder	1
Corn, forage	1
Corn, grain	0.1
Corn, fresh (inc sweet) K +CWHR)	0.1
Corn, sweet, fodder	1
Corn, sweet, forage	1
Cottonseed	0.02
Goats, fat	0.02
Goats, mbyp	0.02
Goats, meat	0.02
Hogs, fat	0.02
Hogs, mbyp	0.02
Hogs, meat	0.02
Horses, fat	0.02
Horses, mbyp	0.02
Horses, meat	0.02
Onions, dry	0.1
Peanuts	0.05
Peanuts, hulls	5
Pineapples	0.05
Pineapples, forage	0.05
Plantains	0.02
Potatoes	0.1
Rutabaga, roots	0.1
Sheep, fat	0.02
Sheep, mbyp	0.02
Sheep, meat	0.02
Sorghum, fodder	1
Sorghum, forage	1
Sorghum, grain	0.1
Soybeans	0.02
Soybeans, forage	0.1
Sugarcane	0.02
Sweet potatoes	0.05
Tomatoes	0.1

[FR Doc.76–20504 Filed 7–14–76;8:45 am]

Title 43—Public Lands: Interior

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

[Circular No. 2398]

CITATIONS OF AUTHORITY

Update and Correction

This rulemaking updates and corrects citations of authority listed in 43 CFR Chapter II to maintain the Code as an up-to-date document. Three amendments identify expired authorities, but retain the supporting regulations for adjudication purposes. Four amendments add citations of authority. Two amendments correct citations of authority.

Since this regulation deals only with citations of authority, it is determined that the rulemaking procedure is unnecessary and these amendments shall become effective on July 19, 1976.

43 CFR Chapter II is hereby amended as follows:

PART 1720—PROGRAMS AND OBJECTIVES

1. Section 1725.2(b) is amended to add the authority citation "(E.O. 11296, 31 FR 10663)" following the end of the paragraph.

PART 2110—GIFTS

2. A new paragraph (d) is added to § 2110.0–3 to read as follows:

§ 2110.0–3 Authority.

* * * * *

(d) Section 6(f) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(f)) authorizes the Secretary to accept donations of lands and interests in land, funds and other property for use in connection with his administration of the national wild and scenic rivers system.

PART 2550—MINING CLAIM OCCUPANCY ACT

NOTE.—Act expired but regulations retained for adjudication of pending applications.

3. The title of Part 2550 is amended to read as set forth above.

PART 2910—LEASES

4. The title of subpart 2914 is amended to read as follows:

Subpart 2914—Mining Claim Occupancy Act

NOTE.—Act expired but regulations retained for adjudication of pending applications.

PART 2860—COMMUNICATIONS

5. Subpart 2861 is amended by changing the phrase "the Act of February 15, 1901" in the 29th and 30th lines of § 2861.1(d) to read "the Act of March 4, 1911."

6. Subpart 2861 is amended by deleting § 2861.1(a) and by changing "§ 2861.1 (b)" to read "§ 2861.1(a)," by changing "§ 2861.1(c)' 'to read "§ 2861.1(b)," and by changing "§ 2861.1(d)" to read "§ 2861.1(c)."

PART 3100—OIL AND GAS LEASING

7. Section 3100.0–3(a)(1) is revised to read as follows:

§ 3100.0–3 Authority.

(a) *Public domain.* (1) The Act of February 25, 1920, as amended and supplemented (30 U.S.C. 181 et seq.).

PART 3810—LANDS AND MINERALS SUBJECT TO LOCATION

8. Subpart 3814 is amended by adding at the end of § 3814.1(b) the following:

§ 3814.1 Mineral reservation in entry and patent; mining and removal of reserved deposits; bonds.

* * * * *

(b) * * *

Under the Act of June 21, 1949 (30 U.S.C. 54), a mineral entryman on a stock raising or other homestead entry or patent is also held liable for any damage that may be caused to the value of the land for grazing by such prospecting for, mining, or removal of minerals except that vested rights existing prior to June 21, 1949, are not impaired.

9. Section 3600.0–3(a) is revised to read as follows:

§ 3600.0–3 Authority.

(a) The Materials Act of July 31, 1947, amended by the acts of July 23, 1955 and September 25, 1962 (30 U.S.C. 601, 602), authorizes the disposal of mineral materials including, but not limited to, petrified wood and common varieties of sand, stone, gravel, pumice, pumicite, cinders and clay, in the public land of the United States (including the O&C lands as described in § 5040.0–3 of this chapter), if the disposal of such materials (1) is not otherwise expressly authorized by law, including, but not limited to the act of June 28, 1934, as amended (43 U.S.C. 315), and the United States mining laws, and (2) is not expressly prohibited by the laws of the United States, and (3) would not be detrimental to the public interest. Disposals of pumicite, within certain areas of the Katmai National Monument, Alaska, may also be made under this act, however, under appropriate contract conditions for the protection of the monument. Act of April 15, 1954 (68 Stat. 53) (expired April 15, 1969, but reference is retained for adjudication of pending applications).

JACK O. HORTON,
Assistant Secretary of the Interior.

JULY 8, 1976.

[FR Doc.76–20403 Filed 7–14–76;8:45 am]

SUBCHAPTER B—LAND RESOURCE MANAGEMENT (2000)

[Circular No. 2399]

LAND RESOURCE MANAGEMENT

Miscellaneous Amendments

A review of 43 CFR Chapter II has identified a need for several amendments of a technical nature to correct and update that chapter of the Code of Federal Regulations. This rulemaking is being published to accomplish this purpose.

1. As presently written, the wording in § 2533.2(c) is confusing with respect to the filing of an application for an allotment within a National Forest. The wording is revised to clarify the application procedures.

2. The amendment to § 2564.7 corrects the appeal procedure making it consistent with the Departmental appeal procedures in Part 4 issued at 36 FR 7186, April 15, 1971, as amended.

3. The amendment to § 2741.6 deletes a provisions of 43 U.S.C. 869(b)(1)(A) which states that a Recreation and Public Purposes application for State park purposes could embrace 12,800 acres. This proviso applied only during the years 1960, 1961, and 1962.

4. The amendment to § 2763.3(b) corrects a typographical error changing the acreage figure from 2580 acres to 2560 acres.

5. The amendment to § 2821.3–3 replaces the old agency name "Bureau of Public Roads" with the new agency name "Federal Highway Administration."

6. The revision of § 2812.9 corrects the appeal procedure making it consistent with the Departmental appeal procedures in Part 4 issued at 36 FR 7186, April 15, 1971, as amended.

7. The revision of § 2912.1–1 incorporates the provisions of 43 U.S.C. 869–1 which authorizes the issuance of Recreation and Public Purposes leases for a period not to exceed 20 years for nonprofit associations and corporations and 25 years for Federal, State and local governmental entities.

Since this regulation deals with miscellaneous technical amendments of a nonsubstantive nature it is determined that the proposed rulemaking procedure and public participation are unnecessary. These amendments are adopted as set forth below and shall become effective on July 19, 1976.

43 CFR Chapter II Subchapter B is amended as follows:

PART 2530—INDIAN ALLOTMENTS

1. Paragraph (c) of § 2533.2 is amended to read as follows:

§ 2533.2 Approval.

* * * * *

(c) If the Commissioner of Indian Affairs approves the application, he will transmit it to the Bureau of Land Management for issuance of a trust patent.

PART 2560—ALASKA OCCUPANCY AND USE

2. Paragraph (a) in § 2564.7 is amended to read as follows:

§ 2564.7 Determination of competency or noncompetency; issuance of unrestricted deed.

(a) Upon a determination by the Bureau of Indian Affairs that the applicant is competent to manage his own affairs, and in the absence of any conflict or other valid objection, the town-

site trustee will issue an unrestricted deed to the applicant. Thereafter all restrictions as to sale, encumbrance, or taxation of the land applied for shall be removed, but the said land shall not be liable to the satisfaction of any debt, except obligations owed to the Federal Government, contracted prior to the issuance of such deed. Any adverse action under this section by the town-site trustee shall be subject to appeal to the Board of Land Appeals, Office of the Secretary, in accordance with Part 4 of 43 CFR Subtitle A.

PART 2740—RECREATION AND PUBLIC PURPOSES ACT

3. Paragraph (a) of § 2741.6 is amended to read as follows:

§ 2741.6 General limitations and conditions.

(a) The acreage applied for in any one application for patent cannot exceed 640 acres except that applications for patent for State park purposes may embrace as much as 6,400 acres.

PART 2760—TOWNSITES

§ 2763.3 [Amended]

4. In paragraph (b) of § 2763.3 the figure "2580" acres is amended to read "2560".

PART 2812—TRAMROADS AND LOGGING ROADS

5. Section 2812.9 is revised to read as follows:

§ 2812.9 Appeals.

An appeal pursuant to Part 4 of 43 CFR Subtitle A, may be taken from any final decision of the authorized officer, to the Board of Land Appeals, Office of the Secretary.

PART 2820—ROADS AND HIGHWAYS

6. Section 2821.3–3 is amended to read as follows:

§ 2821.3–3 Concurrence by Federal Highway Administration.

The appropriate state highway department will forward a copy of each application and map filed with the Department of the Interior to the authorized officer of the Federal Highway Administration for a determination whether the lands and interets in lands are necessary for the purposes of Title 23, United States Code.

PART 2910—LEASES

7. Paragraph (a) of § 2912.1–1 is revised to read as follows:

§ 2912.1–1 Terms and conditions of lease.

(a) The term of leases under the act will be fixed by the authorized officer but will not exceed 20 years for nonprofit associations and nonprofit corporations and 25 years for Federal, State, and local governmental entities. Leases will be renewable at the discretion of such official (43 U.S.C. 869–1).

JACK O. HORTON,
Assistant Secretary of the Interior.

JULY 8, 1976.

[FR Doc.76–20402 Filed 7–14–76;8:45 am]

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 196—DOMESTIC MINING AND MINERAL AND MINERAL FUEL CONSERVATION FELLOWSHIPS

A notice of proposed rulemaking was published in the FEDERAL REGISTER on April 5, 1976 (41 FR 14384) which set forth proposed regulations for the Domestic Mining and Mineral and Mineral Fuel Conservation Fellowship Program (authorized by Title IX, Part D of the Higher Education Act of 1965, as amended). Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed rules. No comments, suggestions, or objections have been received. The only change made in the regulations was to delete the reference to the Office of Education General Provisions Regulations (proposed § 196.2). Those regulations are designed to govern grant programs, and are not appropriate for a fellowship program. Subject to this change, the proposed regulations are adopted and are set forth below.

Effective date: Pursuant to Section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232 (d)), this regulation has been transmitted to the Congress concurrently with its publication in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions therein concerning Congressional action and adjournment.

(Catalog of Federal Domestic Assistance Number 13.567; Mining and Mineral Fuel Conservation Fellowship Program)

Dated: June 14, 1976.

T. H. BELL,
U.S. Commissioner of Education.

Approved: July 9, 1976.

MARJORIE LYNCH,
Acting Secretary of Health, Education, and Welfare.

Title 45 of the Code of Federal Regulations is amended by adding a new Part 196, to read as follows:

Sec.
196.1 Definitions.
196.2 Purpose.
196.3 Award procedure.
196.4 Types of felowships.
196.5 Eligibility for fellowships.
196.6 Fellowship conditions.
196.7 Stipend.
196.8 Dependency allowance.
196.9 Travel allowance.
196.10 Institutional allowance.
196.11 Criteria for allocating fellowships to institutions of higher education.
196.12 Reaward of vacated fellowships.
196.13 Payment procedures.
196.14 Criteria for determining financial need.
196.15 Records and reports.

AUTHORITY: Title IX, Part D, sections 961–965 of Pub. L. 89–329, as amended (20 U.S.C. 1134n–1134r), unless otherwise noted.

§ 196.1 Definitions.

As used in this part:

(a) "Act" means the Higher Education Act of 1965, as amended.

(b) "Domestic Mining" is defined as the means by which mineral and mineral fuel resources of the United States are extracted from the earth.

(c) "Fellow" means a person to whom the Commissioner awards a fellowship under this part.

(d) "Fellowship" means an award by the Commissioner under this Part.

(e) "Institution of higher education" is defined in Section 1201(a) of the Higher Education Act of 1965, as amended (20 U.S.C. 1141(a)).

(f) "Mineral and Mineral Fuel Conservation" is defined as the means by which an adequate supply of the Nation's non-renewable resources is maintained, either through exploration for new sources, more efficient extraction of existing reserves, or better utilization of already processed minerals and mineral fuel.

(20 U.S.C. 1134n)

§ 196.2 Purpose.

It is the purpose of this program to provide fellowships to assist graduate students of exceptional ability who demonstrate a financial need for advanced study in domestic mining and mineral and mineral fuel conservation including oil, gas, coal, oil shale and uranium.

(20 U.S.C. 1134n(a))

§ 196.3 Award procedures.

Fellowships will be allocated to institutions of higher education which apply for a fellowship allocation and which offer a graduate program leading to an advanced or professional degree in the field of domestic mining or mineral and mineral fuel conservation on the basis of the criteria set forth in § 196.12. Institutions receiving such an allocation shall recommend eligible students to the Commissioner for his selection.

(20 U.S.C. 1134n(b)(1); 1134(c))

§ 196.4 Types of fellowships.

The types of fellowships that will be awarded under this Part are as follows:

(a) Fellowships for individuals for graduate study leading to an advanced or professional degree in a field of domestic mining or mineral and mineral fuel conservation.

(1) These fellowships will be awarded to individuals who have been accepted for graduate study at an institution of higher education that has received a fellowship allocation under this Part.

(2) The fellowships will be allocated each year to institutions of higher educa-

tion and will consist of two categories: new fellowships and continuation fellowships. Continuation fellowships will only be awarded to individuals who previously received an award under this Part and who are continuing their study leading to an advanced or professional degree.

(3) In no case may an individual receive assistance under this Part for a period in excess of three years.

(b) Doctoral dissertation fellowships. These fellowships are one-year fellowships for persons who have completed all course work required for granting a doctoral degree or an equivalent degree (except such course work credited on the dissertation) and comprehensive examinations where appropriate, and whose doctoral dissertation (or other equivalent dissertation) proposal has been approved by appropriate officials of an institution of higher education that has received a fellowship allocation for this purpose.

(20 U.S.C. 1134n(c); 1134o)

§ 196.5 Eligibility for fellowships.

Recipients of fellowships under this Part must:

(a) Be of exceptional ability, as determined by the institution of higher education;

(b) Demonstrate financial need, as determined by the institution of higher education under the criteria set forth in § 196.15; and

(c) Be a national of the United States or be in the United States for other than a temporary purpose and intend to become a permanent resident thereof, or be a permanent resident of the Trust Territory of the Pacific Islands.

(20 U.S.C. 1134n(a)(1))

§ 196.6 Fellowship conditions.

In order to continue receiving payments under the provisions of this Part, a fellow must:

(a) Maintain satisfactory proficiency in the approved program in which he or she is registered;

(b) Continue to devote full-time to study or research in the field in which the fellowship was awarded; and

(c) Not engage in gainful employment during the period of the fellowship tenure, except in an internship or research activity under faculty supervision in the filed in which he or she is studying.

(20 U.S.C. 1134q(a))

§ 196.7 Stipend.

(a) The stipend to which a fellow is entitled will be $3000 for an academic year consisting of twelve months.

(b) A fellow who is enrolled in the program of study for less than twelve months shall only be entitled to receive a pro rata share of the annual entitlement. For purposes of this section, a fellow who is enrolled in the program for the entire academic year (including summer sessions) at an institution of higher education shall be considered to be enrolled in the program for the full twelve months.

(20 U.S.C. 1134p(a))

§ 196.8 Dependency allowance.

A fellow shall also be entitled to receive $300 per twelve month academic year for each of his or her dependents. The allowance for dependents shall not exceed $1500 per academic year.

(20 U.S.C. 1134p(a))

§ 196.9 Travel allowance.

(a) A fellow is entitled to reimbursement for actual and necessary traveling expenses for himself and his dependents from his ordinary place of residence to the institution of higher education, library, archive, or other research center where he will pursue his studies under the fellowship, and to return to such residence.

(b) The travel allowance shall be limited to reimbursement for one round trip during each 12 month fellowship period.

(c) In no case shall this amount exceed the cost of such travel by common carrier.

(d) The travel allowance shall not include reimbursement for the difference in cost between first-class accommodations and less-than-first-class accommodations, except when less than first-class accommodations are not reasonably available.

(20 U.S.C. 1134p(c))

§ 196.10 Institutional allowance.

The institution of higher education at which the fellow is pursuing his course of study will be paid 150 percent of the amount paid to the fellow (not including any amounts paid for dependents). This allowance is intended to cover tuition normally charged to individuals enrolled at that institution, and the allowance shall be reduced by any amount charged to the fellow for tuition.

(20 U.S.C. 1134p(b))

§ 196.11 Criteria for allocating fellowships to institutions of higher education.

The allocation of fellowships among institutions of higher education which apply for participation in this program and which offer a graduate program leading to an advanced or professional degree in the field of domestic mining or mineral and mineral fuel conservation will be based on the following criteria:

(a) Highest priority will be given to allocate fellowships to institutions of higher education where the fellowships will be used to support fellows currently receiving assistance under this Part who are continuing their graduate studies, provided there is evidence that the individuals are making satisfactory progress toward completing the course of study in which they are enrolled.

(b) The remaining fellowships will be allocated among institutions of higher education based on the degree to which there is demonstrated evidence that the educational program at that institution:

(1) Is designed to address one or both of the following national needs:

(i) The need for trained individuals to improve the technologies for the efficient extraction and processing of non-renewable mineral and mineral fuels including the development of improved systems of underground, underwater, and surface mining techniques, improved methods to protect the health and safety of people working in extraction and processing operations, and improved methods to protect and restore the environment in extraction and processing operations;

(ii) The need for training individuals to develop ways to ensure the availability of non-renewable minerals and mineral fuels through improved exploration or discovery techniques, optimum recovery of existing mineral and mineral fuel reserves, improved utilization of processed minerals and mineral fuels through recycling technology, and improved understanding of mineral economics;

(2) Is of high quality in terms of course offerings;

(3) Leads to immediate career opportunities in domestic mining and mineral and mineral fuels industries, including careers in teaching in those subject areas at institutions of higher education;

(4) Offers an opportunity for relevant supervised practical, internship, or field experience;

(5) Has a program director and teaching staff which have the education, background, research interests, and experience to plan and implement a successful program of domestic mining and mineral and mineral fuel conservation education;

(6) Has the necessary institutional resources (facilities, equipment, library, etc.) to meet program objectives; and

(7) Has developed procedures to measure the effectiveness of the program.

(20 U.S.C. 1134n(c))

§ 196.12 Reaward of vacated fellowships.

If a fellowship is vacated prior to the end of a period for which it was awarded, the institution to which the fellowship is allocated may recommend to the Commissioner another individual to receive the fellowship. This individual must meet all the eligibility requirements set forth in § 196.6. The duration of a reawarded fellowship shall be for a period of graduate or professional work or research not in excess of the remainder of the period for which the fellowship is replaces was awarded.

(20 U.S.C. 1134n(b)(2))

§ 196.13 Payment procedures.

(a) The Commissioner will pay to the appproved institution of higher education the stipend, dependency allowance, travel allowance, and institutional allowance (calculated pursuant to §§ 196.8, 196.9, 196.10, and 196.11) for each fellowship allocated to that institution. The institution of higher education is responsible for disbursing all funds due the recipient.

(b) The timing of payments to fellows will be left to the discretion of each institution of higher education, although no fewer than two payments a year shall be made. Institutions are responsible for

recovery of excess payments made to students who, for any reason, fail to complete the academic year for which they are registered.

(20 U.S.C. 1134p)

§ 196.14 Criteria for determining financial need.

In determining whether a student has financial need for the purposes of this fellowship program, the institution must consider the student's projected costs for the year including tuition, fees, books, materials, and supplies, plus other reasonable costs that a student might have for room and board in comparison with the student's resources (including available income and contribution from available assets).

(20 U.S.C. 1134n(a))

§ 196.15 Records and reports.

Each institution of higher education which receives an allocation of fellowships under this part, and each individual who is awarded a fellowship shall keep such records and submit such reports as are required by the Commissioner. Such reports shall include a certificate from an appropriate official at the institution of higher education, library, archive, or other research center approved by the Commissioner, stating that the fellow is making satisfactory progress in and is devoting essentially full time to the program for which the fellowship was awarded.

(20 U.S.C. 1134q(b))

[FR Doc.76-20462 Filed 7-14-76;8:45 am]

CHAPTER X—COMMUNITY SERVICES ADMINISTRATION

PART 1061—CHARACTER AND SCOPE OF SPECIFIC COMMUNITY ACTION PROGRAMS

Subpart—Emergency Energy Conservation Programs

On July 28, 1975 CSA adopted CSA Instruction 6143-1 (40 FR 31602) establishing the rules, regulations and grant application procedures relative to the Emergency Energy Conservation Program authorized under Section 222(a)(12) of the Community Services Act of 1974. CSA is revising CSA Instruction 6143-1 (40 FR 31602) based on actual field experience. These revisions seek to achieve clarification and do not represent any major substantive changes in agency policy. The clarification the revisions seek is a designation of eligible activities using terminology that conforms with anticipated program account structures, amplification of the use of funds for administrative costs, clarification of the relationship of crisis intervention programs to other community support networks, an update of the program policy discussion to reflect the issuance of the "CSA Guide to Weatherization" since publication of the original Instruction and inclusion of more precise information on the submission of data reporting forms.

Effective: August 16, 1976.

SAMUEL R. MARTINEZ,
Director.

The regulations on CSA's Emergency Energy Conservation Program, 45 CFR Part 1061, §§ 1061.30-1 through 1061.30-14 are revised to read as follows:

Subpart—Emergency Energy Conservation Program

Sec.

1061.30-1 Applicability.
1061.30-2 Definitions.
1061.30-3 Background.
1061.30-4 Purpose.
1061.30-5 Introduction.
1061.30-6 Purpose of the Special Emphasis Program.
1061.30-7 Eligible participants.
1061.30-8 Eligible applicants.
1061.30-9 Eligible activities.
1061.30-10 Program policy.
1061.30-11 Funding.
1061.30-12 Application requirements.
1061.30-13 Reporting requirements.
1061.30-14 Additional requirements.

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

Subpart—Emergency Energy Conservation Program

§ 1061.30-1 Applicability.

This subpart is applicable to grantees under section 222(a)(12) of the Community Services Act of 1974, if the assistance is administered by the Community Services Administration.

§ 1061.30-2 Definitions.

(a) *Program.* The provision of federal funds and administrative direction to accomplish a prescribed set of objectives through the conduct of specified activities. Example: CSA's Emergency Energy Conservation Services Program.

(b) *Project.* The implementation level of a program where resources are used to produce an end product that directly contributes to the objectives of the program. Example: The Weatherization Project of the CAA in Philadelphia, Pa.

(c) *Local administering agency.* Any agency, organization or other group, whether grantee or delegate agency, which conducts or carries out project activities at the local community level.

§ 1061.30-3 Background.

On July 28, 1975 CSA published in the FEDERAL REGISTER (FEDERAL REGISTER, Vol. 40, No. 145) and issued CSA Instruction 6143-1. As a result of the publication and on the basis of actual field experience in the operation of projects, comments have been received which indicate a need for clarification of certain passages in the Instruction. The changes in this Instruction seek to achieve that clarification, and do not represent any major substantive changes in agency policy. The principal changes involve a designation of eligible activities using terminology that conforms with anticipated program account structures and avoids confusion with programs of other federal agencies; and amplification of agency policy on use of funds, including a more detailed definition of materials and a reference to the existing CSA Instruction on administrative costs; clarification of the relationship of Crisis Intervention programs to other community support networks; editorial revision of the section on Program Policy to reflect the issuance of CSA Guidance since publication of the original Instruction, including clarification of the role of the Project Advisory Committees in overseeing quality of planning, materials, and workmanship in Weatherization projects; and more precise instructions on the submission of data reporting forms.

§ 1061.30-4 Purpose.

The purpose of this Instruction is to inform grantees of the above changes and to publish those changes for their information.

§ 1061.30-5 Introduction.

Section 222(a) of the Community Services Act of 1974 includes a new subsection 12 that authorizes:

> A program to be known as Emergency Energy Conservation Services to enable low-income individuals and families, including the elderly and the near poor to participate in energy conservation programs designed to lessen the impact of the high cost of energy on such individuals and families and to reduce individual and family energy consumption.

This Instruction discusses the purpose of the program, conditions of the program, funding policies, activities eligible for funding, application submission offices and required application documents.

§ 1061.30-6 Purpose of the Special Emphasis Program.

The major assumption underlying this program is that the problems of the low-income created by the energy crisis have severely limited their ability to maintain minimum living conditions and in some cases, to survive. The major goal of the program is to enable low-income individuals and families, including the elderly and the near poor, to participate in energy conservation programs designed to lessen the impact of the high cost of energy on such individuals and families and to reduce individual and family energy consumption. A major component of the program is to support weatherization activities which will increase the thermal efficiency of the homes of the poor and the near poor. Another is to help assure participation of the poor and near poor in the decision making processes that will determine the pricing structures and availability of increasingly scarce energy resources. In addition there are or will be in many communities emergency situations calling for projects of crisis intervention to restore utility service or prevent cut-offs, provide emergency fuel deliveries or support other activities to assist those suffering serious hardship which endanger their health.

§ 1061.30–7 Eligible participants.

(a) Individuals, families, and elderly persons who are poor and near poor, are eligible to participate in programs funded under section 222(a)12 of the Act.

(b) For this program, the near poor are those persons in families or unrelated individuals whose incomes are between 100 percent and 125 percent of the poverty thresholds as set forth in CSA Instruction 6004–1l.

§ 1061.30–8 Eligible applicants.

CAAs, SEOOs, and non-profit CDCs and other public and/or private nonprofit organizations and agencies that meet CSA eligibility criteria may apply.

§ 1061.30–9 Eligible activities.

(a) *Weatherization.* Making home repairs and energy saving improvements to minimize heat loss and improve thermal efficiency. Components include repairs to stop heat loss through infiltration; installation of a balanced combination of energy saving home improvements, including insulation and storm windows and doors; and where needed, the adjustment and repair of heating systems.

(b) *Crisis intervention.* Intervention to prevent hardship or danger to health due to utility shut-off or lack of fuel. Components include grants, loans, fuel voucher or stamp programs, or payment guarantees; mediation with utility companies or fuel suppliers and financial counseling; and maintenance of emergency fuel supplies, warm clothing, and blankets.

(c) *Consumer information, education, and legal assistance.* Dissemination of energy conservation information, conducting of energy conservation education programs and the representation of the interests of the poor in public proceedings involving, for example, energy policy and utility rate structures.

(d) *Transportation.* Projects designed to offset the increased costs to the poor of transportation needed for access to essential services and employment.

(e) *Alternate energy sources.* Development and application to energy needs of the poor of technology that capitalizes on non-fossil fuels and renewable energy sources such as solar and wind power or methane digesters; or that can make conventional fuels available to the poor at substantially decreased cost and/or increase efficiency.

(f) *Program support.* Training and technical assistance, research and demonstration, and evaluation.

§ 1061.30–10 Program policy.

CSA grantees are in a unique position to provide a comprehensive range of essential services to those individuals severely affected by the energy crisis. Grantees should develop balanced projects which are responsive to both short and long range needs of their constituents, and which will assure their full participation in the decision making processes which at every level of society will determine the policies which govern the management, pricing structures and availability of increasingly scarce energy resources. Finally, every effort must be made to integrate grantee energy projects with other projects which they operate, including housing, transportation, manpower training and development, nutrition, and economic development activities. In carrying out energy activities grantees shall take into account the special needs of the elderly, the handicapped, infants, and sick people.

(a) *Project Advisory Committees.* (1) Funded projects shall assure that each local administering agency shall have a Project Advisory Committee, made up of at least 51 percent poor persons and including representatives of the local governments and other resource agencies within the community served as well as a representative or representatives of the local public utility and local fuel dealers.

(2) The Project Advisory Committee should be the focal point of energy-related planning for the local administering agency; it can also play a major leadership role in the larger community, educating and influencing the non-poor about the need for and the benefits accruing to them from energy conservation.

(3) It shall be the role of the Project Advisory Committee to recommend to the Grantee Board policies for guiding the development of the appropriate local response to energy problems of the poor, including policies for selection of dwellings to be weatherized and households eligible for crisis intervention assistance.

(4) It shall also be the role of the Project Advisory Committee to recommend to the Board standards of program quality to be met by each project. In the case of weatherization programs those standards shall include provisions designed to assure quality of materials and workmanship; and each Project Advisory Committee shall be responsible for recommending to the Board a system for inspection of completed work that will assure:

(i) That the principles of a balanced combination of energy conserving improvements as set forth in the "Community Planning Guide to Weatherization" have been adhered to;

(ii) That infiltration problems have been dealt with;

(iii) That insulation materials meet minimum Federal standards of effectiveness; (See CSA Pamphlet 6143–6, A Community Planning Guide to Weatherization, Appendix C) ; and

(iv) That quality of workmanship has been maintained, in accordance with standards described on pages 27–29 of the Community Planning Guide Weatherization, which include the following:

(A) Proper installation of insulation with vapor barrier toward heated space;

(B) Provision of ventilation in attic and/or crawl space;

(C) Proper density of loose fill or blown-in insulation to prevent excessive settling;

(D) Adequate protection of water pipes in unheated areas after installation of insulation; and

(E) Proper installation of attic floor insulation so that it does not touch roof at eaves.

NOTE 1.—Projects may refer to In the Bank * * * Or up the Chimney, Published by the U.S. Department of Housing and Urban Development, Washington, D.C. 20410, for additional information on specific techniques and standards of workmanship.

NOTE 2.—For a fuller discussion of the issues appropriate for Project Advisory Committee consideration and recommendations, see A Community Planning Guide to Weatherization, CSA Pamphlet 6143–6 p. 10.

(b) *Planning and assessment of need.* A major goal of all funded projects will be more accurate assessment of the local impact on the poor of energy shortages and price increases, and the development of a local planning capability involving major community resources to deal with both emergencies and long range implications of energy cost and availability. The Project Advisory Committee, using the information collected in the two required forms for energy programming, the Building Weatherization Plan and the Energy Data Form, will have a primary role to play in the local impact assessment.

(c) *Weatherization.* (1) CSA has issued "A Community Planning Guide to Weatherization," CSA Pamphlet 6143–6, which expresses in detail agency procedures governing the conduct of weatherization programs. In carrying out such projects, first priority must be given to stopping infiltration by repairing broken windows, patching roofs and walls, caulking cracks and joints, and weatherstripping doors and windows; second priority should be given to installing a balanced combination of energy-conserving home improvements including insulation of attics, floors, walls, and exposed heating ducts, and installation of storm doors and windows. Where needed, foundation banking, replacement of furnace filters, minor adjustments and repair of heating systems or replacement of dangerous heating sources, may be undertaken. Able-bodied residents of dwellings weatherized should wherever practicable contribute their services to the weatherization work. Where possible, costs of major building repair or heating system improvements should be supported with funds from other sources such as appropriate FmHA or HUD loans.

(2) All administering agencies shall procure liability insurance or bonding to cover any damage to persons or property in connection with weatherization activities, the cost for which shall be considered a program cost, not an administrative cost, and shall not be counted in figuring the ten percent nonmaterial costs. Before beginning work on the weatherization of any dwelling the administering agency shall obtain from the (owner) (householder) permission to enter upon the premises and perform the weatherization work. In addition, where obtainable without objection from the householder (but in the case of at least ten percent of the dwellings worked on) administering agencies should obtain

permission to inspect fuel and utility bills, in the following or equivalent language:

(Householder, or in the case of rental property where utilities are paid by landlord, Owner) hereby grants permission to (the administering agency) or its designee to inspect heating fuel and utility billing records for (address) for not more than five years before and subsequent to the performance of the weatherization work for the sole purpose of obtaining data required for evaluation of the energy conserving effectiveness of the work done, and directs the pertinent utility and fuel companies to make such records available to (the administering agency) or its designee.

(3) In the case of renter occupied dwellings, the goal of any weatherization project must be to assist low income tenants and to avoid enrichment of property owners. The primary effort of administering agencies must be to seek the enforcement of local codes and the mobilization of owner's resources for the installation of needed energy conserving improvements; and wherever projects do carry out weatherization of renter occupied dwellings, agreements should be obtained from property owners which include a provision that following the completion of the weatherization program the low income tenant shall not be evicted or removed from the dwelling for a stated period of time so long as he has complied with all on-going obligations and responsibilities owed the landlord or owner. Such agreements should, in addition, provide as follows:

(i) Where the owner or landlord pays for heating or cooling the dwelling, the agreement should provide either (*a*) that the owner or landlord shall reduce the rent over a stated period of time by an amount equal to the value of the weatherization materials supplied, and agrees not to raise the rental on the property beyond the preweatherization level for a stated period thereafter; or (*b*) that the owner or landlorad shall repay to the administering agency or grantee over a stated period of time an amount equal to the value of the materials supplied, and agrees not to raise the rental on the property for such period of time and for a stated period of time thereafter;

(ii) Where the tenant pays for heating and cooling the dwelling, the agreement may provide merely that the owner or landlord agrees not to raise the rental on the property for a stated period of time.

(4) Any exceptions must be approved by the Administering Agency or Grantee on a case by case basis, on the recommendation of the Project Advisory Committee and based on documented need. Agreements obtained should be maintained in the files of the Administering Agency or Grantee, and shall be made for inspection upon request.

(5) For each building on which weatherization work is done, a Building Weatherization Plan, CSA Form 481, must be completed, in accordance with directions provided in the Community Planning Guide to Weatherization, Part VI, pp. 16–26. Copies of the Building Weatherization Plan must be filed in accordance with Paragraph 11 of this Instruction.

(6) In any case where a Building Weatherization Plan indicates expenditures of more than $250 on any building in a project funded in Federal Region IV, VI, or IX, or more than $350 on any building in a program funded in Federal Region I, II, III, V, VII, VIII, or X, the expenditure must be justified in writing and approved by the Project Advisory Committee. Documentation of such justification and approval shall be made available to CSA upon request.

(7) Of funds allocated to weatherization activities, at least ninety percent shall be expended for materials costs. Beginning with FY 1975 funds, costs incurred by grantees for materials may include costs of delivery to work site and reasonable costs of tools and equipment required for installation, including blower equipment required for cellulose fiber or other loose fill insulation. Purchase of materials will be made in accordance with current CSA regulations governing such activities.

(8) Where administering agencies have documented bona fide attempts to secure labor, supervision, and/or transportation costs from other sources without success adequate to their needs, grantees may seek relief through their proposals or through a request for a work program amendment.

(d) *Crisis intervention.* (1) This immediate, short-term assistance, consisting of intervention to prevent hardship or danger to health due to utility shut-off or lack of fuel, should be followed with program efforts that will have a long-range effect on the individual's ability to conserve energy and pay fuel bills. Crisis intervention should not be used to provide help to persons having access to direct assistance through other supportive service networks such as welfare; rather, the administering agency should take all appropriate measures to assure the responsiveness of such networks to the energy needs of clients. Help from this Crisis Intervention Program should be provided only in cases of extreme crisis when other service networks cannot respond.

(2) In any case, actual payment of utility or fuel bills by this program should be a one-time crisis intervention resource to be considered only as a last resort after negotiation with utility or fuel companies; and care must be taken to avoid having the grants looked upon as a source of on-going subsidy for energy costs of the poor.

(e) *Consumer information, education, and legal assistance.* (1) Studies indicate that residential use of energy is in large measure of function of the lifestyle of the residents of any particular dwelling; and consequently grantees should where possible conduct programs of energy conservation education in conjunction with weatherization projects.

(2) In addition, escalating costs of energy are causing increasing numbers of states and local communities to review utility rate structures and regulatory policies with interest in bringing relief to certain classes of customers. Wherever such reviews are taking place, whether in formal proceedings of regulatory commissions or merely informally, grantees should seek to involve themselves in order to insure that the interests of the poor are adequately represented, and that low income persons have the same high level of legal and technical expertise at their service as the utility companies and the other classes of energy users participating in these proceedings.

(3) Finally, as the need for energy conservation becomes more generally recognized there will be some who enter the field with the intent of exploiting those without technical knowledge or understanding of effective conservation techniques. Grantees should be aware of these dangers and work closely with state and local law enforcement and consumer protection agencies to curb abuses and provide redress for victimized consumers.

(f) *Transportation.* Projects undertaking transportation activities supported with section 222(a)(12) funds shall assure (1) that such activities address the energy-related increased costs of transportation for the poor, (2) that projects designed to provide assistance in the purchasing of fuel shall do so only as a last resort, thereby minimizing the subsidy of high cost fuel, and (3) that maximum use is made of existing transportation resources.

(g) *Alternate energy sources.* Because of the more diffuse nature of alternate energy sources such as the sun, they should only be used on buildings which have been thoroughly weatherized through stopping of infiltration and installation of the optimal combination of energy conserving improvements.

(h) *Program Support: Research and Demonstration Programs.* (1) Section 232 provides the authority to conduct R&D projects to further the mandate of Title II, including section 222(a)(12). R&D projects in the area of emergency energy conservation shall directly contribute to the accomplishment of the ends of the Emergency Energy Conservation Services Program and shall conform to one or more of the following standards and definitions:

(i) Development of new approaches and/or methods that will aid in overcoming special problems of poverty through:

(A) Support of projects designed to provide conclusive information concerning the usefulness of a program or technique thought to have potential of major impact on an identified special problem. The generation of persuasive knowledge is the central goal of such efforts; the major criterion of success is the utility of the knowledge produced in designing projects which meet carefully defined needs of the poor.

(B) Support of individual projects or series of projects which test specific program strategies or techniques to deal with special problems of poverty. Such demonstrations are designed to (*1*) provide an experience base sufficient to de-

termine the applicability of the strategy or technique; and (2) provide exposure for strategies and techniques to increase their acceptance and application by funding sources and policymakers.

(C) Support of projects which (1) directly intervene to change established institutions or (2) establish alternative institutions or mechanisms to serve poor people.

(ii) Collection and maintenance of appropriate data which is adequate to produce dissemination and utilization of project results.

§ 1061.30–11 Funding.

(a) *Funding Offices.* CSA Regional Offices will receive grant applications for operating projects including eligible activities set forth under §§ 1061.30–7(a) through 1061.30–7(d), above, and for Training and Technical Assistance to operating projects within their geographical area. CSA Headquarters, Washington, D.C., will receive grant applications for the development of Alternative Energy Sources described in § 1061.30–7(e), above, and Program Support Activities national in character, including Research and Demonstration Programs and Evaluation. All applicants submitting proposals to CSA Headquarters shall notify the appropriate Regional Office by means of the regional checkpoint procedures (OEO Form 394).

(b) *Non-Federal Share.* The non-Federal Share requirement is waived for Crisis Intervention and Program Support as defined in paragraph 7f (Training and Technical Assistance, Research and Demonstration, and Evaluation). The non-Federal Share requirement shall be in accordance with CSA Instruction 6802–3, Non-Federal Share Requirement for Title II, sections 221, 222(a) and 231 Programs.

§ 1061.30–12 Application requirements.

(a) Research and Demonstration Proposals should be submitted in accordance with Instruction 7570–1. All other applications should meet the following requirements:

(1) *Required forms*—(i) *OEO Form 419.* Summary of Work Program and Budget (See OEO Instruction 6710–1) (Note: Goals and Activities must be consistent with the standards of effectiveness for section 222(a)(12) projects and the General Standards for Title II Programs outlined in CSA instruction 7850–1a and Form 419 must reflect these standards).

(ii) *OEO Form 25.* Program Account Budget (See OEO Instruction 6710–1).

(iii) *SF–424 (Complete Sections I and II).* Federal Assistance (See CSA Instruction 6710–3a).

(iv) *OEO Form 25a.* Program Account Budget Support Sheet (See OEO Instruction 6710–1).

(v) *OEO Form 301.* Summary of Grant Application (See OEO Instruction 6710–1) For new grantees only.

(vi) *CAP Form 5.* Application for CAP-Community Information (See OEO Instruction 6710–1) For uncapped areas except for CDCs funded under Title VII.

(vii) *CAP Form 84.* Participant/Characteristics Plan (See OEO Instruction 6710–1) Require for uncapped areas except for CDCs funded under Title VII.

(viii) *CAP Form 11.* Assurance of Compliance with Regulations under Civil Rights Act (for new grantees only).

(ix) *OEO Form 394.* Checkpoint Procedure for Coordination. (Note: This is optional and may be used by the funding official under circumstances detailed in CSA Instruction 6710–3a).

(x) Narrative Proposal (See Section b, below).

(2) *Contents of narrative proposal.* The narrative proposal should include a brief narrative of each energy project in terms of:

(i) Description of problems addressed and the numbers affected, as reflected in Building Weatherization Plan and Energy Data Form, where available.

(ii) Past efforts in this project area and capacity to expand those efforts.

(iii) Given local community priorities, why this proposed solution is both feasible and most relevant.

(iv) Non-CSA resource opportunities available for this project include coordination with other Federal agencies such as HUD, EDA, Title X, FmHA, CETA, AoA, RSVP, Title XX Emergency Assistance for families under HEW, and mobilization of state and local resources.

(v) Projected results for each project effort with a unit cost estimate where appropriate.

§ 1061.30–13 Reporting requirements.

(a) To avoid duplication of reporting procedures, CSA is establishing a uniform data collection and reporting system for all energy conservation activities. In addition, selected grantees and agencies may from time to time be requested to submit additional project information.

(b) Each funded grantee and delegate agency will be required to submit to the appropriate CSA Regional Office two copies of the Energy Data Form quarterly, based upon the grantee's or delegate agency's program year and concurrently with the submission of CSA forms 315 and 315a. Energy Data Forms are to be submitted to the appropriate Regional Office by the 20th day following the end of the report quarters. In the case of statewide grantees, or other grantees which delegate to more than one delegate agency, Energy Data Forms must be completed by each administering or delegate agency for their project and target area, and submitted concurrently with that agency's CSA Forms 315 and 315a. Each funded grantee will also be required to submit to the appropriate Regional Office on a monthly basis, by the tenth day of the succeeding month, two copies of the completed Building Weatherization Plan for each dwelling on which work has been carried out during the month.

NOTE.—To comply with the Privacy Act of 1974, Pub. L. 93–579, grantees should delete name and address of householder from the Building Weatherization Plan on copies submitted, making sure that a job number is assigned to each Plan.

§ 1061.30–14 Additional requirements.

(a) *Administrative costs.* All program funds under section 222(a)(12) are subject to a limitation of ten percent for administrative costs as defined in OEO Instruction 6807–1.

(b) *Evaluation.* It is anticipated that the evaluation of energy programs will be twofold in nature. The first will be self-evaluation by the funded grantees, as required in OEO Instruction 7031–1. The second will be national in character and based on the data to be reported in accordance with Paragraph 11.

(c) *Checkpoint coordination.* Applicants must follow the Project Notification and Review System procedures outlined in CSA Instruction 6710–3a. Exception: Applications or portions of applications for training and technical assistance, research and evaluation.

[FR Doc.76–20423 Filed 7–14–76;8:45 am]

Title 49—Transportation

CHAPTER I—MATERIALS TRANSPORTATION BUREAU, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER D—PIPELINE SAFETY

PART 192—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE: MINIMUM FEDERAL STANDARDS

Corrosion Control Requirements, Deadline and Interpretations

On June 25, 1971, the Department of Transportation issued safety standards for the protection of metallic gas pipelines from external, internal, and atmospheric corrosion. The standards are contained in 49 CFR Part 192, Subpart I, and apply to operators of pipelines used in the transportation of gas in or affecting interstate or foreign commerce. Because operators needed time to prepare for protecting existing pipelines, certain provisions were incorporated in Subpart I to allow adequate lead time for operators to comply with the new standards. For example, Section 192.457(b) provides a 5-year lead time with respect to certain pipelines (except for cast or ductile iron) installed before August 1, 1971.

This notice serves as an aid to operators in meeting the August 1, 1976, deadline for compliance in Section 192.457 (b) by explaining applicable requirements. It also states the policy of the Office of Pipeline Safety Operations (OPSO) with respect to enforcement of the standards.

Section 192.457(b) reads as follows:

(b) Except for cast iron or ductile iron, each of the following buried or submerged pipelines installed before August 1, 1971, must, not later than August 1, 1976, be cathodically protected in accordance with this subpart in areas in which active corrosion is found:

(1) Bare or ineffectively coated transmission lines.

(2) Bare or coated pipes at compressor, regulator, and measuring stations.

(3) Bare or coated distribution lines. The operator shall determine the areas of active corrosion by electrical survey, or where electrical survey is impractical, by the study of

corrosion and leak history records, by leak detection survey, or by other means.

Section 192.457(c) defines the term "active corrosion":

(c) For the purpose of this subpart, active corrosion means continuing corrosion which, unless controlled, could result in a condition that is detrimental to public safety.

In response to problems and questions concerning the corrosion control requirements, a number of interpretations have been published in the monthly Advisory Bulletin. The following questions and answers, some of which have been previously published but are now restated for clarity, provided significant interpretations with regard to corrosion control under § 192.457(b).

1. *Question:* Which methods of "electrical survey" may be used to comply with the requirements of 49 CFR 192.457(b)?

OPSO Interpretation: Under § 192.457 (b), an operator must use an electrical survey method which identifies all areas of continuing corrosion along a pipeline with enough detail so that the operator can determine whether a condition detrimental to public safety could result. This public safety determination is necessarily based, among other relevant factors, on the effect of any continuing corrosion on a pipeline. Therefore, to meet the requirements, an electrical survey method must provide accurate measurements, by direct or indirect techniques, of all factors necessary to evaluate the effect of corrosion. There are many electrical survey methods that an operator can use to meet the requirements, but OPSO does not preferentially recommend one method over another.

2. *Question:* May leak surveys or records be used as a method of determining areas of active corrosion under Part 192?

OPSO Interpretation: Under § 192.457 (b) an operator must determine the areas of active corrosion by electrical survey, except that where electrical survey is impractical, the study of corrosion and leak history records, a leak detection survey, or other means may be used to determine active corrosion areas. Thus, leak surveys or records may be used only in those instances where determination by electrical survey is impractical.

3. *Question:* When is an electrical survey impractical?

OPSO Interpretation: The phrase "where electrical survey is impractical" is used in Subpart I to identify those instances or situations where, through no fault or shortcoming of the operator, it is unreasonable or inappropriate to perform an electrical survey on a particular pipeline due to the extreme hardship, trouble, or expense involved in the survey.

4. *Question:* What areas of a pipeline must be cathodically protected under § 192.457(b)?

OPSO Interpretation: Section 192.457 (b) requires that a pipeline be cathodically protected in areas in which "active corrosion" is found. The term "active corrosion" is defined as "continuing corrosion which, unless controlled, could result in a condition that is detrimental to public safety." Determining where cathodic protection is required by § 192.457 (b) is a two step process. First, an operator must find areas of continuing corrosion by electrical survey or other allowable methods. If continuing corrosion cannot be found by proper application of those methods, cathodic protection is not required. Secondly, where continuing corrosion is found, the operator must determine whether a condition detrimental to public safety could result therefrom, taking into account the short and long range effect of the corrosion on the pipeline, the pipeline's proximity to people, and all other factors relevant to public safety. If after consideration of all relevant factors, it can reasonably be concluded that a condition detrimental to public safety could not result, cathodic protection is not required. If a pipeline remains unprotected, § 192.465(e) requires that it be reevaluated every three years for the existence of "active corrosion."

5. *Question:* Is a pipeline which is located so that the bottom portion is buried and the top portion extends above the ground level subject to the cathodic protection requirements?

OPSO Interpretation: The same cathodic protection requirements applicable to a fully buried pipeline must also apply to a partially buried pipeline because electrochemical agents which cause corrosion on underground pipelines are equally active with respect to a partially buried pipeline.

6. *Question:* How often must a pipeline that is cathodically protected only in areas of active corrosion be monitored under § 192.465?

OPSO Interpretation: Such a pipeline may be divided into protected and unprotected sections. Section 192.465(a) requires that the protected sections must be tested at least once each calendar year, but with intervals not exceeding 15 months, to determine whether the cathodic protection meets the requirements of § 192.463. However, § 192.465(a) further provides that if tests at those intervals are impractical for separately protected service lines and short sections of protected mains, not in excess of 100 feet, these service lines and mains may be surveyed on a sampling basis as set forth in the section. Section 192.465(e) requires that at intervals not exceeding 3 years, unprotected sections must be reevaluated and cathodically protected in areas in which active corosion is found.

COMPLIANCE

In accordance with Section 9 of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1678), any operator not under the jurisdiction of a certified State agency who violates the requirements of § 192.457(b) shall be subject to a civil penalty of not more than $1,000 for each day of the violation, except that the maximum penalty may not exceed $200,000 for a related series of violations. In determining whether or not a civil penalty is appropriate for a particular violation of § 192.457(b), OPSO evaluates an operator's efforts towards compliance during the 5 years between August 1, 1971 and August 1, 1976. This evaluation includes the operator's corrosion control plan, past accomplishments, projected completion dates, and relevant extenuating circumstances. If a civil penalty is considered appropriate, Section 9 of the Act further provides that in determining the amount of that penalty, or the amount to be agreed upon in compromise, the following factors are to be considered:

1. The appropriateness of the penalty to the size of the business of the person charged,

2. The gravity of the violation, and

3. The good faith of the person charged in attempting to achieve compliance after notification of a violation.

In addition to civil penalties, section 10 of the Act provides for appropriate injunctive sanctions in the case of a violation of a safety standard.

Operators under the jurisdiction of a certified State agency are subject to substantially the same enforcement policy as operators under the direct enforcement jurisdiction of OPSO. This similarity is required by Section 5(a) of the Act in that each certified State agency must enforce the safety standards under a State law with "injunctive and monetary sanctions substantially the same as are provided under Sections 9 and 10."

WAIVERS

Section 3(b) of the Act provides that the Secretary of Transportation or a State agency participating under Section 5 of the Act may grant a waiver from compliance with any gas pipeline safety standard. A waiver is necessary if a person proposes to operate a pipeline facility in a manner that varies from an applicable standard so that the operation will not violate the safety standard and subject the person to a civil penalty or injunctive sanction.

Waivers are intended only for those situations where a general safety standard is not appropriate for a particular situation or condition. A waiver is granted only after there has been a convincing demonstration of cogent reasons why a given standard should not be followed or an alternative safety measure is more appropriate. Waivers are not intended for those situations where a violation exists and the administering government agency decides to defer imposition of a penalty or other sanction while an operator executes a plan of compliance. Both OPSO and State agency compliance efforts include this discretionary action.

(Sec. 3, Pub. L. 90-481, 82 Stat. 721 (49 U.S.C. 1672); 40 FR 43901, 49 CFR 1.53).

Issued in Washington, D.C. on July 7, 1976.

CESAR DELEON,
Acting Director, Office of Pipeline Safety Operations.

[FR Doc.76-20177 Filed 7-14-76;8:45 am]

CHAPTER III—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER B—FEDERAL MOTOR CARRIER SAFETY REGULATIONS

[Docket No. MC-53; Notice No. 76-17]

PART 393—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

Automatic Device for Reducing Front-Wheel Braking Effort on All Commercial Vehicles

● Purpose. The purpose of this amendment to 49 CFR 393.48 is to permit the use of an automatic front-wheel brake limiting device on vehicles using compressed air or other media in the event of failure of the antilock system. ●

Comments have been received on Notice No. 75-21 (40 F.R. 48520, October 16, 1975) for compressed airbraked vehicles and Notice No. 75-25 (40 F.R. 57369, December 9, 1975) for vehicles using other than compressed air as a braking medium. With one exception, the comments favored the proposal. The National School Bus Service Inc., stated "* * * we have not found front-wheel skid at low deceleration rates to be a problem * * *. We do not feel that installation of hydraulic brake metering valves is either necessary or desirable." The rule, however, is designed to merely permit front-wheel limiting devices and not to require them.

The Department of California Highway Patrol suggested a specified pressure of 85 psig rather than air compressor cut-in pressure as the point above which front-wheel braking effort must not be reduced. Because of possible variations in compressor cut-in caused by adjustment of the governor valve, a specified pressure of 85 psig is a more reliable guide to the proper cut-in point for the pressure limiting device.

Wagner Electric and Paccar, Incorporated, suggested that the rule incorporate language to the effect that "front-wheel braking effort be reduced by up to 50 percent of the normal braking force." These petitioners contend that it is highly unlikely that a device can be made which would consistently and repeatedly reduce front-wheel braking effort by exactly 50 percent.

The Bendix Corporation, American Trucking Associations, Inc. (ATA), and the Ford Motor Company requested that, on air-braked vehicles, the limiting device be operative on the failure of the antilock system on any axle. The reasoning is that steering control would be impaired by lock-up on any axle and limiting front-wheel braking force in this event would be an aid to steering control.

Mack Trucks, Inc. (Mack), and ATA asked for front-wheel braking effort to be limited on a truck tractor any time it is operated in the bobtail configuration. Extensive consideration has been given to this suggestion. However, because of excessive braking capability on the rear axle, the bobtailed tractor may experience problems of stability and control whether or not equipped with an antilock device. Limiting the front axle braking effort would not change this situation. Therefore, the request by Mack and ATA to include this feature is denied.

Section 393.48 of the Federal Motor Carrier Safety Regulations, (Subchapter B of Chapter III, Title 49, CFR) is amended by revising paragraphs (b) and (c) as follows:

§ 393.48 Brakes to be operative.

* * * * *

(b) *Devices to reduce or remove front-wheel braking effort.*

* * * * *

(1) *Manually-operated devices.* A manually operated device to reduce or remove the front-wheel braking effort must not be—

(i) Installed in a motor vehicle other than a bus, truck, or truck tractor; or

(ii) Installed in a bus, truck, or truck tractor manufactured after February 28, 1975; or

(iii) Used in the reduced mode except when the vehicle is operating under adverse conditions such as wet, snowy, or icy roads.

(2) *Automatic devices.* An automatic device to reduce the front-wheel braking by up to 50 percent of the normal braking force must not—

(i) Be operable by the driver except upon application of the control that activates the braking system; and

(ii) Reduce the braking force in the event of antilock system failure on any axle when the pressure that transmits brake control application force exceeds—

(A) 85 psig on air-mechanical braking systems; or

(B) 85 percent of the maximum system pressure in the case of vehicles utilizing other than compressed air.

(c) *Towed vehicle.* Paragraph (a) of this section does not apply to—

(1) A disabled vehicle being towed; or

(2) A vehicle being towed in a driveaway-towaway operation which is exempt from the general rule of Section 393.42 under paragraph (b) of that section.

Effective Date: This amendment is effective on October 1, 1976.

(Section 204 of the Interstate Commerce Act, as amended, (49 U.S.C. 304), section 6 of the Department of Transportation Act (49 U.S.C. 1655), and the delegations of authority by the Secretary of Transportation and the Federal Highway Administrator at 49 CFR 1.48 and 301.60, respectively.)

Issued on July 6, 1976.

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

[FR Doc.76-20411 Filed 7-14-76;8:45 am]

Title 7—Agriculture

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

[Valencia Orange Reg. 536]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period July 16-22, 1976. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.836 Valencia Orange Regulation 536.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the respective quantities of Valencia oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Valencia orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges was somewhat slow last week due to the Holiday.

Prices f.o.b. for the week ending July 8 were $3.41 a carton on 471 cars as compared with $3.47 per carton on 655 cars during the prior week. Track and rolling supplies at 401 cars were up 16 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became

available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 13, 1976.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period July 16, 1976, through July 22, 1976, are hereby fixed as follows:

(i) District 1: 293,000 cartons;

(ii) District 2: 357,000 cartons;

(iii) District 3: Unlimited."

(2) As used in this section, "handled", "District 1", "District 2", "District 3", and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: July 13, 1976.

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

[FR Doc.76-20722 Filed 7-14-76;12:26 pm]

PART 945—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

PART 980—VEGETABLES: IMPORT REGULATIONS

Handling Regulation

This regulation, designed to promote orderly marketing of Idaho-Malheur County, Oregon potatoes, imposes minimum quality standards and requires inspection of fresh shipments to keep undesirable low quality potatoes from being shipped to consumers.

Notice of rule making with respect to a proposed handling regulation, to be made effective under Marketing Agreement No. 98 and Order No. 945, both as amended (7 CFR Part 945) regulating the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oregon, was published in the FEDERAL REGISTER June 25, 1976 (41 FR 26225). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice afforded interested persons an opportunity to file written data, views, or arguments pertaining thereto not later than July 7, 1976. None was filed.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice which was recommended by the Idaho-Eastern Oregon Potato Committee, established pursuant to said marketing agreement and order, it is hereby found and determined that this handling regulation, as hereinafter set forth, will tend to effectuate the declared policy of the act.

The recommendations of the Idaho-Eastern Oregon Potato Committee reflect its appraisal of the crop and prospective market conditions and are consistent with the marketing policy it unanimously adopted. Shipments of new crop potatoes from the production area are expected to begin by July 15. Storage potatoes from last year's crop will also be shipped during July.

Total supplies in 1976–77 may be slightly more than in 1975–76. Intended planted fall acreage is forecast at 1,117,200 acres, about 4 percent more than 1975. Prospective plantings in Idaho and Malheur County, Oregon, for 1976 are 344,500 acres, slightly more than the 334,600 acres planted last year. However, the amount of fall acreage actually planted this year will be influenced by numerous factors including the profit prospects of competing crops. Yields and timeliness of harvest also will have an important influence on potato supplies and prices.

The grade, size, quality, maturity, and pack requirements provided herein are similar to those which have been issued during past seasons. They are necessary to prevent low quality potatoes from being distributed in the fresh market channels. The specific requirements hereinafter set forth will benefit producers and consumers by standardizing and improving the quality of the potatoes shipped from the production area, thereby promoting orderly marketing and effectuating the declared policy of the act.

Exceptions are provided to certain of these requirements to recognize special situations in which such requirements would be inappropriate or unreasonable.

A specified quantity of potatoes may be exempted from maturity requirements in order to (1) permit growers to make test diggings without loss of the potatoes so harvested, or (2) allow a lot to be shipped which, after regrading, meets the grade and size requirements but then fails to meet the maturity requirements, possibly due to further "skinning" as a result of running the potatoes over the grader again.

Shipments may be made to certain special purpose outlets without regard to minimum grade, size, cleanliness and maturity requirements, provided that safeguards are met to prevent such potatoes from reaching unauthorized outlets. Since no purpose would be served by regulating potatoes used for charity purposes such shipments are exempt. Certified seed and seed pieces cut from stock eligible for certification as certified seed are so exempted because requirements for this outlet differ greatly from those for fresh market. Potatoes used for experimentation have special requirements and do not normally enter commercial channels of trade. Potatoes for most processing uses are exempt under the legislative authority for this part.

Requirements for export shipments differ from those for domestic markets; while the standard quality requirements are desired in foreign outlets, smaller sizes are more acceptable. In commercial prepeeling, operators can use potatoes with surface defects which would be undesirable for the tablestock market, and smaller sizes are acceptable. For these reasons potatoes for export and prepeeling are provided with different requirements.

It is hereby found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that shipments of 1976–77 crop potatoes grown in the production area will shortly be made and the regulation should become effective at the time herein provided to maximize the benefits to producers. The Idaho-Eastern Oregon Potato Committee held an open meeting on June 4, 1976, to consider recommendations for a handling regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; information regarding the provisions of the recommendation by the committee has been disseminated among the growers and handlers of potatoes in the production area; notice of the proposed regulation was published in the FEDERAL REGISTER of June 25, 1976, and compliance with this section will not require any special preparation of potato sorting and packing equipment on the part of handlers subject thereto which cannot be completed on or before the effective time hereof.

§ 945.335 Handling regulation.

During the period July 15, 1976, through July 31, 1977, no person shall handle any lot of potatoes unless such potatoes meet the requirements of paragraphs (a), (b), (c), and (d) of this section, or unless such potatoes are handled in accordance with paragraphs (e), (f), or (g) of this section.

(a) *Minimum quality requirements.*—(1) *Grade. All varieties*—U.S. No. 2 or better grade.

(2) *Size.* (i) *Round red varieties*—1⅞ inches minimum diameter.

(ii) *All other varieties*—2 inches minimum diameter, or 4 ounces minimum weight.

(iii) *All varieties*—Size B if U.S. No. 1 or better grade.

(3) *Cleanliness. All varieties*—"Fairly clean."

(b) *Minimum maturity requirements*—(1) *White Rose and red skin varieties:* Beginning the effective date hereof through December 31, 1976, "moderately skinned"; thereafter, no maturity requirements.

(2) *Norgold variety:* Beginning the effective date hereof through August 10, 1976, "moderately skinned"; thereafter, "slightly skinned."

(3) *All other varieties:* "Slightly skinned."

(4) *Exceptions:* (i) Subject to compliance with paragraph (b)(4)(iii) of this section, any lot of potatoes not exceeding a total of 50 hundredweight of each variety may be handled for any producer without regard to the foregoing maturity requirements.

(ii) If an officially inspected lot of potatoes meets the foregoing maturity requirements, but fails to meet the grade and size requirements, the lot may be regraded. If, after regrading, such lot then meets the grade and size requirements but fails to meet the maturity requirements, as indicated by the applicable Federal-State inspection certificate, such lot if not exceeding 100 hundredweight shall be exempt from the foregoing maturity requirements: *Provided,* That the handler complies with paragraph (b)(4)(iii) of this section.

(iii) Prior to each shipment of potatoes exempt from the foregoing maturity requirements, the handler thereof shall report to the committee the name and address of the producer of such potatoes, and each such shipment shall be handled as an identifiable entity.

(c) *Pack.* (i) When 50 pound containers (except master containers) of long varieties of potatoes are marked with a count, size or similar designation they must meet the count, average count and weight ranges for the count designation listed below.

	Range		
	Count	Average count [1]	Weight in ounces
Larger than 50 count	[2]	[3]	[4]
50 count	45–55	48–53	12–19
60 count	54–66	57–63	10–16
70 count	63–77	67–74	9–15
80 count	72–88	76–84	8–13
90 count	81–99	86–95	7–12
100 count	90–110	95–105	6–10
110 count	99–121	105–116	5–9
120 count	108–132	114–126	4–8
130 count	117–143	124–137	4–8
140 count	126–154	133–147	4–8
Smaller than 140	[2]	[3]	4–8

[1] Applicable to lots.
[2] 10 pct over or under.
[3] 5 pct over or under.
[4] 15 oz or larger.

The following tolerances by weight, are provided for potatoes in any lot which fail to meet the weight range for the designated count:

(i) Not to exceed 5 percent for undersize; and

(ii) Not to exceed 10 percent for oversize.

(2) Potatoes packed in 50-pound cartons shall be U.S. No. 1 or better grade.

(d) *Inspection.* (1) No handler shall handle potatoes unless such potatoes are inspected by either the Idaho Federal-State Inspection Service or Oregon Federal-State Inspection Service and are covered by a valid inspection certificate except when relieved of such requirement pursuant to paragraphs (e), (f), or (g) of this section.

(2) Each lot moving by truck shall be accompanied by a copy of a valid inspection certificate.

(e) *Special purpose shipments.* (1) The minimum grade, size, cleanliness, maturity and pack requirements set forth in paragraphs (a), (b), and (c) of this section shall not be applicable to shipments of potatoes for any of the following purposes:

(i) Charity;

(ii) Certified seed;

(iii) Seed pieces cut from stock eligible for certification as certified seed;

(iv) Experimentation; and

(v) Canning, freezing and "other processing" as hereinafter defined: Except shipments of potatoes for the purpose specified in this paragraph (e)(v) shall be exempt from inspection requirements specified in § 945.65 and paragraph (d) of this section and from assessment requirements specified in § 945.42.

(2) The minimum grade, size, cleanliness, maturity and pack requirements set forth in paragraphs (a), (b), and (c) of this section shall be applicable to shipments of potatoes for each of the following purposes:

(i) *Export:* Except potatoes of a size not smaller than 1½ inches in diameter may be shipped if the potatoes grade not less than U.S. No. 2; and

(ii) *Prepeeling:* Except potatoes of a size not smaller than 1½ inches in diameter may be shipped if the potatoes grade not less than Idaho Utility or Oregon Utility grade.

(f) *Safeguards.* (1) Each handler making shipments of potatoes for charity, seed pieces cut from stock eligible for certification, experimentation, export, or for prepeeling pursuant to paragraph (e) of this section shall:

(i) First, apply to the committee for and obtain a Certificate of Privilage to make shipments for each purpose;

(ii) Upon request by the committee, furnish reports of each shipment pursuant to the applicable Certificate of Privilege;

(iii) At the time of applying to the committee for a Certificate of Privilege, or promptly thereafter furnish the committee with a receiver's or buyer's certification that the potatoes so handled are to be used only for the purpose stated in the application and that such receiver will complete and return to the committee such periodic receiver's reports that the committee may require.

(iv) Mail to the office of the committee a copy of the bill of lading for each Certificate of Privilege shipment promptly after the date of shipment;

(v) Bill each shipment directly to the applicable receiver.

(2) Each handler making shipments of potatoes for canning, freezing, or "other processing" pursuant to paragraph (e) of this section shall:

(i) First apply to the committee for and obtain a Certificate of Privilege to make shipments for processing;

(ii) Make shipments only to those firms whose names appear on the committee's current list of manufacturers of potato products;

(iii) Upon request by the committee, furnish reports of each shipment pursuant to the applicable Certificate of Privilege;

(iv) Mail to the committee's office a copy of the bill of lading for each Certificate of Privilege shipment promptly after the date of shipment;

(v) Bill each shipment directly to the applicable processor.

(3) Each receiver of potatoes for processing pursuant to paragraph (e) of this section shall:

(i) Complete and return an application form for listing as a manufacturer of potato products;

(ii) Certify to the committee and to the Secretary that potatoes received from the production area for processing will be used for such purpose and will not be placed in fresh market channels;

(iii) Report on shipments received as the committee may require and the Secretary approve.

(g) *Minimum quantity exception.* Each handler may ship up to, but not to exceed, five hundredweight of potatoes any day without regard to the inspection and assessment requirements of this part, but this exception shall not apply to any shipment that exceeds five hundredweight of potatoes.

(h) *Definitions.* The terms "U.S. No. 1," "U.S. No. 2," "Size B," "fairly clean," "moderately skinned," and "slightly skinned," shall have the same meaning as when used in the United States Standards for Potatoes (§§ 51.1540–51.1566 of this title), including the tolerances set forth therein. The term "prepeeling" means the commercial preparation in a prepeeling plant of clean, sound, fresh potatoes by washing, peeling or otherwise removing the outer skin, trimming, sorting, and properly treating to prevent discoloration preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 of the United States Standards for Peeled Potatoes (§§ 52.2421–52.2433 of this title). The term "other processing" has the same meaning as the term appearing in the act and includes, but is not restricted to, potatoes for dehydration, chips, shoestrings, starch, and flour. It includes only that preparation of potatoes for market which involves the application of heat or cold to such an extent that the natural form or stability of the commodity undergoes

a substantial change. The act of peeling, cooling, slicing, dicing, or applying material to prevent oxidation does not constitute "other processing." The terms "Idaho Utility" grade and "Oregon Utility" grade shall have the same meaning as when used in the respective standards for potatoes for the respective States. Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 98 and Order No. 945, both as amended.

(i) *Applicability to imports.* Pursuant to section 8e of the act and § 980.1 "Import regulations" (7 CFR 980.1), Irish potatoes of the long varieties imported during the effective period of this section shall meet the grade, size, cleanliness and maturity requirements specified in paragraphs (a) and (b) of this section.

Effective date and termination of previous regulation. This regulation will become effective July 15, 1976, and will supersede § 945.334 which is hereby terminated upon such effective date.

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

Dated: July 12, 1976.

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

[FR Doc.76–20485 Filed 7–14–76;8:45 am]

[Docket No. AO–283–A2]

PART 958—ONIONS GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Decision on Proposed Further Amendment of the Marketing Agreement and Order

A public hearing was held upon proposed further amendment of the marketing agreement, as amended, and Order No. 958, as amended (7 CFR Part 958), (hereinafter referred to collectively as the "order") regulating the handling of onions grown in certain designated counties in Idaho and Malheur County, Oregon. The hearing was held, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice (7 CFR Part 900), at Parma, Idaho, on April 14, 1976, pursuant to notice thereof issued on March 23, 1976.

Upon the basis of the evidence introduced at the hearing and the record thereof, the Administrator, on June 7, 1976 (41 FR 23408) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto. No exceptions were filed.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision are hereby approved and adopted and are set forth in full herein.

Material issues. The material issues of record are as follows:

(1) Amending § 958.47 *Research and development* to authorize production research;

(2) Providing for the receipt of voluntary contributions to finance research projects;

(3) Changing the time for submission to the Secretary of the annual budget of the committee's expenses for the fiscal period;

(4) Revising the basis for determining committee expenses and compensation;

(5) Revising the definition of onions to include the scientific name;

(6) Making such changes in the order as may be necessary to bring the entire order, as amended, into conformity with the amendatory action resulting from the hearing.

Findings and conclusions. The following findings and conclusions on the material issues are based on the record of the hearing:

(1) Section 958.47 of the order should be amended to authorize production research. Onion growers in Idaho-Eastern Oregon requested of the Secretary that the marketing agreement and order (hereinafter in the text of Findings and conclusions collectively referred to as the "order") be amended to provide for production research in addition to marketing research and development projects.

Research on the production of onions in Idaho and Eastern Oregon is performed mainly by growers' associations and the agricultural schools in both States and currently is financed by several methods. The growers' associations use State taxing authorities to collect funds to be used for research. In addition, both Oregon State University and the University of Idaho finance onion research projects out of their regular budgets. In recent years, competition for research dollars has been strong in the agricultural community, with producers of different commodities advocating more emphasis on projects of particular interest to them. Expenditures for onion production research have been relatively stable in terms of total dollars. But with individual project costs rising due to inflationary factors, the quantity of research performed has declined.

However, the needs for research remain at a high level and must be met if the industry is to stay healthy and viable. The needs for research are reflected in an increasing incidence of cullage or shrink of onions as they go into storage from the field, while in storage, and when they are being graded and packed for market. During the past four years shrink has ranged from 17 to 27 percent, with the 27 percent factor in 1975 representing some 3,000 carlots of onions. This shrinkage affects the profitability of growing and handling onions from producer to consumer. The record evidence shows that it costs on the average $1,340 to grow an acre of onions in Malheur County, Oregon, and costs are increasing nearly every year as prices for fuel, seed, fertilizer and labor rise. Because of rising costs of production and a high rate of cullage, growers must receive ever higher prices if they are to stay in business. If production research results in reducing the shrink factor even moderately, substantial savings should accrue.

Low quality associated with production problems is also of concern to the shipper because it makes it difficult to deliver a product that is acceptable to customers in receiving markets. Poor quality onions in such markets often require price adjustments which in turn result in lost profits.

Proponents of incorporating production research authority in the order testified to the relationship of such research to the promotion activities carried out under the order. For some years the Idaho-Eastern Oregon industry has financed an advertising program designed to increase the demand for its onions. For such a program to be fruitful, it is essential that a good quality product be generally available. Production research can contribute directly to better quality and adequate supplies.

There are a number of cultural practices that affect the quality of onions, and a comprehensive program of research is needed to determine the best practices. Typical of the needs specified in the record are continuing research programs to evaluate the effectiveness of pesticides and herbicides. Fertilizer compounds and application rates as well as the use of irrigation have an impact on yields and the inherent quality of onions. The mechanization of harvesting requires mature onions; conditions that contribute to maturity at harvest time need to be determined. Improvements in any and all of these areas should increase yields of better quality, longer keeping onions. As technological improvements occur, research will be required to adopt such improvements for use by the onion industry. Furthermore, because it is impossible to foresee all the needs at this time, production research projects should not be limited to the aforementioned projects. The committee should have broad and flexible authority for timely development of production research programs suitable to solving any problems that arise.

The marketing order committee and the growers believe that their objective of finding a solution to the production problems that have affected onion crops in the area during recent years can best be accomplished through a research program financed through the marketing order. The Act provides that an assessment can be levied on handlers for specific purposes including production research. With these added funds, the committee can make a substantial commitment to research. The production research activities would most likely be carried out by the two State universities. However, this would not rule out having private organizations or the committee itself conduct such research.

All proposals for research must be submitted to the Secretary for approval. Also, the committee should have the au-

thority to appoint a subcommittee to guide the research approved by the full committee and the Secretary. The subcommittee should have the authority to make any necessary changes in the format of the research project as long as it does not change the original objectives. Any change that required a greater expenditure of funds would require committee and Departmental approval. Activity reports on research conducted should be issued by the committee annually, although interim reports on research projects may be issued. Reports should also be issued in writing or verbally by the organization conducting the research. All written reports should be provided to the Secretary and committee members as well as any other interested parties.

The record has demonstrated that a program of production research administered by the marketing order committee will have a positive effect upon the production and storage of Idaho-Eastern Oregon onions, thereby increasing returns to growers. In view thereof, it is concluded that the order should be amended to authorize production research.

Since authority for production research would be added to the order, a conforming change is necessary in paragraph (e) of § 958.25 *Duties*, by the addition of the word "production" before the word "handling." This would add the production activity to the types of research and service activities that may be approved by the Secretary.

(2) A new § 958.46 should be added to the order to provide for the receipt of voluntary contributions to be used only for research and development projects. Record evidence indicates that research and market development projects for Idaho-Eastern Oregon onions directly benefit growers of that commodity, and secondarily benefit other groups and businesses whose interests are allied with the production and marketing of onions. These groups frequently desire to contribute resources to research and development projects and the order should provide that contributions may be accepted by the committee. It is important, however, that the committee have complete control over the use of any contributions, which must be free of any encumbrances by the donor.

(3) Paragraph (h) of § 958.25 *Duties* should be revised to require the committee to submit to the Secretary a budget of its proposed expenses together with a report thereon before each fiscal period begins. This paragraph originally provided that the budget be submitted at the beginning of each fiscal period. However, the proposed budget should be developed earlier in order that it can be reviewed and approved early enough so programs and activities of the committee can be carried out without interruption.

Such a change in committee duties would require a conforming change in § 958.41 *Budget* so it would state that prior to each fiscal period the committee shall prepare a budget of estimated income and expenditures.

(4) § 958.26 *Expenses and compensation* should be revised by providing that committee members and alternates be reimbursed for reasonable expenses incurred by them in the performance of their duties, while deleting the reference to receiving compensation at a rate not to exceed $10 a day. Experience gained in the administration of the order indicates that reimbursement for expenses such as meals and travel for committeemen and alternates is a proper and satisfactory arrangement. However, the committee has never provided for compensation and record evidence shows that the proviso is no longer appropriate.

(5) In § 958.5 *Onions*, the definition should be revised by making reference to the scientific name for onions. Allium cepa. In the original language of the order, the proper scientific name for onions was not included but it should now be referenced in the order to bring its usage into conformity with other Federal marketing orders. Allium is the genus which includes the many species like leeks and chives. When the genus allium is combined with the word cepa it creates a specific name which describes the onions that are grown in the production area. It is intended that the definition and the terms and provisioins of the order should apply specifically to onions as such commodity is recognized throughout the production area.

(6) Some of the amendatory actions included in this recommended decision require certain conforming changes be made so that the order, as amended, will be in conformity with those actions. Such changes (in paragraph (e) of § 958.25 *Duties;* and § 958.41 *Budget*) are discussed with the issues to which they are pertinent. All such changes should be incorporated in the recommended amendment of the order. In addition, paragraph (b)(5) of § 958.47 should be modified by changing the program designation from "USDA's Plentiful Foods Program" to "USDA's Food Marketing Alert or other similar programs." This would merely update the present program designation, and provide for any future changes, for this type of activity.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement, as Amended, Regulating the Handling of Onions Grown in Certain Designated Counties in Idaho and Malheur County, Oregon," and "Order Amending the Order, as Amended, Regulating the Handling of Onions Grown in Certain Designated Counties in Idaho and Malheur County, Oregon," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That this entire decision, except the annexed marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of the marketing agreement are identical with those contained in the order as hereby proposed to be amended by the annexed order which is published with this decision.

Referendum order. It is hereby directed that a referendum be conducted in accordance with the procedure for the conduct of referenda (7 CFR 900.400 et seq.), to determine whether the issuance of the annexed order as amended and as hereby proposed to be amended, regulating the handling of onions grown in certain designated counties in Idaho and Malheur County, Oregon, is approved or favored by producers, as defined under the terms of the order, who during the representative period were engaged in the production area in the production of the regulated commodity for market.

The representative period for the conduct of such referendum is hereby determined to be July 1, 1975, through June 30, 1976.

The agents of the Secretary to conduct such referendum are hereby designated to be Allan E. Henry and Joseph Wesley, Jr.

Signed at Washington, D.C., on: July 12, 1976.

RICHARD L. FELTNER,
Assistant Secretary.

ORDER[1] AMENDING THE ORDER, AS AMENDED, REGULATING THE HANDLING OF ONIONS GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon proposed amendment of the marketing agreement, as amended, and Order No. 958, as amended (7 CFR Part 958), regulating the handling of onions grown in certain designated counties in Idaho and Malheur County, Oregon.

Upon the basis of the record it is found that:

(1) The order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

to effectuate the declared policy of the act;

(2) The order, as amended, and as hereby further amended, regulates the handling of onions grown in the production area in the same manner as, and is applicable only to persons in the respective classes of commercial and industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) The order, as amended, and as hereby further amended, is limited in its application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) The order, as amended, and as hereby further amended, prescribes, so far as practicable, such different terms applicable to different parts of the production area as are necessary to give due recognition to the differences in the production and marketing of onions grown in the production area; and

(5) All handling of onions grown in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof the handling of onions grown in certain designated counties in Idaho and Malheur County, Oregon, shall be in conformity to and in compliance with the terms and conditions of the order, as hereby amended, as follows:

The provisions of the proposed marketing agreement and order, amending the order, contained in the recommended decision issued by the Administrator on June 7, 1976, and published in the FEDERAL REGISTER on June 10, 1976 (41 FR 23408), shall be and are the terms and provisions of this order, amending the order, and are set forth in full herein.

1. Revise § 958.5 to read as follows:

§ 958.5 Onions.

"Onions" means all varieties of Allium cepa, commonly known as onions, grown, or which may be grown in the production area.

2. Revise paragraphs (e) and (h) of § 958.25 to read as follows:

§ 958.25 Duties.

* * * * *

(e) To investigate from time to time and to assemble data on the growing, harvesting, shipping and marketing conditions with respect to onions and to engage in such research and service activity which relate to the production, handling or marketing of onions as may be approved by the Secretary.

* * * * *

(h) Prior to each fiscal period, to submit to the Secretary a budget of its proposed expenses for such fiscal period, together with a report thereon;

* * * * *

3. Revise § 958.26 to read as follows:

§ 958.26 Expenses.

Committee members and alternates when acting on committee business shall be reimbursed for reasonable expenses necessarily incurred by them in the performance of their duties and in the exercise of their powers under this part. However, at its discretion the committee may request the attendance of alternates at any or all meetings notwithstanding the expected or actual presence of the respective members.

4. Revise the first sentence of § 958.41 to read as follows:

§ 958.41 Budget.

Prior to each fiscal period, and as may be necessary thereafter the committee shall prepare a budget of estimated income and expenditures necessary for the administration of this part.

* * * * *

5. Add a new § 958.46 to read as follows:

§ 958.46 Contributions.

The committee may accept voluntary contributions but these shall only be used to pay expenses incurred pursuant to § 958.47. Furthermore, such contributions shall be free from any encumbrances by the donor and the committee shall retain complete control of their use.

6. Amend § 958.47 to read as follows:

§ 958.47 Research and development.

(a) The committee with the approval of the Secretary, may establish or provide for the establishment of projects involving production research, marketing research and development projects, and marketing promotion including paid advertising, designed to assist, improve, or promote the marketing, distribution, consumption or efficient production of onions. Any such project for the promotion and advertising of onions may utilize an identifying mark which shall be made available for use by all handlers in accordance with such terms and conditions as the committee with the approval of the Secretary, may prescribe. The expenses of such projects shall be paid from funds collected pursuant to § 958.42 or § 958.46.

(b) In recommending projects pursuant to this section the committee shall give consideration to the following:

(1) The expected supply of onions in relation to market requirements;

(2) The supply situation among competing areas and commodities;

(3) The anticipated benefits from such projects in relation to their costs;

(4) The need for marketing research with respect to any market development activity;

(5) The need for a coordinated effort with USDA's Food Marketing Alert or other similar programs.

(c) If the committee should conclude that a program of research or development should be undertaken, or continued, in any crop year, it shall submit the following for the approval of the Secretary:

(1) Its recommendations as to the funds to be obtained pursuant to § 958.42 or § 958.46;

(2) Its recommendation as to any research projects; and

(3) Its recommendation as to promotion activity and paid advertising.

(d) Upon conclusion of each activity, but at least annually, the committee shall summarize and report the results of such activity to its members and to the Secretary.

MARKETING AGREEMENT, AS FURTHER AMENDED, REGULATING THE HANDLING OF ONIONS GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

The parties hereto, in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674), and in accordance with the applicable rules of practice and procedure effective thereunder (7 CFR Part 900) desire to enter into this agreement further amending the marketing agreement regulating the handling of onions grown in certain designated counties in Idaho and Malheur County, Oregon; and each party hereto agrees that such handling shall, from the effective date of this marketing agreement, be in conformity to, and in compliance with, the provisions of said marketing agreement as hereby further amended:

The provisions of §§ 958.1 through 958.88, inclusive, of the order as amended and as further amended by the order annexed to and made a part of the decision of the Secretary of Agriculture with respect to a proposed marketing agreement and order regulating the handling of onions grown in certain designated counties in Idaho and Malheur County, Oregon, plus the following additional provisions shall be, and the same hereby are, the terms and conditions hereof; and the specified provisions of said annexed order are hereby incorporated into this marketing agreement as if set forth in full herein:

§ 958.89 Counterparts.

This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary, all such counterparts shall constitute, when taken together, one and the same instrument as if all signatures were contained in one original.

§ 958.90 Additional parties.

After the effective date hereof, any handler may become a party to this agreement if a counterpart is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Sec-

retary, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.

§ 958.91 Order with marketing agreement.

Each signatory handler requests the Secretary to issue, pursuant to the act, an order providing for regulating the handling of onions in the same manner as is provided for in this agreement.

The undersigned hereby authorizes the Director, or Acting Director, Fruit and Vegetable Division, Agicultural Marketing Service, United States Department of Agriculture, to correct any typographical errors which may have been made in this marketing agreement.

In witness whereof, the contracting parties, acting under the provisions of the act, for the purpose and subject to the limitations therein contained, and not otherwise, have herto set their respective signatures and seals.

(Firm name)	By: (Signature)[1]
(Mailing address)	(Title)
(Corporate Seal; if none, so state)	(Date of execution)

[1] If one of the contracting parties to this agreement is a corporation my signature constitutes certification that I have the power granted to me by the Board of Directors to bind this corporation to the marketing agreement.

[FR Doc.76-20484 Filed 7-14-76;8:45 am]

Title 39—Postal Service

CHAPTER I—U.S. POSTAL SERVICE

PART 111—GENERAL INFORMATION ON POSTAL SERVICE

Postal Service Manual; Miscellaneous Amendments

Chapter I of the Postal Service Manual, which has been incorporated by reference in the FEDERAL REGISTER (see 39 CFR 111.1), has been amended by the issuance of Post Office Services (Domestic) Transmittal Letter 40, Issue 114, dated June 30, 1976.

In acordance with 39 CFR 111.3 notice of these changes is hereby published in the FEDERAL REGISTER as an amendment to that section and the text of the changes is filed with the Director, Office of the Federal Register. Subscribers to the Manual will receive these amendments automatically from the Government Printing Office. (For other availability of Chapter I of the Postal Service Manual, see CFR 111.2.)

Description of these amendments to Chapter I of the Postal Service Manual follows:

PART 122—ADDRESSES

1. New section 122.422 is added, adopting as a rule the experimental provision to allow mailers of bulk third-class catalogs and tabloid advertisements to use an exceptional form of address. It also provides for the use of the same exceptional form of address on bulk fourth-class catalogs and similar advertising material as defined in section 135.121.

2. New section 122.516 is added, prescribing that mailing lists must be corrected and returned to the owners within 10 working days after receipt.

3. Section 122.53 is amended to remove the reference to the correction of a mailing list, which is provided for in sections 122.511 and 122.514. The type of cards inserted for a missing address has been restricted to blank cards. A missing address cannot be placed on the inserted cards.

PART 124—NONMAILABLE MATTER—ARTICLES AND SUBSTANCES; SPECIAL MAILING RULES

4. Section 124.293(a) is amended to provide for the acceptance of day-old pheasants for the period of April through August each year. New paragraph 124.293(e) is added in order to emphasize the requirements for packaging, previously contained in 124.293(b)(1).

PART 125—SECOND-CLASS BULK MAILINGS

5. Section 125.321 is amended to state that pressure sensitive labels should be used to indicate the makeup and destination of a package.

6. Sections 125.326-b(1), c(1), and d(1) are amended to delete the requirements pertaining to the labeling of mixed city packages, sectional center facility packages, and state packages respectively.

7. Section 125.326e is amended to specify that nonstandard labels should be affixed to mixed states packages.

8. New section 125.328 is added to provide instructions governing dispatch of second-class mail in bundles outside of mail sacks.

PART 126—MAIL ADDRESSED TO MILITARY POST OFFICES OVERSEAS

9. Section 126.2 is amended to incorporate APO and FPO changes in the list of military post offices overseas and changes in mailing restrictions prescribed by the Defense Department.

PART 131—FIRST CLASS

10. Section 131.222 is amended to include a cross reference to green border cards.

PART 132—SECOND CLASS

11. Sections 132.231 and 132.232 are reworded to more accurately reflect the intention of the postal laws regarding the institutions, societies, and other organizations which may qualify for second-class mail privileges.

PART 134—THIRD CLASS

12. Section 134.112 is amended to encompass situations where the single-piece third-class rates may be higher than the corresponding fourth-class rate for which a mail piece qualifies.

13. Section 134.431 is amended to state that pressure sensitive labels should be used to indicate the make-up and destination of a package.

14. Sections 134.436 b(1), c(1), and d(1) are amended to delete the requirements pertaining to the labeling of mixed city packages, sectional center facility packages, and state packages respectively.

15. Section 134.436e(1) is amended to specify that nonstandard labels should be affixed to mixed state packages.

PART 137—OFFICIAL MAIL

16. Section 137.26 is amended and renumbered as section 137.27. New section 137.26 is added to clarify handling of permit applications and mailings generated by Federal Government departments and agencies.

PART 141—ENVELOPES, POSTAL CARDS, AEROGRAMMES

17. New section 141.115 is added to specify that green border envelopes and cards are recognized as first-class mail and should be used only for first-class mail matter. All envelopes and cards having a green border shall be charged postage equivalent to the first-class rate.

18. New section 144.31b is amended to clarify procedures for handling of postage meters which are presented for setting at a post office other than that at which they are licensed.

19. Section 144.41 is amended to include illustrations of approved meter stamp designs for use on official mail.

PART 145—PERMIT IMPRINTS

20. Section 145.4 is amended to update illustrations of permit imprints authorized on first-, second-, third-, and fourth-class mail, and to illustrate the permit imprints authorized for use on official mail sent at first- and fourth-class rates.

PART 156—RURAL SERVICE

21. Section 156.515 is amended to delete one company from the list of approved manufacturers and suppliers of rural mailboxes and to substitute another company.

PART 158—FORWARDING MAIL

22. Section 158.112 is amended to clarify the handling of forwardable mail.

23. Section 158.32, 158.6, and 158.7 are amended to update references to the weight of mail.

PART 159—UNDELIVERABLE MAIL

24. Sections 159.211, 159.251 and 159.26 are amended to update references to the weight of mail.

25. Section 159.22–24 are amended to allow for the use of central-markup labels in lieu of Form 3579 for furnishing address corrections.

26. Section 159.252 is amended to include an optional endorsement in addition to the endorsement, Return Postage Guaranteed.

27. Sections 159.271b and 159.281 are amended to correct references and the retention period for day-old poultry.

28. Section 159.543 is amended to transfer the task of examination of undeliverable pieces from the rural carrier to an experienced distribution employee, as in 159.542.

29. Section 159.61 is amended to clarify the method of identifying obvious value mail.

30. Sections 159.772b (5) and (6) are amended and new section 159.772b(7) is added to provide for disposition of undeliverable commercial securities that cannot be returned.

In consideration of the foregoing, 39 CFR 111.3 is amended as follows:

§ 111.3 Amendments to Chapter I of Postal Service Manual.

* * * * *

Transmittal letter	Issue	Dated	Federal Register publication
40	114	June 30, 1976	41 F.R.

These amendments are effective immediately, except for 131.222c and 141.115, the texts of which were published in the Federal Register on February 12, 1976, 41 FR 6252.

(5 U.S.C. 552(a), 39 U.S.C. 401.)

Roger P. Craig,
Deputy General Counsel.

[FR Doc.76-20436 Filed 7-14-76;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[FCC 76-655]

PART 1—PRACTICE AND PROCEDURE

INSTRUCTIONAL TELEVISION FIXED STATION FORMS 330-L, 330-P, AND 330-R

Order

Adopted: July 7, 1976; Released: July 12, 1976.

1. In 1964, the Commission considered the subject of a new class of station to provide instructional, cultural or other types of educational service and created a new category of station, the Instructional Television Fixed Stations ("ITFS"). Such stations were authorized, on a regular basis, Report and Order, Docket No. 14744, 45 F.C.C. 928 (1963) and Subpart I of Part 1974 of the Commission's rules [1] was developed to govern the operation of these stations. At the same time ITFS operations were authorized the Commission established a new form, 330-P, for use in applying for a permit to construct such a station. The requisite Budget Bureau [2] approval was obtained. Subsequently, Form 330-L was developed for use in applying for a license to cover the construction permit, and Form 330-R was developed to use for renewal of license. Although Budget Bureau approval was obtained for both of these forms, neither was formally adopted by the Commission. Originally ITFS began as experimental operations, and at this stage there were relatively few parties involved. As a result there was no requirement that formal Commission approval be given to the forms before they could be used to seek information. However, as ITFS grew, many parties became licensees, and formal approval of these two forms by the Commission became necessary. Inadvertently, in the transition from experimental to regular operation, the Commission did not take this formal action at that earlier time, and it needs to do so now. Ordinarily, the Commission would issue a Notice of Proposed Rule Making to invite comments on the particular forms before acting to adopt them. However, such a step would serve no useful purpose in this case. Both forms have been used for years. In fact, the Form 330-L has been used for over a decade. Thus, in a real sense, the Commission has already had the benefit of such public response as would be provided in comments in response to a Notice. Under all the circumstances of the case we do not believe that the Administrative Procedure provisions of Title V of the U.S. Code (§ 553) require such prior notice. Not only has there been actual notice so that the notice procedure is not necessary, it is a matter of agency practice procedure and thus we believe not subject to the prior notice requirement. Therefore, the changes can be implemented now.

2. The amendments necessary are to rule Section 1.536 relating to license applications and Section 1.539 relating to renewal applications. Each is being amended to insert a reference to the appropriate ITFS forms, and the subsequent paragraphs are renumbered as necessary. As amended, these Sections will parallel Section 1.533 which refers to forms to use for applying for authority to construct a new station, or make changes in an existing station and which already includes mention of Form 330-P.

§ 1.536 [Amended]

3. Accordingly, it is ordered, effective July 16, 1976,[3] pursuant to Sections 4(i), 303(r) and 308 of the Communications Act of 1934, as amended, and Section 1.511 of the Commission's Rules and Regulations, That Section 1.536(b) is amended by inserting "(5) FCC Form 330-L, Application for Instructional Television Fixed Station License" and by renumbering paragraphs (5) through (8) as paragraphs (6) through (9).

§ 1.539 [Amended]

4. It is further ordered, That Section 1.539(d) is amended by inserting "(6) FCC Form 330-R, Application for Instructional Television Fixed Station Renewal" and by renumbering paragraphs (6) through (9) as paragraphs (7) through (10).

This order is effective immediately.

Secs. 4, 303, 308, 48 Stat., as amended, 1066, 1082, 1084, 47 U.S.C. 154, 303, 308.

Federal Communications Commission,
Vincent J. Mullins,
Secretary.

[FR Doc.76-20413 Filed 7-14-76;8:45 am]

[1] Sections 74.901 *et seq.*

[2] Now such approval is to be obtained from the General Accounting Office.

[3] Since this is not a substantive rule, it can be made effective immediately—see 5 U.S.C. § 553(d).

PART 73—RADIO BROADCAST SERVICES

[FCC 76-620; Docket No. 19161, etc.]

FM Broadcast Stations; Table of Assignments

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (West Allis, Berlin, Hartford, Neenah-Menasha, Shawano, Watertown and Waupun, Wis., and Escanaba, Mich.; Coal City, Dwight or Marseilles, Ill.; St. Charles and St. Louis, Mo.; Muncie, Ind. and Celina, Fostoria and Lima, Ohio; Anamosa and Iowa City, Iowa; Terrell and Corsicana, Texas; Sullivan, Bedford and Paoli, Ind.; Orangeburg, S.C.; Danville, Ind.; Decatur or Paris, Ill.; Manning and Kingstree, S.C., and Burlington, Iowa) Docket No. 19161, RM-1476, RM-1489, RM-1523, RM-1524, RM-1528, RM-1540, RM-1552, RM-1554, RM-1559, RM-1561, RM-1563, RM-1566, RM-1571, RM-1626, RM-1660, RM-1823.

1. The Commission has before it the comments and reply comments filed [1] in response to the Commission's memorandum opinion and order and further notice of proposed rule making which dealt with possible FM assignments at Anamosa, Iowa City and Burlington, Iowa, 39 Fed. Reg. 15324, 46 F.C.C. 2d 520 (1974).

2. Because of the complexity of the events which have taken place, some discussion of these events is required in order to place the current posture of the case in proper context. A number of proposals unconnected with the three mentioned above had been a part of this proceeding, but they were resolved in the second report and order and need not be considered here. So far as this part of the proceeding is concerned, the original proposal had been to substitute Channel 230 at Iowa City, Iowa, in order to permit the assignment of Channel 232A to Anamosa, Iowa. The result would have been a first assignment for Anamosa and an intermixture of channels at Iowa City. The other Iowa City assignment, a Class C channel, was already in use, but no one had yet applied for use of Channel 230. As is the usual practice, the notice of proposed rule making specified that some form of expression of continuing interest on the part of the petitioner should be submitted, or if it were not, the petition might be denied on this basis alone. In fact, that is precisely what happened. Hodges, the then Anamosa proponent [2] did not file comments or reply comments

[1] The parties presently involved through filing formally are Communicators, Inc. ("Communicators"), Dodge-Point Broadcasting Co., Inc. ("Dodge-Point"), Big Country Broadcasting Corporation ("Big Country"), Beardstown Broadcasting Company ("Beardstown") and Norseman Broadcasting Company ("Norseman"). In addition, some informal filings were also received.

[2] Hodges is apparently no longer involved. Instead, Dodge-Point stepped forward as the Anamosa proponent. It is not quite clear how this took place, nor what connection there might be between Hodges and Dodge-Point, save for their employing the same consulting engineer.

in response to the original notice, nor did he in any other way manifest any further interest in the proceeding. We took note of this failure in the first report and order and refused to grant his proposal.

3. Hodges filed a petition for reconsideration of the first report and order, alleging that he was unaware of the need to respond to the notice of proposed rule making and providing arguments on behalf of the proposal set forth in his petition for rule making. We found these arguments persuasive and adopted the third report and order which reversed the earlier action and adopted the channel changes sought by Hodges. Thereafter, Communicators filed a petition for reconsideration charging error in the third report and order. We agree that a reversal of the third report and order was required, and this was effected through the subject memorandum opinion and order and further notice.

4. There were several procedural and substantive reasons for deciding to reverse the third report and order. All are fully detailed in the memorandum opinion and order and further notice and need not be repeated here except to the extent they are still at issue. In part, the errors related to the procedural deficiencies in our earlier action assigning Channel 232A to Anamosa and in part they related to questions regarding the substantive basis on which that assignment had been made. In particular, there had been a question regarding reliance on a counterproposal for Burlington, Iowa, which had not been filed before the cut-off. No reliance could properly have been based on this filing, but the third report and order seemed to rely on it in pointing to service a Burlington station might provide in deciding to favor Anamosa in preference to the service that Iowa City would offer. The Commission agreed with Communicators, the Iowa City proponent, that the various errors necessitated returning matters to the status quo ante. While the Commission did specifically find that the showings had been inadequate to support the change in assignments, it did offer a final opportunity to have a full record provided so that the matter at last could be put to rest. One of the major points to be addressed was the justification for the intermixture of channels at Iowa City, but all data relevant to an Anamosa-Iowa City choice was welcomed. Since the time for filing had expired and only the Iowa City and Anamosa proposals were properly involved in the original comparison, the memorandum opinion and order and further notice did not permit the filing of counterproposals regarding these communities. They were permitted regarding the Burlington proposal, which even though it was not timely filed, was nonetheless included in the proceeding for examination after the first step, a comparison of Anamosa and Iowa City had been completed.[3] If in the first step Anamosa were preferred, there would be no conflict with the requested assignment to Burlington which could be judged on its own terms. If Iowa City were preferred, then the second step would have to be a choice between it and Burlington. The impact of the two-step approach was to call for contrasting the Iowa City proposal with only one other proposal at a time, not both as would have been the case if the Burlington proposal were timely, since it and Anamosa were consistent with each other. While the untimeliness of the Burlington proposal could have led to its being acted on later in a separate context, doing so could delay the resolution of this already much delayed proceeding, and this we wanted to avoid. Contrary to Communicator's expressed concern, our decision was not intended to deprive it of any right in this proceeding, nor does it do so. In fact, this choice of procedure was intended to provide the most prompt decision possible, and this helps not hinders Communicators.[4]

5. We now come to the present situation. Channel 230 cannot be utilized at Iowa City as one of the community's two assignments if the assignment at Anamosa is favored. Nevertheless, if Channel 232A were assigned to Anamosa, Channel 228A could be used as a substitute for Channel 230, or if Channel 230 were left at Iowa City, Channel 228A could be used at Burlington. Although counterproposals could have been filed regarding the Burlington proposal, none were. So the Commission is again considering the original two communities of Iowa City and Anamosa plus Burlington.[5] Earlier, in stating that the then available data was not sufficient to support the preference to Anamosa, we indicated that engineering showings would be important in a final choice between Iowa City and Anamosa. In particular, we asked for showings of AM and FM service in the area so it could be determined if a first or second aural or first or second FM service would be provided by a station at Iowa City. The earlier decision had placed too much reliance on first local service and too little to first FM (or first aural) service.[6]

6. In its comments on behalf of retaining Channel 230 at Iowa City, Communicators submitted a showing of the coverage by existing AM and FM stations. It asserted that while Station WHO (AM), Des Moines, Iowa, placed a 0.5 mV/m service over the entire area within its proposed 1 mV/m contour, the community of Washington, Iowa (pop. 6,829), was not served with a minimum signal of 2.5 mV/m and thus would be classified as unserved. Communicators claimed that in addition to providing a first aural service to that town, approximately 750 square miles and a population of 11,528 would receive a second aural service. As to FM, it stated that it would serve approximately 1,300 square miles and a population of 28,200 with a first FM service, and an area of approximately 550 square miles and a population of 8,910 with a second FM service.

7. Dodge-Point alleged that Communicators failed to follow the requirements of the Commission's order in providing a Roanoke Rapids showing, asserting that Communicators failed to consider the vacant assignments at Washington (237A), Pella (277), and Ottumwa, Iowa (223 and 249A), and insisting that the contours of Station KFJB–FM, Marshalltown; KHAK–FM, Cedar Rapids; KFMH, Muscatine; KXIC–FM, Iowa City and KBUR–FM, Burlington, Iowa, were not based on Roanoke Rapids standards. Dodge-Point also asserted that only a 2.0 mV/m AM signal is required to serve a community with a population in excess of 2,500 persons, not the 2.5 mV/m figure used by Communicators. It claimed that, since the field intensity measurements by Station KXIC(AM) on Station WHO(AM) established that all of Iowa City received a primary signal, and since Washington, Iowa, is not as far from Station WHO as Iowa City, Station WHO(AM) also serves Washington, Iowa. Dodge-Point asserted that except for one instance, if Communicators had used the Roanoke Rapids showing, the areas and populations for first and second FM and aural service would be less than it indicated it would provide. As to its own situation at Anamosa, Dodge-Point stated that it supplied no Roanoke Rapids showing because it would not provide any first or second service.

8. Unfortunately, neither of the engineering showings are fully satisfactory.

[3] The reason for requiring a comparison between Iowa City and Anamosa without taking into account the compatibility of the Anamosa and Burlington proposals is detailed in the earlier document in paragraphs seven and eight, 46 F.C.C. 2d 520 at 522 (1974).

[4] Communicators also charges us with reversible error in the memorandum opinion and order and further notice but we do not think the charge to be valid and we note its failure to seek reconsideration on this or any other basis.

[5] The Beardstown filing is not in support of an assignment as such. Instead, it urges us to consider the impact that the choice of site for a Burlington operation might have on the Beardstown use of Channel 232A. The Norseman filing is supportive of the assignment of Channel 230 at Iowa City, but in this connection asks to be allowed to file for the channel.

[6] Unlike Iowa City, the Anamosa proposal did not base its argument on first service but rested instead on its bringing a first local service. The relative weight given to these matters in the third report and order had been one of the main issues.

As a result it became necessary for the Commission's staff to undertake an extensive study. In the ordinary case, the obligation would be on the parties to offer full documentation and failing that, to suffer the consequences, but this has been a special case calling for individual treatment. Both sides have erred regarding service to Washington, Iowa. Only 2 mV/m service is required, but measurements do not show that it is being provided. Although field intensity measurements may show that Station WHO(AM) provides service to Iowa City, it cannot be presumed that Station WHO(AM) serves Washington. Since the difference in radial bearings between Iowa City and Washington is approximately 16°, measurements taken on one radial cannot be relied on to reflect the same signal propagation characteristics over the other radial. Washington is located about 25 miles south of Iowa City, 90 miles from the Station WHO site. Since measurements are not dispositive, the question of whether Station WHO provides service to Washington must be determined by computation according to the method provided by the rules. The Commission's computation places the 2.0 mV/m signal about 87 miles from the WHO site, and since Washington is located approximately 90 miles from the WHO site, Washington is not served by Station WHO. Dodge-Point incorrectly shows FM Channel 223 assigned to Ottumwa, Iowa, as being located in the community for Roanoke Rapids purposes. However, such a showing does not reflect the site restriction imposed on the assignment. Since the use of Channel 223 at Ottumwa is determined by the minimum distance separation from Channel 221A at Knoxville, Iowa and Channel 222 at Oelwein, Iowa, the site of the station must be located about 35 miles south of Ottumwa, near Lancaster, Missouri. To correctly reflect the future use of Channel 223, the coverage showing must specify such a site. The Commission did its own Roanoke Rapids study which indicates that an Iowa City station, operating with 100 kW and 482 feet a.a.t., would provide a first FM service to approximately 6,500 persons in an area of 260 square miles and a second FM service to approximately 6,000 persons in an area of 270 square miles. It would not provide a first aural service to any area or population, but it would provide a second aural service to approximately 2,100 persons in an area of 100 square miles. Washington, Iowa, as it turned out, fits neither category, as it is located within the 1 mV/m contour of three FM assignments. Anamosa was not found to be in a position to provide first or second aural or FM service and Burlington only a small second aural service—see para. 15.

9. A very considerable burden was placed on the Anamosa proponent to demonstrate that intermixture at Iowa City could be justified. In the memorandum opinion and order and further notice we observed that the information previously relied on for this purpose was inadequate to that task and we now need to consider whether this has changed based on the subsequent submissions. In other respects, too, we found the support insufficient to show that removal of the channel at Iowa City was appropriate. In evaluating whether the outcome should be changed there are a number of matters to consider: the population criteria for assignments as they relate to the size of Iowa City and Anamosa and their patterns of growth; the priorities for assignments as clarified in paragraph 14 of the memorandum opinion and order and further notice (at 524–5); intermixture of classes of channels at Iowa City, the weight to be accorded the presence of noncommercial stations in determining the need for an assignment, reliance on seeking to serve a second community as well as Anamosa, and finally various procedural points. Not all these matters are of great (or even equal) importance; some in fact are not notably important at all, but all do require at least some examination and consideration.

10. To begin with, Dodge-Point has attempted to include the needs of the town of Monticello, Iowa, as part of the considerations involved in the choice between Anamosa and Iowa City. Its merits aside, this argument has not been presented in a timely fashion. If it were to be considered, it should have been raised long ago, before the Iowa City-Anamosa portion of the proceeding was cut-off from the filing of counterproposals. In any event, the choice should properly be between Anamosa and Iowa City, not Iowa City versus Anamosa and Monticello.[7] Inevitably, a station's coverage would reach beyond its city of license and provide a listenable signal to a much wider area. This is referred to as reception service, as distinguished from transmission service. The former may only refer to a listenable signal but the latter is a reflection of a station's obligation on a primary basis to serve the needs of the community of license. In this context one does not simply add communities to a list as if communities of license are items to be collected. Dual-city licensing is a rarity, reserved for those cases where it would place an unreasonable burden on a station to be licensed to a single community. If this were true here it would undermine the argument about Anamosa's needs. Attempting to do more than examine the surrounding area's transmission needs does not help Anamosa, in any event, as Iowa City can just as well make the same argument and add on another nearby place and use this to offset the Anamosa claim. Such a never ending contest would serve no useful purpose. No showing adequate to warrant special treatment has been made, so the choice remains as it began: Anamosa versus Iowa City.[8]

11. As we observed at the time of the memorandum opinion and order and further notice, acting to substitute a Class A channel at Iowa City is precisely the opposite of the usual case where we have agreed to intermixture. In these cases an additional channel is requested by a party wishing to have a Class A station even though it would be in competition with existing Class B or Class C stations. Here, to the contrary, a net loss to Iowa City would take place, and even Communicators' willingness to take a conditional grant on the Class A channel cannot obscure the fact that the station would have to operate in competition with a Class C station which is part of an AM–FM combination. If this were the only way to have a second local FM service at Iowa City and a party were ready to proceed on this basis, we might well consider it, but Iowa City began this proceeding with two Class C channels, and the issue is the possible loss of one of them in exchange for a Class A channel. Iowa City and its county are places of substantial size, with notably healthy growth rates; clearly Class C stations better fit their needs. Thus, the case for preferring Anamosa would have to be strong indeed.

12. In comparing Anamosa and Iowa City, Dodge-Point wants us to include the noncommercial stations connected with the University of Iowa, located at Iowa City, and by so doing make a finding that there is adequate local service there. This is not our usual practice and the reasons are easy to understand. Although these stations do need to ascertain and serve the needs of the community, they cannot be expected to respond in the same manner and to the same extent as a commercial station would. Often they lack the resources to respond as fully to local needs. Also much of their resources is devoted to specialized functions for which a portion of the FM band is reserved. Such specialized service cannot be considered the equivalent of a generalized service to the community that a regular commercial station is expected to provide. Nor are we shown the need for an exception to this general view here by virtue of the existence of a half-hour program, oriented to the city's interests, which is presented on the educational AM station.[9] Nor can we agree with Dodge-

[7] Of course it is equally too late to argue in favor of Monticello separately as being preferable to Iowa City.

[8] Arguably, Dodge-Point's appearance on behalf of Aanamosa instead of Hodges vitiates any Anamosa claim by re-raising the original problem with the Hodges proposal: his failure to respond on its behalf. Although it is true that much is left unexplained on the sequence of events, in view of our decision to prefer Iowa City, we do not have to rule on this point.

[9] Even if the programming were extensive, the conclusion would not change unless the Commission were prepared to force the stations to continue such programs, something the Commission clearly should not do.

Point that the number of local citizens who are or are not students is or should be dispositive. That a large number of local residents are college students is no more relevant than the number of servicemen at a military base or workers at a factory would be when either is the focal point of a community the way the school is in a college town.

13. Earlier we indicated that the need for the assignment at Anamosa was less than pressing in viewing of the lack of population growth there and in its county. Anamosa, we are now told is not shrinking in population, it is the change in the local penitentiary population which is said to be the cause of the fluctuation. While it is true that inmates are included in the population of the locality where the institution is located, we were not given any particulars on changing inmate populations so as to reach a judgment about the impact of this point here, nor do we see why it is more important to count inmates for our purposes than students. While there may be a question of how pressing is Anamosa's need, we do not question the desirability to establishing a station there if it is possible. The case does not turn on providing a first local outlet to Anamosa. Rather, to resolve the choice, it is necessary to compare the importance of Iowa City's ability to provide a first and second FM service and a second aural service with Anamosa's need for a first local service. As discussed above (at paragraph 8) use of Channel 230 at Iowa City would bring a first FM service to 6,500 persons and a second FM service to 6,000 persons. A second aural service would be provided to 2,100 persons. These are not insubstantial numbers. Providing a first FM service is the most important goal of the priorities which are involved here. We discussed the importance of AM service now that the Commission has come to regard AM and FM as joint components of a single aural service. Willingness to take AM service into account does not end the importance of FM service. In most proceedings, the issue of AM service is not raised, and even in a case such as this one where it is raised, first FM service continues to have considerable importance, even in the absence of a showing of first aural service. See generally the discussion in paragraphs 14–16 of the memorandum opinion and order and further notice of proposed rule making, 46 F.C.C. 2d 520 at 524–6 (1974).

14. On the basis of first FM service Iowa City would have to be preferred, and other aspects of the case lend further support to this preference. Anamosa's position is not enhanced by the lack of significant growth there and in its county. As we have often been forced to acknowledge, it is not always possible for a community to have its own channel, particularly if it is small, as is the case with Anamosa. In fact, using the population criteria, to take care of all places of 5,000 plus population would require between 5,584 and 10,538 FM assignments. An additional 2,295 channels would be needed if assignments were to be made to all places of 2,500 to 5,000 population, which is Anamosa's category. Thus, if the expectation were to reach the Anamosa-sized communities, between 7,879 and 12,833 channels would be required. How unrealistic this is can be seen from the current total of all FM assignments—occupied and unoccupied—which in 1974 approximates 3,467.[10] In much of the country the FM Table is saturated or nearly so, and so it can be seen that the regrettable fact is that many communities the size of Anamosa will simply not be able to have their own channels. For all these reasons Iowa City must be preferred. While it is not the same as local service, Anamosa fortunately does have a number of aural services available to it.

15. The next question to address is what to do about Burlington. While Big Country's preference for a Class B or Class C[11] operation is understandable, it did express a willingness to operate on a Class A channel if the other were unavailable. The comparison between Iowa City and Burlington for Channel 230 is not a complicated one. As to the places themselves,[12] as we discussed in the memorandum opinion and order and further notice, Iowa City is not only larger as is its county, but not counting Communicators or educational stations, Iowa City has less local service. Big Country alleges that a Burlington station operating on Channel 230 (75 kW/500 feet) would provide a second FM service to an area of 41,787 people and a second aural nighttime service to an area of 27,730 people. However, examination of Big Country's exhibit shows that it failed to consider the assignment of Channel 269A to Fort Madison, Iowa (KXGI–FM), 16 miles southwest of Burlington. The staff made a Roanoke Rapids study which reveals that a Burlington station would not provide a first FM service to any area or population, but it would provide a second aural service at night to a portion of Macomb, Illinois, estimated at about 5,000 persons. Thus, an Iowa City operation would provide a first FM service, but one at Burlington would not. This is much more important than the slight preference that Burlington would have for second FM (or second aural) service. That being the case, Channel 230 should stay at Iowa City. Since none of this is intended to show that Burlington does not warrant an additional channel and in view of the fact that there is interest in a Class A operation even in the face of intermixture, there is no reason not to assign Channel 228A to Burlington to provide a second local service.

16. This brings us to the final issue, what to do regarding the Norseman view[13] that it should be allowed to file in competition with Communicators if Channel 230 is to be retained at Iowa City. Its view is that the terms of our decision to return the whole case to the status quo ante requires that competing applications should be accepted. Because the proceeding had not been concluded, our usual practice would have been to withhold action on any pending applications. However we agreed to a conditional grant to Communicators on Channel 228A. Implicit in this action was an acceptance of the fact that competing applications could later be filed for Channel 230. Channel 230 will be assigned and Channel 232A deleted. Communicators (and Norseman if it desires) should then file for use of the new channel. In the meantime, Communicators may request authority to continue to use Channel 232A pending commencement of operation on Channel 230. Waiver of the freeze on the filing of FM applications will be granted to permit the filing of applications for use of Channel 230.

17. Accordingly, pursuant to sections 4(i), 303 (j) and (r) and 307(b) of the Communications Act of 1934, as amended, *it is ordered*, That effective August 12, 1976, (a) the FM Table of Assignments, § 73.202(b) of the Commission's rules is amended insofar as the cities listed below are concerned to read as follows:

City:	Channel No.
Burlington, Iowa	228A, 297
Iowa City, Iowa	230, 264

(b) That the assignment of Channel 232A to Anamosa, Iowa, is deleted.

18. *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: June 29, 1976.

Released: July 13, 1976.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.76-20536 Filed 7-14-76;8:45 am]

Title 24—Housing and Urban Development

CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT—FEDERAL HOUSING COMMISSIONER (FEDERAL HOUSING ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT)

[Docket No. R-76-402]

SUBCHAPTER A—GENERAL

PART 200—INTRODUCTION

Subpart D—Delegations to Particular Positions

ELIMINATION OF NEED FOR CONCURRENCE BY REGIONAL ADMINISTRATOR IN SECTION 236 PROCESSING

The purpose of these amendments to Part 200 is to eliminate the requirement

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[10] The total has not changed greatly since this estimate was made in September 1974.

[11] By use of a site in Illinois in Zone I rather than Zone II in Iowa, the channel would be Class B. The choice of site was a matter of concern to Beardstown, but has become irrelevant here in view of our decision to assign Channel 228A to Burlington.

[12] Big Country's attempt to have Anamosa and Burlington joined for purposes of comparison with Iowa City fails to recognize our rejection of this view earlier.

[13] Norseman had incorrectly charged that Communicators had specifically represented that it would not build, but this is incorrect. In fact, the grant was premised on its willingness to build.

for concurrence by the Regional Administrator in the issuance of feasibility letters, site appraisal and market analysis (SAMA) letters, and conditional and firm commitments for the Section 236 program. The original purpose for the requirement, which was to help minimize the risk of errors in processing, is no longer pertinent. Experience has shown that there is no longer the necessity for a review of the field offices' processing by the Regional Offices, and the requirement for such review is unduly hampering the processing procedures.

Accordingly, 24 CFR Part 200 is amended as follows:

1. Section 200.84b is amended by deleting the last sentence.

2. Section 200.95(a) is amended by deleting the last sentence.

3. Section 200.110 is amended by deleting the proviso beginning with "*Provided, however,*" and ending with "December 15, 1972."

4. Section 200.111(b) is amended by deleting the proviso beginning with "*Provided, however,*" and ending with "December 15, 1972."

5. Section 200.116(d) is amended by deleting the proviso beginning with "*Provided, however,*" and ending with "December 15, 1972."

6. Section 200.118(e) is amended by deleting the proviso beginning with "*Provided, however,*" and ending with "December 15, 1972."

(Sec. 7(d), Department of HUD Act, 42 U.S.C. 3535(d).)

Effective date: These amendments will be effective on July 15, 1976.

JAMES L. YOUNG,
Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc.76-20431 Filed 7-14-76;8:45 am]

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-2140]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

● The purpose of this notice is to list those communities wherein the sale of flood insurance is authorized under the National Flood Insurance Program (42 U.S.C. 4001–4128) ●

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 40 FR 57210–212 and 41 FR 1062). A list of servicing companies is also available from the Federal Insurance Administration (FIA), HUD, 451 Seventh Street, SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in a flood plain area having special hazards within any community identified by the Secretary of Housing and Urban Development.

The requirement applies to all identified special flood hazard areas within the United States, and no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program. Accordingly, for communities listed under this Part no such restriction exists, although insurance, if required, must be purchased.

The Federal Insurance Administrator finds that delayed effective dates would be contrary to the public interest. The Administrator also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth colum of the table is provided in order to designate the effective date of the atuhorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. 551. The entry reads as follows:

§ 1914.4 List of eligible communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	Community No.
•	•	•	•	•	•
California	Mendocino	Point Arena, city of	June 28, 1976, emergency	Oct. 18, 1974 Dec. 26, 1975	060185A
Iowa	Ida	Galva, city of	do	Sept. 19, 1975	19'424
Nebraska	Sherman	Litchfield, village of	do	July 25, 1975	310295
Oklahoma	Garfield	Hunter, town of	do	July 11, 1975	400286
Idaho	Twin Falls	Hansen, city of	June 29, 1976, emergency	June 27, 1975	160140
Indiana	Fountain	Hillsboro, town of	do	Feb. 1, 1974	180328
Michigan	Jackson	Concord, village of	do	July 11, 1975	260423
New Jersey	Gloucester	Logan, township of	do	Sept. 13, 1974 Nov. 29, 1975	340206A
Utah	Cache	Lewiston, city of	do	Aug. 16, 1974 Dec. 19, 1975	490018A
Kentucky	Greenup	Wurtland, city of	June 30, 1976, emergency	July 25, 1975	210285
Michigan	Cass	Cassopolis, village of	do	July 11, 1975	260363
Nebraska	Cass	Murray, village of	do	Aug. 15, 1975	310305
Ohio	Mercer	Fort Recovery, village of.	do	June 7, 1974	390395
Oklahoma	Lincoln	Davenport, town of	do	Aug. 22, 1975	400365
Pennsylvania	Berks	West Reading, borough of.	June 21, 1976, suspension withdrawn.	Nov. 9, 1973	420156A
•	•	•	•	•	•
Arkansas	Perry	Adona, city of	June 30, 1976, emergency	Apr. 18, 1975	050376
Do	do	Bigelow, town of	do	June 27, 1975 Feb. 27, 1976	050387A
Idaho	Bonner	Clark Fork, city of	do	Sept. 16, 1976	160132
Iowa	Tama	Gladbrook, city of	do	July 25, 1975	190516
Do	Lyon	Larchwood, city of	do	Aug. 29, 1975	190605
Do	Osceola	Ocheyedan, city of	do	Mar. 19, 1976	190472
Maine	Hancock	Cranberry Isle, town of.	do	Jan. 31, 1975	230278
Missouri	Moniteau	Jamestown, city of	do	Jan. 24, 1975	290581
Nebraska	Custer	Ansley, village of	do	July 25, 1975	310340
New York	Washington	Cambridge, town of	do	Oct. 25, 1974	361223
Do	Oswego	Mexico, town of	do	Nov. 15, 1974	360654
North Carolina.	Buncombe	Asheville, city of	do	Apr. 2, 1976	370032
Do	Alamance	Graham, city of	do	July 11, 1975	370283
Ohio	Richland	Bellville, village of	do	Aug. 1, 1975	390604
Oklahoma	Oklahoma	Jones, town of	do	July 11, 1975	400141
Do	Kay	Tonkawa, city of	do	Nov. 23, 1973 Feb. 20, 1976	400079A
Pennsylvania	Tioga	Elkland, township of	do	Nov. 22, 1974	422096
Do	Bradford	Monroe, township of	do	Sept. 13, 1974	421083
West Virginia	Nicholas	Unincorporated areas	do	July 25, 1975	540146

Footnotes at end of table.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	Community No.
•	•	•	•	•	•
Colorado	Arapahoe	Sheridan, city of	Feb. 4, 1972, emergency; July 13, 1976, regular.	May 3, 1974 Jan. 23, 1976	080018B
Florida	Broward	Davie, town of	Nov. 10, 1972, emergency; July 13, 1976, regular.	Feb. 8, 1976	120035A
Massachusetts	Essex	Nahant, town of	Sept. 22, 1972, emergency; July 19, 1976, regular.	June 7, 1974	250095A
Mississippi	Lowndes	Columbus, city of	Mar. 3, 1972, emergency July 13, 1976, regular.	June 7, 1974 Jan. 16, 1976	280108B
Missouri	Lewis	LaGrange, city of	Nov. 19, 1971, emergency: July 13, 1976, regular.	May 3, 1974 Nov. 14, 1975	290205B
Oregon	Umatilla	Pendleton, city of	Mar. 31, 1972, emergency; July 13, 1976, regular.	May 4, 1973 Sept. 26, 1975	410211B
•	•	•	•	•	•
Ohio	Geauga	South Russell, village of.	July 2, 1976, emergency	July 11, 1975	390740A
Oregon	Harney	Burns Paiute Indian Reservation.	do		[1] 410281
Pennsylvania	Chester	West Nottingham, township of.	do	Nov. 22, 1974	422280

[1] New community number.

(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) as amended (39 FR 2787, Jan. 24, 1974).)

Issued: JUNE 24, 1976.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76-20258 Filed 7-14-76;8:45 am]

[Docket No. FI-2148]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

• The purpose of this notice is to list those communities wherein the sale of flood insurance is authorized under the National Flood Insurance Program (42 S.C. 4001–4128). •

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 40 FR 57210–212 and 41 FR 1062). A list of servicing companies is also available from the Federal Insurance Administration (FIA), HUD, 451 Seventh Street, SW, Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in a flood plain area having special hazards within any community identified by the Secretary of Housing and Urban Development.

The requirement applies to all identified special flood hazard areas within the United States, and no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program. Accordingly, for communities listed under this part no such restriction exists, although insurance, if required, must be purchased.

The Federal Insurance Administrator finds that delayed effective dates would be contrary to the public interest. The Administrator also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in order to designate the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. 551. The entry reads as follows:

§ 1914.4 List of eligible communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	Community No.
•	•	•	•	•	•
Colorado	Weld	Dacono, town of	July 6, 1976, emergency	Sept. 5, 1975	080236
Louisiana	De Soto Parish.	Mansfield, city of	do	Sept. 19, 1975	220337
Michigan	Newaygo	Ashland, township of	do		[1] 260694
Montana	Park	Unincorporated areas	do		300160
New Jersey	Gloucester	Franklin, township of	do	Sept. 13, 1974	340202
North Carolina	Burke	Drexel, town of	do	Aug. 8, 1975	370297

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	Community No.
*	*	*	*	*	*
Illinois	St. Clair	Sauget, village of	do	Dec. 13, 1974	170635
Indiana	Johnson	Bargersville, town of	do	Nov. 1, 1974	180112
Kansas	Osage	Quenemo, city of	do	Dec. 20, 1974	200253
Michigan	Cass	Vandalia, village of	do	July 11, 1975	260370
Ohio	Harrison	Unincorporated areas	do	Jan. 31, 1975	390255
*	*	*	*	*	*
Alabama	Jackson	Dutton, town of	July 7, 1976, emergency		010353
Illinois	Henry	Colona, village of	do	July 18, 1975	170749
Kentucky	Letcher	Jenkins, city of	do	June 7, 1974	210138
Nebraska	Antelope	Orchard, village of	do	Nov. 15, 1974	310005
New York	Lewis	Croghan, village of	do	May 31, 1974	361068
Do	Jefferson	Pamelia, town of	do	Oct. 18, 1974 Apr. 13, 1976	360346B
New Jersey	Monmouth	Deal, borough of	Jan. 14, 1972, emergency; Feb. 5, 1976, regular; June 21, 1976, suspended; July 1, 1976, reinstated.	Feb. 21, 1975	340292A
Missouri	Gasconade	Hermann, city of	June 25, 1976, suspension withdrawn.		290141A
Do	St. Louis	Ladue, city of	do		290363B
Alabama	Winston	Haleyville, city of	Oct. 23, 1975, emergency; June 25, 1976, regular.	Feb. 21, 1975	010303A
Do	Lamar	Sulligent, town of	Aug. 14, 1974, emergency; June 25, 1976, regular.	May 3, 1974 Jan. 2, 1976	010138B
Arizona	Cohise	Benson, town of	Aug. 11, 1975, emergency; June 25, 1976, regular.	Jan. 16, 1974	040013A
Do	Apache	Springerville, town of	Jan. 16, 1974, emergency; June 25, 1976, regular.	May 24, 1974 Apr. 23, 1976	040013A
Arkansas	Logan	Boonville, city of	July 2, 1975, emergency; June 25, 1976, regular.	May 14, 1976	050472A
Do	Lafayette	Buckner, city of	Oct. 17, 1975, emergency; June 25, 1976, regular.	Oct. 25, 1974	050115
Do	Nevada	Emmet, city of	Aug. 20, 1975, emergency; June 25, 1976, regular.	Aug. 22, 1975	050411A
Do	Clay	Knobel, town of	July 15, 1975, emergency; June 25, 1976, regular.	Oct. 25, 1974	050032B
Do	Mississippi	Leachville, city of	Apr. 11, 1975, emergency; June 25, 1976, regular.	May 10, 1974	050147B
Do	White	McRae, city of	Aug. 20, 1975, emergency; June 25, 1976, regular.		
Do	Crawford	Rudy, town of	Apr. 14, 1975, emergency; June 25, 1976, regular.	Dec. 20, 1974	050052A
Do	Mississippi	Wilson, city of	Apr. 24, 1975, emergency; June 25, 1976, regular.	May 17, 1974 Apr. 25, 1975	050153B
California	San Diego	La Mesa, city of	July 24, 1974, emergency; June 25, 1976, regular.	Mar. 8, 1974	060292A
Florida	Sumter	Bushnell, town of	Jan. 20, 1975, emergency; June 25, 1976, regular.	Jan. 16, 1974	120297A
Do	Hardee	Wauchula, city of	July 28, 1975, emergency; June 25, 1976, regular.	Nov. 23, 1973 Feb. 13, 1976	120105B
Georgia	Peach	Fort Valley, city of	Mar. 13, 1975, emergency; June 26, 1976, regular.	June 28, 1974 Jan. 9, 1976	130148B
Do	Richmond	Hephzibah, town of	July 10, 1975, emergency; June 25, 1976, regular.	Apr. 12, 1974	130442B
Do	Dooly	Pinehurst, city of	July 30, 1975, emergency; June 25, 1976, regular.	Apr. 18, 1975	130071A
Do	Talbot	Woodland, city of	Oct. 28, 1975, emergency; June 25, 1976, regular.	Apr. 11, 1975	130307A
Illinois	St. Clair	Smithton, village of	Jan. 7, 1976, emergency; June 25, 1976, regular.	Mar. 29, 1974	170892A
Kansas	Johnson	Westwood, city of	July 24, 1975, emergency; June 25, 1976, regular.	Aug. 16, 1974 Oct. 17, 1975	200179B
Kentucky	Russell	Jamestown, city of	Sept. 5, 1975, emergency; June 25, 1976, regular.	May 10, 1974	210206A
Louisiana	St. Landry	Cankton, village of	Mar. 5, 1975, emergency; June 25, 1976, regular.	Apr. 25, 1975	220167A
Do	Avoyelles	Mansura, town of	Jan. 12, 1976, emergency; June 25, 1976, regular.	Jan. 10, 1975	220255A
Do	Evangeline	Pine Prairie, village of.	July 8, 1975, emergency; June 25, 1976, regular.	Aug. 30, 1974	220068B
Michigan	Monroe	Petersburg, city of	July 11, 1975, emergency; June 25, 1976, regular.	Feb. 15, 1974	260288A
Mississippi	Bolivar	Beulah, town of	June 27, 1975, emergency; June 25, 1976, regular.	June 7, 1976	280014A
Do	Coahoma	Lyon, town of	June 4, 1975, emergency; June 25, 1976, regular.	Aug. 30, 1974	280043A

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	Community No.
*	*	*	*	*	*
Do	Bolivar	Gunnison, city of	May 14, 1973, emergency; June 25, 1976, regular.	June 14, 1974	280018
Missouri	Mississippi	Wyatt, city of	Apr. 2, 1974, emergency; June 25, 1976, regular.	Mar. 29, 1974 Dec. 19, 1975	290238
New Jersey	Mercer	Pennington, borough of.	Apr. 12, 1974, emergency; June 25, 1976, regular.	Aug. 24, 1973	340251A
New York	Erie	Blasdell, village of	Dec. 16, 1975, emergency; June 25, 1976, regular.	Nov. 22, 1974	361489A
Do	Orange	Highland Falls, village of.	July 2, 1974, emergency; June 25, 1976, emergency.	July 11, 1975	361453A
Do	Sullivan	Woodridge, village of	Apr. 3, 1975, emergency; June 25, 1976, regular.	Nov. 15, 1974	361475A
North Carolina.	Orange	Carrboro, town of	July 7, 1975, emergency; June 25, 1976, regular.	Feb. 22, 1974	370275B
Do	Granville	Creedmoor, city of	Mar. 21, 1975, emergency; June 25, 1976, regular.	June 28, 1974	370107B
Do	Halifax	Enfield, town of	Aug. 7, 1975, emergency; June 25, 1976, regular.	Nov. 30, 1973	370115A
Ohio	Cuyahoga	Cleveland Heights, city of.	Apr. 11, 1975, emergency; June 25, 1976, regular.	Mar. 9, 1974 Apr. 23, 1976	390105B
Do	Hamilton	Montgomery, city of	Oct. 24, 1975, emergency; June 25, 1976, regular.	June 28, 1974 Apr. 11, 1975	390228B
Oklahoma	Ellis	Gage, town of	July 15, 1975, emergency; June 25, 1976, regular.	Aug. 23, 1974	400060B
Pennsylvania	Berks	Boyerstown, borough of.	July 18, 1975, emergency; June 25, 1976, regular.	Dec. 28, 1973	420128B
Do	Lackawanna	Clarks Green, borough of.	Oct. 15, 1975, emergency; June 25, 1976, regular.	July 18, 1975	422542A
Do	Lehigh	Coplay, borough of	Oct. 14, 1975, emergency; June 25, 1976, regular.	Nov. 22, 1974	421807A
Do	Montgomery	East Greenville, borough of.	Aug. 20, 1975, emergency; June 25, 1976, regular.	Nov. 15, 1974	421901A
Do	Dauphin	Elizabethville, borough of.	Oct. 17, 1974, emergency; June 25, 1976, regular.	Jan. 31, 1975	420378A
Do	York	Fawn Grove, borough of.	July 11, 1975, emergency; June 25, 1976, regular.	Jan. 3, 1975	422570A
Do	Lehigh	Hanover, township of	Dec. 10, 1974, emergency; June 25, 1976, regular.	Dec. 20, 1974	422261A
Do	Adams	Littlestown, borough of.	Mar. 6, 1975, emergency; June 25, 1976, regular.	Feb. 7, 1975	421244A
Do	Dauphin	Mifflin, township of	May 9, 1975, emergency; June 25, 1976, regular.	Nov. 29, 1974	421596A
Do	Susquehanna	Montrose, borough of	Nov. 28, 1975, emergency; June 25, 1976, regular.	Jan. 10, 1975	422070A
Do	Northampton	Penargyl, borough of	Dec. 26, 1974, emergency; June 25, 1976, regular.	Nov. 1, 1974	421926A
Do	Schuylkill	Ringstown, borough of.	May 27, 1974, emergency; June 25, 1976, regular.	Dec. 27, 1974	422505A
Do	Luzerne	Warrior Run, borough of.	July 29, 1975, emergency; June 25, 1976, regular.	Dec. 6, 1974	422270A
South Carolina.	Bamberg	Denmark, town of	June 9, 1975, emergency; June 25, 1976, regular.	May 17, 1974 Apr. 2, 1976	450021B
Do	Pickens	Pickens, town of	Oct. 7, 1974, emergency; June 25, 1976, regular.	June 7, 1974	450169A
Do	Chester	Great Falls, town of	May 27, 1975, emergency; June 25, 1976, regular.	June 14, 1974	450049A
Do	Williamsburg	Greeleyville, town of	July 15, 1975, emergency; June 25, 1976, regular.	June 21, 1974	450188A
Do	Florence	Johnsonville, city of	Aug. 4, 1975, emergency; June 25, 1976, regular.	Nov. 8, 1974	450208A
Do	Pickens	Liberty, town of	Apr. 16, 1974, emergency; June 25, 1976, regular.	June 7, 1974	450168A
Do	McCormick	McCormick, town of	July 15, 1975, emergency; June 25, 1976, regular.	June 7, 1974 June 25, 1976	450152B
Tennessee	Anderson	Norris, city of	Mar. 11, 1975, emergency; June 25, 1976, regular.	June 14, 1974	470003A
*	*	*	*	*	*
California	Riverside	Blythe, city of	Apr. 28, 1975, emergency; June 30, 1976, regular.		060248A
Do	San Bernardino.	Chino, city of	Nov. 21, 1975, emergency; June 30, 1976, regular.		060272A
Do	Imperial	Imperial, city of	Jan. 15, 1975, emergency; June 30, 1976, regular.		060071A
Do	do	Westmoreland, city of	July 16, 1975, emergency; June 30, 1976, regular.		060072A
Colorado	Conejos	La Jara, town of	Sept. 10, 1975, emergency; June 30, 1976, regular.		080038A
Do	Otero	Manzanola, town of	July 8, 1975, emergency; June 30, 1976, regular.		080134A
Do	Baca	Walsh, town of	July 11, 1975, emergency; June 30, 1976, regular.		080021A
Idaho	Bonneville	Ammon, city of	Dec. 24, 1974, emergency; June 30, 1976, regular.		160028A
Do	do	Iona, city of	Oct. 18, 1974, emergency; June 30, 1976, regular.		160030A
Illinois	Moultrie	Dalton City, village of.	May 27, 1975, emergency; June 30, 1976.		170522A
Do	Fulton	Ipava, village of	July 24, 1975, emergency; June 30, 1976, regular.		170756B
Do	Cook	Lemont, village of	Mar. 6, 1975, emergency; June 30, 1976, regular.		170117A
Do	Will	Symerton, village of	Apr. 18, 1975, emergency; June 30, 1976, regular.		170714A

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	Community No.
*	*	*	*	*	*
Louisiana	Tangipahoa Parish.	Amity City, town of	May 16, 1975, emergency; June 30, 1976, regular.		220207A
Do	Iberia Parish	Jeanerette, town of	Apr. 30, 1973, emergency; June 30, 1976, regular.		220080A
Nebraska	Dawson	Cozad, city of	Mar. 7, 1975, emergency; June 30, 1976, regular.		310059A
North Dakota	Burke	Powers Lake, city of	July 8, 1975, emergency; June 30, 1976, regular.		380016A
Oklahoma	Noble	Morrison, town of	Oct. 7, 1975, emergency; June 30, 1976, regular.		400133
South Dakota	Fall River	Hot Springs, city of	May 7, 1973, emergency; June 30, 1976, regular.		460027A
*	*	*	*	*	*
Colorado	Dolores	Unincorporated areas	July 8, 1976, emergency		080279
Maine	Androscoggin	Greene, town of	do	Apr. 11, 1975	230475
New York	Jefferson	Black River, village of.	do	Jan. 3, 1975 Jan. 30, 1976	361525A
Tennessee	Wilson	Mt. Juliet, city of	do	July 18, 1975	470290
*	*	*	*	*	*
Alabama	Fayette	Berry, town of	July 9, 1976, emergency	Dec. 27, 1974	010255
Arkansas	Crittenden	Turrell, city of	do	July 11, 1975	050370
Florida	Putnam	Pomona Park, town of.	do		[1] 120418
Idaho	Caribou	Soda Spring, city of	do	June 27, 1975	160193
Mississippi	Greene	Unincorporated areas	do		280271
Nebraska	Knox	Crofton, village of	do	June 27, 1975	310361
Do	Boyd	Spencer, village of	do	May 2, 1975	310399
New York	Wayne	Clyde, village of	do	May 31, 1974	360890
Oklahoma	Hughes	Dustin, town of	do	Sept. 19, 1975	400371
South Dakota.	Pennington	Hill City, town of	do	Apr. 23, 1976	460116
Texas	Navarro	Blooming Grove, city of.	do	July 18, 1975	480952
Do	do	Dawson, city of	do	July 11, 1975	480953
Do	do	Frost, city of	do	July 18, 1975	480954

[1] New community number.

(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) as amended (39 FR 2787, Jan. 24, 1974).)

Issued: JULY 1, 1976.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.76-20257 Filed 7-14-76;8:45 am]

proposed rules

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

DEPARTMENT OF DEFENSE

Corps of Engineers, Department of the Army

WATER RESOURCES POLICIES AND AUTHORITIES

Coastal Zone Management Program; Implementation

The Chief of Engineers proposes to adopt a regulation promulgating policies and procedures for Civil Works elements of the Corps of Engineers to follow in assisting the coastal states to implement their Coastal Zone Management program under the Coastal Zone Management Act of 1972 (Public Law 92–583).

Interested persons may submit written views, statements, or comments with regard to the proposed regulation. Communications should be addressed to: Chief of Engineers, ATTN: DAEN–CWR–R, Department of the Army, Washington, D.C. 20314. All relevant material received by August 31, 1976 will be considered prior to adoption of a final regulation.

Dated: July 15, 1976.

MARVIN W. REES,
Colonel, Corps of Engineers,
Executive Director of Civil Works.

It is therefore proposed to amend Chapter II of 33 CFR by adding Part 237 as follows:

PART 237—WATER RESOURCES POLICIES AND AUTHORITIES: COASTAL ZONE MANAGEMENT ACT

Sec.

237.1 Purpose.
237.2 Applicability.
237.3 References.
237.4 Definitions key.
237.5 Legislative provisions.
237.6 General nature of CZM programs and plans.
237.7 Division of responsibility for CZM programs.
237.8 Basic principles of Corps of Engineers role.
237.9 Corps contributions to State CZM planning (initial and continuing).
237.10 Operating and coordinating procedures.
237.11 Funding of Corps participation.
Appendix A—Definitions.
Appendix B—Designated Lead Coordinating Offices.
Appendix C—States Contacts for Coastal Zone Management.

§ 237.1 Purpose.

This regulation provides guidance and procedures to be implemented by Corps of Engineers elements in assisting states to manage their coastal zone as provided by the Coastal Zone Management Act of 1972 (P.L. 92–583) administered by the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, (NOAA), Department of Commerce.

§ 237.2 Applicability.

These guidelines apply to all OCE elements and all field operating agencies having Civil Works responsibilities.

§ 237.3 References.

(a) "Coastal Zone Management Act of 1972", Public Law 92–583, 27 October 1972,

(b) Sections 22, 54, and 55 of Public Law 93–251, 7 March 1974;

(c) "Coastal Zone Management Program Development Grants", 15 CFR, Part 920, 38 FR 33044–33051, 29 November 1973;

(d) "Coastal Zone Management Program Administration Grants", 15 CFR, Part 923, 4 FR 1683–1695, 9 January 1975;

(e) DOD Instruction 4165.59, 29 December 1975, "DOD Implementation of the Coastal Zone Management Act";

(f) ER 1145–2–303—Permits for Activities in Navigable Water or Ocean Water.

§ 237.4 Definitions key.

Key definitions from Public Law 92–583 are in Appendix A.

§ 237.5 Legislative provisions.

The Coastal Zone Management Act of 1972, PL 92–583, establishes a national policy to preserve, protect, develop, and, where possible, restore or enhance the resources of the coastal zone of the United States. It provides for reciprocal responsibilities for the States and relevant Federal agencies. The Federal agencies are to cooperate and provide input to the States. The States are to assure opportunity for full participation and adequate consideration of Federal agency views. It provides for monetary assistance to the states to facilitate utilization of coastal zone resources, coupled with adequate protection of the coastal zone environment, through development and implementation of state-wide comprehensive Coastal Zone Management (CZM) programs. Section 305 and 306 of the Coastal Zone Management Act authorize grants (to provide Federal funds for two-thirds of the cost) to assist the 34 affected states and territories in the development and administration of the CZM plans and programs. Section 312 of the Act authorizes the creation of estuarine sanctuaries by states as "natural field laboratories" for research of estuarine processes, as an integral part of the management effort. These provisions, together with Section 307, mandating Federal interagency coordination and cooperation in concert with state coastal zone management programs, represent the primary means envisioned to manage the nation's coastal zone. Ecological, cultural, historic, and aesthetic, as well as economic, values will be considered. Federal agencies must cooperate and actively participate with state and local governments and regional agencies towards achieving integrated policy and action proposals at all levels of government.

§ 237.6 General nature of Coastal Zone Management programs and plans.

(a) *State development of plans.* State participants in the CZM program are required to develop state management programs. These programs must focus on both short and long range objectives and policies and standards to guide public and private uses and developments of land and waters in the coastal zone.

(b) *CZM program requirements.* Seven key management requirements are central to the development and subsequent review and approval of state programs. State management programs must, by law, adequately address the following substantive program elements:

(1) Boundaries of the coastal zone;

(2) Permissible land and water use;

(3) Areas of particular concern;

(4) Guidelines on priority of uses;

(5) Means of exerting control over land and water uses;

(6) Organizational structure proposed to implement and provide continuous review and updates of the management program;

(7) National interest in the siting of facilities.

§ 237.7 Division of responsibility for CZM programs.

(a) *States.* Coastal Zone Management programs are the primary responsibility of the individual coastal states. The Governor of each coastal state has designated a single agency responsible for developing the state CZM program. Appendix C lists the primary state CZM contacts to be used for CZM coordination purposes.

(b) *National Oceanic and Atmospheric Administration (NOAA).* The Federal responsibility for administering the Coastal Zone Management Act is assigned to the Office of Coastal Zone Management (OCZM) of NOAA under the direction of the Secretary of Commerce. NOAA serves as the primary Federal-State coordinating entity and administers the grant program which may fi-

nance up to two-thirds of the annual costs of state CZM program development and implementation. NOAA also monitors the administration of State CZM plans to insure that they are refined and updated as needed. NOAA guidelines for CZM Development grants are published in the FEDERAL REGISTER 15 CFR, Part 920, 38 FR 33044–33051, 29 November 1973 and program approval criteria in 15 CFR, Part 923, January 9, 1975.

(c) *Corps of Engineers—civil works activities.* The CZM Act does not diminish existing Corps of Engineers responsibilities or authorities. Although the Corps was not given a specific legislative assignment in the development of the state CZM programs, section 307 c(1) of the Act requires that "* * * each Federal Agency conducting or supporting activities directly affecting the coastal zone shall conduct or support those activities in a manner which is, to the maximum practicable extent, consistent with approved state management programs * * *." Section 307c(2) requires "* * * any Federal Agency which shall undertake any development project in the coastal zone of a state shall insure that the project is, to the maximum extent practicable, consistent with approved state management programs * * *." Civil Works activities of the Corps of Engineers in the coastal zone fall within the classification. Future Corps actions and plan recommendations shall be consistent, to the maximum extent practicable, with the state's approved CZM programs and plans. Section 307c (3) requires that "* * * any applicant for a required Federal license or permit * * * provide * * * certification that the proposed activity complies with the state's approved program * * *." The Corps regulatory jurisdiction responsibility interacts with state CZM programs. Close and continuing coordination will be required between the Corps and state CZM agencies to insure the Corps issuance of permits is in conformity with the approved state CZM program. (Also see § 237.7(d)).

(d) *Department of Defense (DOD).* DOD Instruction 4165.59 of 29 December 1975 specifies the coordination and review procedures for the Office of the Secretary of Defense, the individual Military Departments, and Defense Agencies (referred to collectively as DOD Components). Excluded are all civil works activities of the Corps of Engineers. DOD considers that all military installations, facilities, and lands, under direct DOD control and all lands leased for use by DOD components are excluded from mandatory compliance in a coastal State's CZM program. It is the policy of DOD that its components conducting or supporting operations, activities, project, or programs in coastal lands or waters that may affect a state's coastal zone shall ensure that such undertakings, to the maximum extent practicable comply with the state's approved coastal zone program. DOD will furnish separate comments to the Secretary of Commerce concerning the relationship of DOD component installations and activities to the proposed State CZM program. Some Corps offices will participate in developing information regarding the role of Army military installations. This military coordination role is separate from civil works responsibilities assigned to lead coordination offices. Coordination on all Civil Works activities will be accomplished separately and directly between NOAA and the Office of the Chief of Engineers (Civil Works).

(e) *Other agencies.* The CZM Act calls for active participation of affected Federal agencies in the development, review, and comment of State CZM programs. Each affected agency is responsible for coordinating its participation.

§ 237.8 Basic principles of Corps of Engineers role.

Authorized activities and responsibilities of the Corps of Engineers can have a significant impact on a state's development of its CZM program. During program development by the state, the Corps will make known its interests, activities, and responsibilities. Early and continued coordination is desirable to assure that the state's decision-making process adequately considers those matters of concern to the Corps.

(a) *Technical assistance.* Technical assistance requested by the states to assist their implementation of the national policy for coastal zone management will be provided to the extent practicable. Funding of such assistance, including participating in early planning meetings, reviewing and answering correspondence, furnishing special data or information or conducting special studies, is discussed in § 237.11.

(b) *Centralized liaison.* All substantive Corps-state CZM activities are to be conducted through a designated lead Corps office for each state in the coastal zone (See Appendix B).

(c) *Conformance.* All Corps of Engineers Civil Works activities undertaken subsequent to approval of a state's CZM plan will be consistent with that plan to the maximum extent practicable. Proposed departures must be specifically approved in advance by the Director of Civil Works for the Chief of Engineers. Whenever a departure appears required and justified, its approval should be sought at the earliest practicable time and, in all instances, prior to making any commitments to non-Corps interests.

(d) *Permit authorizations.* All applications for permit authorizations for activities within the coastal zone of a state with an approved CZM program will be evaluated with respect to compliance with that program. No permit will be issued for a non-Federal activity until the applicant has certified that his proposed activity complies with the state CZM program and the appropriate state agency has concurred with the certification or has waived its right to do so. However, a permit may be issued if the Secretary of Commerce finds the proposed activity is consistent with the objectives of Public Law 92–583 or is otherwise necessary in the interest of national security. Specific instructions regarding permit authorizations are included in ER 1145–2–303.

(e) *Review of State CZM programs and accompanying environmental impact statement.* Corps review of a state CZM program will consider the adequacy of the state's institutional and procedural arrangements in dealing with key coastal problems and issues. In particular, those processes will be reviewed to determine whether the state has developed procedures to assure that the interests, activities, and responsibilities of the Corps of Engineers are adequately considered.

§ 237.9 Corps contributions to State CZM planning (initial and continuing).

Certain Corps activities may bear directly on CZM planning or provide information critical to the preparation and implementation of the state CZM plan. Among items or activities which may be useful are:

(a) *Basic data.* (1) Field Offices. Data collected by District offices for Beach Erosion Control, Hurricane, and Navigation studies may be useful for coastal zone planning, as are data from special reports such as the National Shoreline Study. Information developed on erosion rates, topographical and hydrographic survey data, damage potential, pollution, circulation, impact (environmental, aesthetic, social, economic) of implementing or not implementing various projects, etc., may help the state agency personnel develop adequate plans.

(2) Laboratories. Data collected by laboratories in the course of research efforts or for area model studies may be useful for planning coastal zone management. In particular, data of a regional nature, such as wave statistics, littoral transport rates, seasonal beach changes, types of vegetation utilized for dune stabilization in various geographic areas, offshore sources of beach fill material, may impact on state planning.

(3) Information and Analysis Centers (IAC). Certain data and publications held in IAC's relates to coastal zone planning. Most Corps laboratories have or will soon have one or more IAC's to manage mission or discipline oriented files. The IAC at the Coastal Engineering Research Center will be of special interest to the CZM program. The Waterways Experiment Station may also provide substantial assistance through its data centers for: (1) Concrete Technology; (2) Hydraulic Engineering; (3) Pavement and Soil Traffic-ability; and (4) Soil Mechanics. Information on any Corps IAC may be obtained form HQDA (DAEN–ASI) WASH DC 20314.

(b) *Remote sensing data.* Certain gross coastal information data can be provided using remote sensing technology. The state CZM agency should be informed of the availability of data from this technique.

(c) *Shoreline demonstration program.* Section 54 of P.L. 93–251 establishes a national shoreline erosion control demonstration program to formulate low-cost solutions to erosion problems. Informa-

tion developed under this program may be helpful to states in management of their coastal zones.

(d) *Technical assistance.* Section 55 of P.L. 93–251 authorizes the Corps of Engineers to furnish technical and engineering assistance to non-Federal public interests in developing structural and non-structural methods of preventing damages attributable to shore erosion. Services available under Section 55 include review of specific problems; furnishing copies of pertinent Corps technical data; advice on methods to prevent erosion at specific localities; technical aid to strengthen local capability to prepare plans for and construction of erosion practices; review of plans and specifications prepared by non-Federal public interests; and inspection of construction.

(e) *Special studies.* State CZM agencies may also request special studies, including research, or other specific CZM study needs identified in the CZM plan which fall in areas of special Corps expertise or interest. Such requests are subject to funding constraints identified in § 237.10.

§ 237.10 Operating and coordinating procedures.

(a) *"Lead" coordinating offices.* Affected Corps Divisions shall designate a single Corps office with lead responsibility for the coordination of all Corps Civil Works activities within a particular state coastal zone. The lead office, Division or District, shall be designated by the Division Engineer identified in Appendix B. Division Engineers will insure the adequacy of support of the lead office in their coordinating role. The lead offices will represent the Corps interest as the state CZM program is developed and will maintain information regarding the current status and content of the various aspects of the program. They will furnish the coastal states information on Corps missions, activities, plans, and basic data. When requested by OCE, the lead office will review and comment on a state's CZM program and its associated environmental impact statement (EIS). The review comments are to be sent to HQDA (DAEN–CWP–P) WASH DC 20314. OCE will be responsible for submitting review comments on the CZM program and its EIS to NOAA, Dept. of Commerce.

(b) *Annual canvass.* Each lead Corps office should ascertain annually from its assigned coastal state what future Corps assistance is desired to support state development and continued implementation of an approved CZM program. This information will be the basis for requesting funding of special studies and other resource requests, e.g., related Corps training or orientation to new technology, such as remote sensing.

(c) *Operational coordination.* The states, in developing management programs, are charged with the responsibility of identifying and responding to all major interests involved in the coastal zone. They will be required to demonstrate that bona fide efforts have been made to cooperate with, consult, and address all such interests. OCZM has stressed that this coordination process is to be carried out by the state at all appropriate stages of management program development. Corps activities should be managed in close coordination with the evolving state program. While the consistency requirements of Section 307 do not formally apply until after approval of state management programs, active consultation, issue identification, and amelioration of disputes with CZM agencies should be pursued to the maximum extent possible. After the state plan is approved, all Corps Civil Works activities should be consistent with that approval plan. The state implementing (or regulatory) agency will exercise central coordinating responsibility. All non-Federal applications for permit authorizations for activities within the coastal zone of a state with an approved CZM program must include a certification that the proposed action is consistent with the approved state CZM program. (See § 237.7(d)).

§ 237.11 Funding of Corps participation.

(a) *Assistance to States.* State CZM agency requests for Corps assistance will be classified and funded in one of the following ways:

(1) Available data or other information (including minor interpretation and analysis) collected in the course of ongoing Corps research, surveys or studies, or regulatory activities will be furnished without cost to the state agency. The Corps will also bear its costs for normal coordination, planning, and correspondence in development of state proposals. These costs will be funded under the budget category "Coordination with other Federal Agencies, States and Non-Federal Public Interests."

(2) Special data, information, or studies requested by the state which requires significant additional efforts in collection, compilation, interpretation, or analysis, including specific research projects, can be furnished by the Corps on a fully reimbursable basis. The state requesting agency should be informed that requested data or studies will require reimbursement and define the cost and other basis for the Corps undertaking that work. CZM grant funds may be utilized by the state for such reimbursement.

(3) Special coastal zone related studies may be conducted under the authority provided by Section 22 of P.L. 93–251 when the primary purpose is to complement comprehensive state planning for effective management of its coastal zone. Studies requested by the state that are directly related to development of a comprehensive state CZM program are eligible for financing under Section 22, subject to the availability of funds. Corps work under Section 22 may not be used to offset the required state contribution to the NOAA-administered grant program. Guidelines on work under Section 22 are contained in ER 1105–2–81. Technical Assistance activities under Section 22 and Section 55 of P.L. 93–251 are funded as separate subclasses under the budget category "Coordination with other Federal Agencies, States, and Non-Federal Public Interest."

(b) *Corps review of proposed CZM program for NOAA.* Review means effort expended after the state CZM program, or update, is submitted to NOAA for approval and application funding. Corps elements will determine their administrative cost requirements for participating in conferences, reviewing and commenting on CZM proposals and assisting in other related coordination efforts. The administrative costs for Corps review of the draft and final state CZM programs will be funded under the budget category "Coordination with other Federal Agencies, States, and Non-Federal Public Interest".

(c) *Work for military department review.* In the case of Civil Works field personnel being appointed as Army points of contact to the States, those coordinating and reviewing functions are to be funded from appropriate military funds as cited by Directorate of Facilities Engineering, the designated representative of the Department of the Army.

(d) *Ensuring consistency with approved State CZM programs.* Effort required to ensure that contemplated Corps Civil Works actions are consistent, to the maximum extent possible, with an approved state CZM program will be funded as follows:

(1) Studies and Projects—Accomplished as part of project formulation process with funds provided for the study or project.

(2) Permit Action—Funded under the Corps of Engineers Regulatory Functions Program.

APPENDIX A

DEFINITIONS

Definitions. The following definitions are adopted from Public Law 92–583.

1. *Coastal zone* means the coastal water (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder), strongly influenced by each other and in proximity to the shorelines of several coastal States, and includes transitional and intertidal areas, salt marshes, wetlands, and beaches. The zone terminates, in Great Lakes waters, at the international boundary between the United States and Canada and, in other areas, extends seaward to the outer limit of the United States territorial sea. The zone extends inland from the shorelines only to the extent necessary to control shorelands, the uses of which have a direct and significant impact on the coastal waters. (States will thus be required to develop methods and procedures to determine this use-effect correlation and incorporate these findings in their boundary determinations for management purposes.) Excluded from the coastal zone under the provisions of the Act, are lands the use of which is by law subject solely to the discretion of or which is held in trust by the Federal Government, its officers or agents. Thus, all federal lands are excluded from the state's coastal zone. (However, joint State-Federal consultation and planning for these areas is encouraged. Insofar as actions on these Federal lands significantly affect the adjoining coastal zone, they are subject to the requirements of the CZM Act.)

2. *Coastal waters* means (1) in the Great Lakes area, the waters within the territorial jurisdiction of the United States consisting of the Great Lakes, their connecting waters, harbors, roadsteads, and estuary-type areas such as bays, shallows, and marshes and (2) in other areas, those waters, adjacent to the shorelines, which contain a measurable quantity or percentage of sea water, including, but not limited to, sounds, bays, lagoons, bayous, ponds, and estuaries.

3. *Estuary* means that part of a river or stream or other body of coastal water having unimpaired connection with the open sea, where the sea water is measurably diluted with fresh water derived from land drainage. The term includes estuary-type areas of the Great Lakes.

4. *Estuarine sanctuary* means a research area which may include any part or all of an estuary, adjoining transitional areas, and adjacent uplands constituting to the extent feasible a natural unit, set aside to provide scientists and students the opportunity to examine over a period of time the ecological relationships within the area.

5. *Coastal State* means a State of the United States in or bordering on, the Atlantic, Pacific, or Arctic Ocean, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes. For the purposes of this program, the term includes Puerto Rico, the Virgin Islands, Guam, and American Samoa.

APPENDIX B

LEAD COORDINATING OFFICES
CIVIL WORKS ACTIVITIES

The Divisions indicated below are designated as having authority to coordinate CZM planning with the specified coastal states. This responsibility may be delegated by the Division Engineer to a District office to act as the single Corps contact for that State.

1. Alabama—SAD
2. Alaska—NPD
3. American Samoa—POD
4. California—SPD
5. Connecticut—NED
6. Delaware—NAD
7. Florida—SAD
8. Georgia—SAD
9. Guam—POD
10. Hawaii—POD
11. Illinois—NCD
12. Indiana—NCD
13. Louisiana—LMV
14. Maine—NED
15. Maryland—NAD
16. Massachusetts—NED
17. Michigan—NCD
18. Minnesota—NCD
19. Mississippi—SAD
20. New Hampshire—NED
21. New Jersey—NAD
22. New York—NAD
23. North Carolina—SAD
24. Ohio—NCD
25. Oregon—NPD
26. Pennsylvania—NAD
27. Puerto Rico—SAD
28. Rhode Island—NED
29. South Carolina—SAD
30. Texas—SWD
31. Virginia—NAD
32. Virgin Islands—SAD
33. Washington—NPD
34. Wisconsin—NCD

Legend:
LMV—Lower Mississippi Valley Division
NAD—North Atlantic Division
NCD—North Central Division
NED—New England Division
NPD—North Pacific Division
POD—Pacific Ocean Division
SAD—South Atlantic Division
SPD—South Pacific Division
SWD—Southwestern Division

APPENDIX C.—*Staff contacts for coastal zone management*

State	Name and Address	Telephone No.
Alabama	Chairman, Alabama Coastal Area Board, Alabama Development Office, State Office Bldg., Montgomery, Ala. 36104.	205-269-1831
Alaska	Director, Division Policy Development and Planning, Office of the Governor, Pouch A-D, Juneau, Alaska 99811.	907-465-3512
American Samoa	Chairman, Environmental Quality Commission, Office of the Governor, Pago Pago, American Samoa 96920.	[1] 633-5155
California	Secretary for Resources, Resources Agency, State of California, 1416 9th St., Sacramento, Calif. 95814.	916-445-5656
Connecticut	Director, Coastal Area Management Program, Department of Environmental Protection, State of Connecticut, 71 Capitol Ave., Hartford, Conn. 06115.	203-566-7404
Delaware	Director, State Planning Office State of Delaware, Thomas Collins Bldg., Dover, Delaware 19901.	302-678-4271
Florida	Director, Department of Natural Resources, State of Florida, Crown Bldg., 404 Blount St., Tallahassee, Fla. 32304.	904-488-1555
Georgia	Director, Office of Planning and Budget, State of Georgia, 270 Washington St. SW., Room 611, Atlanta, Ga. 30334.	404-656-3820
Guam	Director of Planning, Bureau of Planning, P.O. Box 2950, Agana, Guam 96910	[1] 772-2285
Hawaii	Director, Department of Planning and Economic Development, State of Hawaii, Executive Chambers, P.O. Box 2359, Honolulu, Hawaii 96804.	808-548-6914
Illinois	Director, Division of Water Resources, Department of Transportation, State of Illinois, 2300 South Dirkson Parkway, Springfield, Ill. 62764.	217-525-6302
Indiana	Director, State Planning Services Agency, State of Indiana, 143 West Market St., Indianapolis, Ind. 46204.	317-633-4346
Louisiana	Executive Director, State Planning Office, State of Louisiana, P.O. Box 44425, Baton Rouge, La. 70804.	504-389-2494
Maine	State Planning Director, State Planning Office, State of Maine, 184 State St., Augusta, Maine 04333.	207-289-3261
Maryland	Chairman, State Energy and Coastal Resources Administration, Department of Natural Resources, State of Maryland, Tawes State Office Bldg., Annapolis, Md. 21401.	301-267-5382
Massachusetts	Director of Coastal Zone Management, Executive Office of Environmental Affairs, State of Massachusetts, 18 Tremont St., Boston, Mass. 02108.	617-727-2808
Michigan	Chief, Water Development Services Division, Bureau of Water Management, Department of Natural Resources, State of Michigan, Stevens T. Mason Bldg., Lansing, Mich. 48926.	517-373-1220
Minnesota	Director, State Planning Agency, State Planning Agency, State of Minnesota, 801 Capitol Sq. Bldg., St. Paul, Minn. 55155.	612-296-3985
Mississippi	Executive Director, Mississippi Marine Resources Council, P.O. Box 497, Long Beach, Miss. 39560.	601-864-4602
New Hampshire	Director, Division of State Planning, State House, Concord, N.H. 03301	603-271-3581
New Jersey	Coastal Area Planning Coordinator, Department of Environmental Protection, State of New Jersey, P.O. Box 1889, Trenton, N.J. 08625.	609-292-2038
New York	Director, Division of State Planning, State of New York, 162 Washington Ave., Albany, N.Y. 12207.	518-474-4656
North Carolina	Secretary, State Department of Natural and Economic Resources, State of North Carolina, P.O. Box 27687, Raleigh, N.C. 27611.	919-829-4984
Ohio	Director, Department of Natural Resources, State of Ohio, 1930 Belcher Dr., Columbus, Ohio 43224.	614-469-3770
Oregon	Director, Department of Land Conservation and Development, State of Oregon, 1175 Court St., Salem, Oreg. 97310.	503-378-4926
Pennsylvania	Secretary, Resources Management Department of Environmental Resources, State of Pennsylvania, P.O. Box 1467, Harrisburg, Pa. 17120.	717-787-2315
Puerto Rico	Secretary, Department of Natural Resources, Commonwealth of Puerto Rico, P.O. Box 5887, Puerto de Tierra, P.R. 00906.	809-723-2055
Rhode Island	Chief, Statewide Planning Program, Department of Administration, State of Rhode Island, 265 Melrose St., Providence, R.I. 02907.	401-277-2656
South Carolina	Chairman, Coastal Zone Management Council, State of South Carolina, P.O. Box 547, Beaufort, S.C. 29902.	803-524-5053
Texas	State Land Commissioner, General Land Office, State of Texas, P.O. Box 12428, Capitol Station, Austin, Tex. 78711.	512-475-2071
Virgin Islands	Director of Planning, Office of the Governor, P.O. Box 2606, Charlotte Amalie, St. Thomas, U.S. Virgin Islands 00801.	809-774-1730
Virginia	Director, Commerce and Resources Section, Division of State Planning and Community Affairs, State of Virginia, 1010 James Madison Bldg., 109 Governor St., Richmond, Va. 23219.	804-770-7652
Washington	Director, Department of Ecology, State of Washington, Olympia, Wash. 98504	206-753-2240
Wisconsin	Director, State Planning Office, State of Wisconsin, B-130, 1 West Wilson St., Madison, Wis. 53702.	608-266-7958

[1] Via operator.

[FR Doc.76-19825 Filed 7-14-76;8:45 am]

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR Part 214]

NONIMMIGRANT STUDENTS; AUTHORIZATION OF EMPLOYMENT FOR PRACTICAL TRAINING

Petitions for Approval of Schools; Supporting Documents

Pursuant to section 553 of Title 5 of the United States Code (80 Stat. 383), notice is hereby given of the proposed amendments of 8 CFR 214.2(f)(6) pertaining to authorization of employment for non-immigrant students to obtain practical training, and 8 CFR 214.3(b) pertaining to submission of supporting documents by language schools in connection with petitions for approval for attendance by nonimmigrant students.

A nonimmigrant student is defined by section 101(a)(15)(F) of the Immigration and Nationality Act, 8 U.S.C. 1101(a)(15)(F), as "an alien having a residence in a foreign country which he has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study at an established institution of learning or other recognized place of study in the United States * * *". In furtherance of the full course of study, the Service has provided by regulation a policy to permit the alien student to accept employment in order to obtain

practical training in the student's field of study for a period or periods of six months each for a maximum of not more than eighteen months in the aggregate, after such an alien has completed his course of study in the United States and provided such practical training is not available to the student in his country of foreign residence. This policy was established for the purpose of providing an alien student a means to further acquire skill for his entry into the practice of his occupation in the country of his foreign residence. After review and consideration of available information, it has now been decided that twelve months of practical training is a more realistic maximum for the nonimmigrant student completing an extended course of academc study in the United States, with comparably lesser periods for those students taking shorter courses. Also, in the furtherance of the purpose for which employment for practical training is authorized, an alien student should be required to begin practical training without delay after completion of his academic studies, and should be required to establish upon submission of the initial and each subsequent application that the training in which the student will be or is employed is properly related to the major field of study.

Accordingly, it is proposed to amend § 214.2(f)(6) by providing that the maximum period of time for which employment for practical training may be authorized shall not exceed 12 months. Graduates of colleges, universities and seminaries as defined in § 214.2(f)(1a) may be authorized periods of practical training of 3 months for each 9 months of full-time study, and students in vocational, business or language schools may be authorized periods of practical training of 3 months for each 12 months of full-time study, except where the training applied for may not be completed within the maximum period of time for which the applicant may ultimately be eligible.

It is proposed to further amend the section by providing that the initial authorized period of employment for practical training shall commence immediately upon approval of the application or the day after the applicant's completion of his course of study, whichever is later, and such application must be submitted prior to expiration of applicant's authorized stay, and not more than 60 days before or 30 days after the date of graduation or completion of course work, except in certain specified instances. In addition, it is proposed to require such initial applications to be accompanied by information from the applicant's prospective employer describing the position the applicant will hold in sufficient detail to enable the Service to determine whether or not the position is related to the applicant's major field of study.

It is also proposed to amend the existing rule by including the word "seminary" in the rules relating to application for and participation in alternate work/study courses.

Finally, it is proposed to amend the present section to provide that where an applicant has previously participated in an alternate work/study program, he shall submit with his application information concerning a description of the duties performed, and the name and address of the employer.

It is also proposed to amend § 214.3(b) to ensure that language schools which apply for approval for attendance by nonimmigrant students, meet the same educational objectives as vocational and business schools, and American institutions of research recognized by the Attorney General.

In accordance with the provisions of section 553 of Title 5 of the United States Code (80 Stat. 383), interested persons may submit to the Commissioner of Immigration and Naturalization, Room 7100, 425 Eye Street, N.W., Washington, D.C. 20536, written data, views, or arguments, in duplicate, with respect to the proposed rules. Such representations may not be presented orally in any manner. All relevant material received before August 18, 1976 will be considered.

In the light of the foregoing, it is proposed to amend Chapter I of Title 8 Code of Federal Regulations as follows:

PART 214—NONIMMIGRANT CLASSES

In § 214.2, paragraph (f)(6) is revised to read as follows:

§ 214.2 Special requirements for admission, extension, and maintenance of status.

* * * * *

(f) *Students.* * * *

(6) *Employment.* A nonimmigrant student is not permitted to engage in off-campus employment in the United States, either for an employer or independently, unless his application to do so has first been approved by the Service. An application by a student for permission to accept or continue employment shall be filed on Form I–538. If a student requests permission to accept part-time employment because of economic necessity, he must establish that the necessity is due to unforeseen circumstances arising subsequent to entry, or subsequent to change to student classification; if his request is for permission to continue previously authorized part-time employment, his application may be adjudicated without regard to any short absence from the United States intervening since the original grant of permission. In either case, an authorized school official must certify that part-time employment will not interfere with the student's ability to cary successfully a full course of study. Permission to accept or continue employment because of economic necessity may be granted in increments of not more than 12 months each, and while school is in session such employment may not exceed 20 hours per week. If a student requests permission to accept or continue employment in order to obtain practical training, an authorized school official must certify that the employment is recommended for that purpose and will provide the student with practical training in his field of study and, upon information and belief, would not be available to the student in the country of his foreign residence.

Permission to accept or continue temporary employment to obtain practical training may be granted in increments of not more than 6 months for a maximum of not more than 12 months in the aggregate. An alien graduate of a college, university, or seminary as defined by subparagraph (1a) of this paragraph, may be granted permission to engage in employment for practical training for a period or periods of time equal to 3 months for each 9 months during which such an alien carried a full course of study at the school. After completion of a course or courses of study at a school which devotes itself exclusively or primarily to vocational, business, or language instruction, an alien graduate may be granted permission to engage in employment for practical training for a period or periods of time equal to 3 months for each 12 months during which such an alien carried a full course of study comprised predominantly of classroom instruction at such school in the United States. Permission to accept employment for practical training may not be granted if the training applied for may not be completed within the maximum period of time for which the applicant may ultimately be eligible. In such case, the alien graduate may apply for change to another nonimmigrant classification that would permit his accepting employment. If application is granted for permission to engage in employment to obtain practical training, the initial authorized period shall be deemed to commence either immediately upon approval of an application filed on Form I–538 or on the day after the student's completion of his course of study whichever is later.

An application for permission to accept or continue employment to obtain practical training must be submitted prior to the expiration of an alien student's authorized stay and, in the case of an initial application, not more than 60 days before graduation or completion of a course or courses of study nor more than 30 days after graduation or completion of such study. Such application may be made earlier only if the alien is attending a college, university, or seminary which certified that practical training is required of all degree candidates in a specified professional field, and that the alien student is a candidate for a degree in that field. The application for the first period of practical training shall be submitted to the office of the Service having jurisdiction over the school recommending practical training and shall be accompanied by a letter from the applicant's prospective employer describing the position the applicant will hold, in sufficient detail to enable the Service to determine whether or not the position is related to the applicant's major field of study. Applications to continue employment for practical training must contain the recommendation of the school, shall be submitted to the office of the Service having jurisdiction over the actual place of employment, and shall be supported by a letter from the applicant's employer stating the occupation in which the ap-

plicant is employed and describing the duties he is performing. A student enrolled in a college, university, or seminary having alternate work/study courses as a part of its regular prescribed curriculum may participate in such courses without obtaining a change of status and without filing an application for permission to accept employment; however, such periods of actual employment shall be considered as periods of practical training.

An applicant for practical training who has previously participated in an alternate work/study program must submit with his application a letter from his school stating the number of hours the applicant has participated in employment under the work/study program, a description of the applicant's duties while employed and the name and address of the employer. A student who has been granted permission to accept employment for practical training and who temporarily departs from the United States, may be readmitted for the remainder of the authorized period if he presents Form I-20 endorsed by his school to indicate the date to which such training was authorized by the district director. On-campus employment pursuant to the terms of a scholarship, fellowship, or assistantship is deemed to be part of the academic program of a student otherwise taking a full course of study, if related thereto. A student who is offered this kind of on-campus employment, or any other on-campus employment which will not displace a United States resident, does not require Service permission to be engaged in such employment. Permission which is granted to a student to engage in any employment shall not exceed the date of expiration of his authorized stay and is automatically suspended while a strike or other labor dispute involving a work stoppage or layoff of employees is in progress in the occupation and at the place where the student is employed.

* * * * *

In § 214.3 the eighth sentence of paragraph (b) is amended to read as follows:

§ 214.3 Petitions for approval of schools.

* * * * *

(b) *Supporting documents.* * * * If the petitioner is a vocational, business, or language school, or American institution of research recognized as such by the Attorney General, it must submit evidence that its courses of study are accepted as fulfilling the requirements for the attainment of an educational, professional, or vacational objective, and are not avocational or recreational in character. * * *

* * * * *

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

Dated: July 12, 1976.

L. F. CHAPMAN, Jr.,
Commissioner of Immigration and Naturalization.

[FR Doc.76-20469 Filed 7-14-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 444]

[Docket No. 76N-0164]

STERILE NEOMYCIN SULFATE AND POLYMYXIN B SULFATE SOLUTION

Revised pH Limit

The Food and Drug Administration is proposing to amend the lower pH limit for sterile neomycin sulfate and polymyxin B sulfate solution by lowering the limit from 5.0 to 4.5; comments by September 13, 1976.

Although the product meets the current pH standards at the time of certification, it drops below the lower limit during the approved expiration period. The proposed amendment will provide for an appropriate pH limit throughout the shelf life of the drug. The safety and efficacy of the drug product will not be affected by the proposed change.

The Commissioner of Food and Drugs has reviewed the potential environmental impact of the proposed amendment and has concluded that the proposed action will not significantly affect the quality of the human environment, and that an environmental impact statement is not required. The Commissioner has also considered the inflation impact of the proposed amendment and no major inflation impact has been found, as defined in Executive Order 11821, OMB Circular A-107, and the Guidelines issued by the Department of Health, Education, and Welfare. A copy of the inflation impact assessment is on file with the Hearing Clerk, Food and Drug Administration.

§ 444.942b [Amended]

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended (21 U.S.C. 357)) and under authority delegated to him (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)), the Commissioner proposes to amend § 444.942b *Sterile neomycin sulfate and polymyxin B sulfate solution*, in paragraph (a)(1) by revising the third sentence to read "Its pH is not less than 4.5 and not more than 6.0, except that for issuance of a certificate it is not less than 5.0."

Interested persons may, on or before September 13, 1976, submit to the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintiuplicate and identified with the Hearing Clerk docket number found in brackets in the heading of this document) regarding this proposal. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: July 7, 1976.

JEAN MANSUR,
Acting Assistant Director for Regulatory Affairs.

[FR Doc.76-20419 Filed 7-14-76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[46 CFR Chapter I]

[CGD 76-009]

OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR COMMERCIAL DIVING

Advance Notice of Proposed Rulemaking

The Coast Guard is considering new regulations prescribing occupational safety and health standards for commercial diving from vessels and facilities, including deepwater ports, mobile offshore drilling units, artificial islands, and other fixed structures that are under Coast Guard jurisdiction.

This advance notice of proposed rulemaking is issued pursuant to the Coast Guard's policy concerning the early institution of rulemaking proceedings. An advance notice is issued when it is found that the consideration by the Coast Guard and reasonable outside inquiry do not identify a sufficient basis to select a tentative course of action, or alternate courses of action, or where it would be helpful to invite public participation in the identification and selection of a course or alternate course of action. The subject matter of this notice involves a situation contemplated by that policy.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number (CGD 76-009), include the name and address of the person submitting the comment, give the reasons supporting any recommendations, and be addressed to: Commandant (G-CMC/81), U.S. Coast Guard, Washington, D.C. 20590. All communications received on or before August 16, 1976, will be considered by the Coast Guard before publishing a proposed rule. Copies of all written comments received, both before and after the closing date for comments, will be available for examination by interested persons in Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street SW., Washington, D.C. If it is determined to be in the public interest to proceed further and after consideration of the available data and comments received in response to this notice, a notice of proposed rulemaking will be issued.

The Coast Guard is considering diving regulations under several statutory mandates. Under section 10(b) of the Deepwater Port Act (Pub. L. 93-627; 33 U.S.C. 1509(b)), the Coast Guard is to issue and enforce regulations for, "matters relating to the promotion of safety of life and property in any deepwater port and the waters adjacent thereto." Diving regulations for deepwater ports under this mandate would include rules for equipment, use of that equipment, working conditions, operational procedures, and personnel qualifications. Under the Outer Continental Shelf Lands Act (43 U.S.C. 1333(e)(1)), diving regulations for artificial islands and structures on

the outer continental shelf would include rules for the same subjects. That Act states that the Coast Guard is to promulgate and enforce regulations for, "the promotion of safety of life and property on the islands and structures * * * or on the waters adjacent thereto."

Under 46 U.S.C. 391, with 46 U.S.C. 375 and 416, the Coast Guard is to issue regulations to ensure that inspected vessels have a "structure suitable for service", and "suitable accommodations" for passengers and crew and are, "in a condition to warrant the belief that she may be used in navigation * * * with safety to life." Furthermore, under 46 U.S.C. 392, with 46 U.S.C. 375, the Coast Guard is to issue regulations for "unfired pressure vessels, and appurtenances thereof, * * * electrical apparatus and equipment" on inspected vessels. Therefore, diving regulations for inspected vessels under these mandates would include rules for equipment and working conditions.

Vessels under Coast Guard jurisdiction include vessels required to be certificated by the Coast Guard, regardless of their geographic location, including mobile offshore, semi-submersible drilling units, and inspected barges. Facilities under Coast Guard jurisdiction include deepwater ports, artificial islands, and fixed structures on the Outer Continental Shelf.

The Coast Guard proposes to regulate commercial diving operations on vessels and facilities under its jurisdiction if determined to be hazardous and if the Coast Guard determines that the hazards encountered can be reduced or eliminated by the promulgation of appropriate regulations.

On June 15, 1976, the Occupational Safety and Health Administration (OSHA) published in the FEDERAL REGISTER (41 FR 24272–24292) a six month Emergency Temporary Standard (ETS) for commercial diving under the authority of the Occupational Safety and Health Act (29 U.S.C. 655 and 657). A memorandum of understanding (MOU) concerning the relationship of OSHA to the Coast Guard during the period of the ETS was signed on June 9, 1976, by the Commandant of the Coast Guard and the Assistant Secretary of Labor for Occupational Safety and Health. The text of the MOU was published with the ETS (41 FR 24291).

In developing new occupational safety and health regulations for commercial diving in areas of Coast Guard jurisdiction, the Coast Guard intends to consider all relevant existing safety data, standards, and regulations, including the OSHA ETS.

Specific advice and recommendations are requested to identify:

1. Industrial safety standards used in commercial diving that should be adopted by the Coast Guard;

2. Standards adopted by the Department of Labor that may have significant application to diving conditions or vessels;

3. Standards adopted by the Department of Labor that should be adopted by the Coast Guard without change;

4. Department of Labor standards that should be modified or revised for commercial diving;

5. Department of Labor standards that should not be adopted by the Coast Guard for commercial diving;

6. Standards not adopted by the Department of Labor that may be necessary or appropriate for commercial diving;

7. The most serious safety and health problems existing in the commercial diving industry;

8. The priorities that the Coast Guard should adopt in the promulgation of commercial diving standards.

9. Any other domestic or foreign commercial diving standards that should be adopted by the Coast Guard.

The Coast Guard welcomes any additional relevant suggestions on matters which should be brought to its attention in the development and implemention of these proposed standards.

This advance notice of proposed rulemaking is issued under the authority of 33 U.S.C. 1509(b), 43 U.S.C. 1333(e)(1), 46 U.S.C. 375, 391, 392, and 416, 49 U.S.C. 1655(b)(1); 49 CFR 1.46 (b) and (s).

Dated: July 12, 1976.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Merchant Marine Safety.

[FR Doc.76-20448 Filed 7-14-76;8:45 am]

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 76-WE-18]

CONTROL ZONE

Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would establish a new control zone at NALF, Crows Landing, California.

It will be necessary to designate a part-time control zone for NALF, Crows Landing, California to provide additional controlled airspace for IFR arrivals and departures at the Naval Auxiliary Landing Field.

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, Airspace and Procedures Branch, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261. All communications received on or before August 16, 1976 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, 15000 Aviation Boulevard, Lawndale, California 90261.

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

§ 71.171 [Amended]

In § 71.171 (41 FR 355) the following control zone is added:

CROWS LANDING, CALIFORNIA

Within a 5-mile radius of NALF Crows Landing (latitude 37°24'35" N., longitude 121°06'40" W.) excluding the portion within a 1-mile radius of Patterson Field, Patterson, California (latitude 37°28'05" N., longitude 121°10'06" W.) This control zone will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously established as published in the Airman's Information Manual.

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

Issued in Los Angeles, California, on June 29, 1976.

LYNN L. HINK,
Acting Director, Western Region.

[FR Doc.76-20122 Filed 7-14-76;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 76-EA-39]

VOR AIRWAYS

Proposed Alteration and Extension

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the present airway structure northeast of Allentown, Pa., commensurate with the proposed commissioning of the Broadway, N.J., VOR/DME, at 40°47'54" N./74°49'20" W. on January 15, 1977.

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, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received on or before August 16, 1976, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the

Federal Aviation Administration, Office of the Chief Counsel Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C., 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

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

The proposed amendment would:

1. Extend V-6 from Allenown, Pa., to Broadway, N.J.

2. Realign V-232 from Milton, Pa., via Broadway, N.J.; intersction of V-123/V-467; to LaGuardia, N.Y.

The V-6 extension would provide departure routes from Newark, Morristown and Teterboro, N.J., Airports. The V-232 extension would support an arrival route to LaGuardia, N.Y. The establishment of the Broadway, N.J., VOR/DME would enhance navigational capabilities for aircraft transitioning from jet routes 78/146 to V-232 and will also improve holding procedures in this area.

(Sec. 307(a) of the Federal Avaition 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 July 6, 1976.

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.76-20121 Filed 7-14-76;8:45 am]

[14 CFR Part 75]

[Airspace Docket No. 76-SW-34]

JET ROUTE

Proposed Designation

The Federal Aviation Administration (FAA) is considering an amendment to Part 75 of the Federal Aviation Regulations that would designate J-168 from Wichita Falls, Tex., direct to Lamar, Colo.

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, Southwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Tex. 76101. All communications received on or before August 16, 1976, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue SW., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

Request for copies of this notice of proposed rule making should be addressed to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-230, 800 Independence Avenue SW., Washington, D.C. 20591.

The proposed amendment would establish J-168 between Wichita Falls, Tex., and Lamar, Colo.[1]

The increased number of requests for use of this direct route appears to justify the designation of a jet route.

(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 July 9, 1976.

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

[FR Doc.76-20350 Filed 7-14-76;8:45 am]

Federal Railroad Administration

[49 CFR Part 221]

[Docket No. ROS-1, Notice 2]

RAILROAD OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Inflationary Impact Evaluation

The Federal Railroad Administration (FRA) proposed to amend Chapter II of Subtitle B of Title 49, Code of Federal Regulations by adding a new Part 221 prescribing Railroad Occupational Safety and Health Standards under the Federal Railroad Safety Act of 1970 (84 Stat. 971; (45 U.S.C. 421 et seq.)).

In this notice of proposed rulemaking (NPRM), FRA proposes to issue standards governing means of egress from buildings and structures, general environmental controls and fire protection. The substantive requirements of the proposed standards correspond generally with those contained in Subparts E, J and L of the Occupational Safety and Health Standards (29 CFR Part 1910) issued by the Department of Labor (DOL). The Administrator has determined that this regulatory proposal is not a major proposal under Executive Order 11821, November 27, 1974, or Department of Transportation Order 2050.4, February 2, 1976, requiring an inflationary impact evaluation.

BACKGROUND INFORMATION

On March 7, 1975, FRA published in the FEDERAL REGISTER (40 FR 10693) an advance notice of proposed rule making (ANPRM) seeking early public participation in the development of specific Railroad Occupational Safety and Health Standards to supplement existing railroad safety regulations. These standards would apply to railroads that are part of the general railroad system of transportation. The standards would pertain to railroad employee workplaces and activities related to the performance of rail transportation service such as train operations and maintenance of rail equipment and roadway.

The ANPRM specifically noted that these standards would apply to the following railroad work places, properties, facilities, structures, and equipment:

1. Roadway, including track, roadbed, track appliances and related devices, and structures and facilities (except general offices) located on the right-of-way;

2. Rolling stock including locomotives, freight and passenger cars, cabooses, track motor cars, high rail vehicles, and work equipment;

3. Railroad yards and terminals including all devices, structures and facilities, except general offices;

4. Signal and communication devices and facilities which monitor and control rail movements and operations including towers, block stations, dispatchers offices and yard offices; and

5. Railroad support facilities for construction, assembling, servicing, maintaining, repairing and storing railroad rolling stock and equipment.

In addition, the ANPRM stated that these standards would not be issued for the following railroad work places, properties, structures and facilities:

1. General offices;

2. Living quarters which are not located adjacent to or within a rail roadway, support facility or yard;

3. Roadway and related facilities located within an installation which is not part of the general railroad system of transportation and rail equipment which operates only on track within such installations (such as steel mills, lumber yards, mines, manufacturing plants and other essentially "nonrailroad" installations); and

4. Motor carrier, water carrier, manufacturing, hotel, mining, lumber, and other commercial activities engaged in by railroads that are not related to the performance of rail transportation sevices.

Appended to the ANPRM were lists of DOL Occupational Safety and Health Standards (29 CFR Part 1910) which FRA believed could be adopted with or without substantive change.

Interested persons were invited to participate in this rule making proceeding by submitting to FRA before April 30, 1975, written advice on the priorities for and content of these standards. At the request of the Railway Labor Executive Association and the Congress of Railway Unions, the period for filing written comments was extended to May 30, 1975 (40 FR 16217).

After carefully reviewing all of the comments received in response to the ANPRM, FRA has decided to issue a comprehensive code of Railroad Occupational Safety and Health Standards to protect the safety and health of railroad employees. Because of the magnitude of this task and the diversity and complexity of problems to be addressed in these standards, FRA will issue a series of

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

NPRMs rather than a single NPRM. Each NPRM in this series will propose standards similar to those contained in several subparts of the DOL Occupational Safety and Health Standards. FRA believes that this will facilitate the orderly development of standards and enable interested persons to participate more effectively in the development of these standards. This NPRM is the first of the series. The comments received in response to the ANPRM will also be considered in the development of future NPRMs and opportunity for comment and hearing will be provided for each NPRM.

DISCUSSION OF PROPOSED STANDARDS

The standards proposed in this NPRM are divided into four subparts. The letter and subject designations for these subparts are the same as their counterparts in the DOL Occupational Safety and Health Standards (29 CFR Part 1910). The four subparts are Subpart A—General, Subpart E—Means of Egress, Subpart J—General Environmental Controls and Subpart L—Fire Protection.

SUBPART A—GENERAL

This subpart contains the general provisions which would pertain to the Railroad Occupational Safety and Health standards proposed in this and subsequent NPRMs.

§ *221.1 Purpose and scope.* This section provides that this part 221 prescribes occupational safety and health standards for railroad employee working conditions and work places which are related to the performance of rail transportation service.

§ *221.3 Applicability.* This section provides that standards in this part apply to all railroads that operate roling equipment on standard gage track that is part of the general railroad system of transportation. Accordingly, "industrial" railroads which operate only inside non-railroad, industrial installations, would not be subject to these standards. Rapid transit railroads that operate only on track used exclusively for rapid transit, commuter, or other short-haul passenger service in a metropolitan or suburban area would also be excluded.

This section further provides that these standards would apply to all railroad working conditions and work places including rail roadways, yards and terminals, rolling stock and other on-track equipment, and repair and maintenance facilities. However, the following railroad installations and activities would not be subject to these standards:

a. General office buidings;

b. Railroad employee living quarters, fixed or mobile, that are not within or do not adjoin a rail roadway, yard, or terminal;

c. Rail roadway and related facilities inside an installation that is not part of the general railroad system of transportation as well as locomotives, cars and other equipment that operate exclusively on track inside the installation; and

d. Commercial activities of railroads that are not related to the performance of rail transportation service such as motor, water and pipeline carrier activities, hotels, mining, manufacturing, lumbering activities, and other essentially "non-railroad" activities.

One commenter suggested that these standards and the other standards and statutes administered by FRA should be the exclusive occupational safety and health standards for all activities related to a railroad's performance of its transportation business because this would help resolve jurisdictional and preemption issues. FRA believes that these objectives can be achieved more effectively by expressly excluding from standards prescribed in this part those installations and activities specified above and in § 221.3(b).

§ *221.5 Definitions.* This section contains definitions of terms used in this part.

§ *221.7 Waivers.* This section prescribes the procedures for obtaining a waiver of compliance with any requirement prescribed in this part. One commenter suggested that a procedure for granting "variances" be incorporated in these standards to provide flexibility without imposing procedural formality. Under that proposal, it would be incumbent upon FRA to grant promptly a "variance" if the establishment has a good safety record unless a person opposed to the variance can show some attribute which will prevent the continuation of that good record. FRA has not adopted this suggestion because it believes that the changes that could be made by means of a so-called "variance" are not materially different from those that would be made by a waiver. Moreover, there is not any significant evidence that the proposed waiver procedure is unduly burdensome under the circumstances. Accordingly, the waiver procedures proposed by FRA reflect the requirements of section 202(c) of the Federal Railroad Safety Act of 1970 (45 U.S.C. 431(c)).

§ *221.9 Responsibility of railroads.* This section imposes a general duty on each railroad to comply with the standards of this part and, in addition, to provide its employees employment and places of employment that are free from recognized hazards that are causing or are likely to cause death or serious physical harm. The most significant aspect of this section is that it requires a railroad to do more than comply with specific standards; a railroad must also make certain that its employees are not subjected to any recognized hazard that is causing or is likely to cause death or serious physical harm.

The language of this section closely resembles that of section 5 of the Occupational Safety and Health Act (29 U.S.C. 654), except this section does not contain a provision stating that railroad employees also must comply with these standards. FRA does not have authority under the Federal Railroad Safety Act of 1970 to penalize railroad employees for violations of safety regulations and standards issued under that Act.

Nevertheless FRA believes that safety cannot be achieved if railroad employees do not comply with safety regulations and standards applicable to their actions and conduct. Consequently, railroad employees have a personal obligation to observe safety regulations and standards that protect their individual safety as well as the safety of their fellow employees and the public. Moreover, railroad employers must make certain that their employees know, understand and observe safety regulations and standards.

§ *221.11 Civil penalties.* This section proposes a civil penalty of not less than $250 nor more than $2500 for each violation of any requirement of this part; each day of violation would constitute a separate offense.

Two commenters expressed their opposition to this fine structure. It should be noted, however, that these civil penalties merely reflect the mandatory penalty provisions of the Federal Railroad Safety Act of 1970 (45 U.S.C. 438) under which these standards are to be issued.

One commenter suggested adoption of a "grandfather" provision which would exclude existing railroad facilities and equipment from compliance with the requirements of this part unless there is a clear record indicating that their continued use would be contrary to safety. FRA believes waivers of compliance should be decided on an individual basis as provided in proposed § 221.7 to assure that they are consistent with safety. Accordingly, this suggestion has not been adopted. However, FRA recognizes that sufficient time should be allowed, when it is necessary to make extensive modifications on existing facilities and equipment, to comply with some of the requirements of these standards. FRA solicits specific comments identifying these requirements, suggesting how much time should be allowed, and explaining why this time is needed.

The other commenter suggested that the term "violation" should be defined to mean the continued existence of noncompliance beyond a specific abatement period. FRA has not adopted this suggestion because to do so would seriously impair the effectiveness of the standards in providing for the safety of railroad employees. Adoption of this suggestion would, in effect, shift compliance responsibility from the railroads to FRA by allowing railroads to disregard these standards until after the FRA has discovered a non-complying situation, brought it to the attention of the railroad, and the abatement period has expired.

SUBPART E—MEANS OF EGRESS

This subpart prescribes minimum safety requirements for means of egress from buildings to be used by railroad employees and other individuals in the event of fire or other emergency requiring prompt evacuation. Rail and motor vehicles, vessels, and other mobile structures are not subject to the requirements of this part.

SUBPART J—GENERAL ENVIRONMENTAL CONTROLS

This subpart prescribes minimum requirements for sanitation and nonwater disposal systems. It also contains a safe-

ty color code for marking physical hazards and specifications for accident prevention signs and tags.

This subpart does not establish standards for temporary labor camps because, as one commenter noted, temporary labor camps are not utilized in railroad operations. The commenter recommended that an entirely new standard should be written to apply to mobile railroad forces. FRA is considering this recommendation.

One commenter suggested that existing installations that have adequate sanitation facilities should be excluded from these requirements. FRA agrees that existing facilities that are adequate should not be required to be altered merely to achieve technical compliance with the requirements of this subpart. However, FRA believes that this determination of adequacy should be made on an individual basis rather than by a blanket exclusion. Accordingly, appropriate procedures for waivers are prescribed in § 221.7 of this part.

This commenter also suggested that rolling stock should not be subject to the proposed sanitation requirements. FRA agrees. These standards will apply only to permanent places of employment. Appropriate sanitation requirements for rail vehicles may be proposed in future NPRMs.

SUBPART L—FIRE PROTECTION

This subpart prescribes minimum safety requirements for fire suppression systems, equipment and methods in buildings and other permanent places of employment for railroad employees.

WRITTEN COMMENTS INVITED; HEARING SCHEDULED

Interested persons are invited to participate in the development of these rules by submitting written data, views, or comments. Communications should identify the regulatory docket number, and should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received before September 16, 1976, will be considered before final action is taken on the proposed rules. All comments received will be available for examination by interested persons at any time during regular working hours in Room 5101, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590. The proposals contained in this notice may be changed in light of the comments received.

In addition, the FRA will conduct a public hearing at 10:00 a.m. in Room 4234, 400 Seventh Street, SW., Washington, D.C. on September 9, 1976.

The hearing will be an informal one, not a judicial or evidentiary type of hearing. There will be no cross-examination of persons making statements. A staff member of the FRA will make an opening statement outlining the matter set for hearing. Interested persons will then have the opportunity to present their oral statements. At the completion of all initial oral statements, those persons who wish to make rebuttal statements will be given the opportunity to do so in the same order in which they made their initial statements. Additional procedures for conducting the hearing will be announced at the hearing.

Interested persons may present oral or written statements at the hearing. All statements will be made a part of the record of the hearing and be a matter of public record. Any person who wishes to make an oral statement at the hearing should notify the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street, S.W., Washington, D.C. 20590 before September 8, 1976, stating the amount of time required for his initial statement.

This notice is issued under the authority of section 202, 84 Stat. 971, (45 U.S.C. 431); § 1.49(n) of the regulations of the Office of the Secretary of Transportation, 49 CFR 1.49(n).

In consideration of the foregoing, it is proposed to add a new Part 221 to Chapter II, Title 49, Code of Federal Regulations, which reads as follows:

PART 221—RAILROAD OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Subpart A—General

Sec.
221.1 Purpose and scope.
221.3 Applicability.
221.5 Definitions.
221.7 Waivers.
221.9 Responsibility of railroads.
221.11 Civil penalty.
221.13 Incorporation by reference.

Subparts B–D [Reserved]

Subpart E—Means of Egress

221.51 Purpose and scope.
221.53 Requirements.

Subparts F–I [Reserved]

Subpart J—General Environmental Controls

221.101 Purpose and scope.
221.103 Requirements.

Subpart K [Reserved]

Subpart L—Fire Protection

221.121 Purpose and scope.
221.123 Requirements.

AUTHORITY: Secs. 202 and 209, 84 Stat. 971 and 975, (45 U.S.C. 431 and 438); and § 1.49 (n) of the regulations of the Office of the Secretary of Traansportation, 49 CFR 1.49 (n).

Subpart A—General

§ 221.1 Purpose and scope.

This part prescribes occupational safety and health standards for working conditions and work places of railroad employees which are related to the performance of rail transportation service.

§ 221.3 Applicability.

(a) (1) This part applies to all railroads that operate rolling equipment on standard gage track which is part of the general railroad system of transportation.

(2) This part does not apply to—

(i) A railroad that operates only on track inside an installation which is not part of the general railroad system of transportation, or

(ii) A rapid transit railroad that operates only on track used exclusively for rapid transit, commuter, or other short-haul passenger service in a metropolitan or suburban area.

(b) The standards prescribed in this part apply to all railroad working conditions and work places including rail roadways, yards and terminals, rolling stock and other on-track equipment, and repair and maintenance facilities except—

(1) General office buildings;

(2) Employee living quarters, fixed or mobile, that are not within or do not adjoin a rail roadway, yard, or terminal;

(3) Rail roadway and related facilities located within an installation that is not part of the general railroad system of transportation, and locomotives, cars and other equipment that operate only on track within such an installation; or

(4) Motor carrier, water carrier, pipeline, manufacturing, hotel, mining, lumber, and other commercial activities engaged in by railroads that are not related to the performance of rail transportation service.

§ 221.5 Definitions.

As used in this part—

(a) "Administrator" means the Federal Railroad Administrator or his delegate. Wherever the term "Assistant Secretary of Labor" appears in the Occupational Safety and Health Stndards (29 CFR Part 1910) that have incorporated by reference in this part, the term "Federal Railroad Administrator" is to be substituted.

§ 221.7 Waivers.

(a) A railroad may petition the Administrator for a waiver of compliance with any requirement prescribed in this part.

(b) Each petition for a waiver under this section must be filed in the manner and contain the information required by part 211 of this chapter.

(c) If the Administrator finds that a waiver of compliance is in the public interest and is consistent with railroad safety, he may grant the waiver subject to any conditions he deems necessary. Notice of each waiver granted, including a statement of the reasons therefor, shall be published in the FEDERAL REGISTER.

§ 221.9 Responsibility of railroads.

(a) Each railroad shall—

(1) Furnish its employees employment and place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to its employees; and

(2) Comply with the standards contained in this part.

(b) A railraoad which is in compliance with a standard in this part shall be deemed to be in compliance with paragraph (a) (1) of this section but only to the extent of the condition, practice, means, method, operation, or process covered by the standard.

§ 221.11 Civil penalty.

Each railroad that violates any requirement prescribed by this part is liable to a civil penalty of at least $250 but not more than $2,500 for each violation. Each day of violation constitutes a separate offense.

§ 221.13 Incorporation by reference.

(a) The standards of agencies of the U.S. Government and organizations that are not agencies of the U.S. Government that are incorporated by reference in this part, have the same force and effect as other standards in this part.

(b) Copies of the standards that are incorporated by reference may be examined at the Office of Standards and Procedures, Federal Railroad Administration, Washington, D.C. 20590. Copies of these private standards may also be obtained from the issuing organizations. Their names and addresses are listed in the pertinent subparts of this part.

(c) Any changes in the standards incorporated by reference in this part and an official historical file of such changes are available for inspection at the Office of Standards and Procedures, Federal Railroad Administration, Washington, D.C. 20590.

Subpart E—Means of Egress

§ 221.51 Purpose and scope.

(a) This subpart prescribes minimum safety requirements for means of egress in the event of fire or other emergency requiring prompt evacuation from buildings utilized by railroad employees or individuals. Rail and motor vehicles, vessels, and other mobile structures are not subject to the requirements prescribed in this subpart.

(b) Nothing in this subpart is to be construed as prohibiting better construction, more exits or other safety improvements that exceed minimum requirements of this subpart.

§ 221.53 Requirements.

Each railroad shall comply with the standards prescribed in Subpart E, of the Occupational Safety and Health Standards issued by the Department of Labor (29 CFR Part 1910).

Subpart J—General Environmental Controls

§ 221.101 Purpose and scope.

This subpart prescribes minimum requirements for sanitation and housekeeping at permanent places of employment for railroad employees. It also prescribes minimum requirements for nonwater carriage systems, a safety color code for marking physical standards, and specifications for accident prevention signs and tags.

§ 221.103 Requirements.

Each railroad shall comply with the standards prescribed in § 1910.141, 1910.143, 1910.144, 1910.145 of Subpart J of the Occupational Safety and Health Standards issued by the Department of Labor (29 CFR Part 1910).

Subpart L—Fire Protection

§ 221.121 Purpose and scope.

(a) This subpart prescribes minimum safety requirements for fire suppression systems, equipment and methods in buildings and other permanent places of employment for railroad employees. Rail and motor vehicles, vessels, and other mobile structures are not subject to the requirements of this subpart.

(b) Nothing in this subpart is to be construed as prohibiting the installation of superior equipment, or the undertaking of additional measures, that exceed the minimum requirements of this subpart.

§ 221.123 Requirements.

Each railroad shall comply with the standards prescribed in Subpart L of the Occupational Safety and Health Standards issued by the Department of Labor (29 CFR Part 1910).

Issued in Washington, D.C., on July 12, 1976.

ASAPH H. HALL,
Administrator.

[FR Doc.76-20429 Filed 7-14-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 128]

[FRL 583-4]

WATER PROGRAMS

Benzidine; Availability of Reports

The Environmental Protection Agency has proposed Toxic Pollutant Effluent Standards under the authorities in the Federal Water Pollution Control Act Amendments of 1972 (see 41 FR 27013, June 30, 1976). The Agency announced in that proposed rulemaking the availability of copies of the supporting criteria document and technology assessment from the National Technical Information Service. (NTIS), Springfield, Virginia 22151. The Report subject matter, EPA Report numbers and cost for these documents are listed below:

EPA report No.	Subject	Cost
EPA-440/9-76-017	Criteria document, benzidine.	$4.50
EPA-440/9-76-018	Wastewater treatment technology, benzidine.	6.00

Dated: July 9, 1976.

JOHN J. RHETT,
Acting Assistant Administrator for Water and Hazardous Materials.

[FR Doc.76-20501 Filed 7-14-76;8:45 am]

[40 CFR Part 129]

[FRL 583-3]

WATER PROGRAM

Benzidine; Proposed Toxic Pollutant Effluent Standards; Corrections

On June 30, 1976, the Environmental Protection Agency published proposed toxic pollutant effluent standards for benzidine (41 FR 27012). On page 27017, first column, immediately after the Administrator's signature should have appeared the following:

(Sec. 307, 308, and 501 of the Federal Water Pollution Control Act Amendments of 1972 [Pub. L. 92-500, 86 Stat. 816, 33 U.S.C. 1251 *et seq.*].)

Dated: July 9, 1976.

JOHN T. RHETT,
Acting Assistant Administrator for Water and Hazardous Materials.

[FR Doc.76-20500 Filed 7-14-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 20350; RM-2345; FCC 76-634]

ADEQUATE TELEVISION SERVICE FOR THE STATE OF NEW JERSEY

Second Report and Order

Adopted: June 30, 1976.

Released: July 14, 1976.

1. On February 6, 1975, the Commission issued its Notice of Inquiry and Notice of Proposed Rule Making (FCC 75-125, 40 FR 6513, February 12, 1975) in the captioned proceeding. The proceeding was initiated in response to a petition submitted by the New Jersey Coalition for Fair Broadcasting. Contending that New Jersey receives inadequate locally-oriented television broadcast service the Coalition suggested three methods for relieving these alleged service deficiencies: (1) allocation of a new VHF television assignment to a New Jersey city by short-spacing (VHF drop-in); (2) reallocation to New Jersey of one or more VHF television assignments currently allocated to cities in New York and Pennsylvania; and (3) "hyphenation" of VHF television station assignments of existing out-of-state stations with a New Jersey city. The Commission's Notice sought comment on these proposals in particular but established a much broader proceeding to determine whether New Jersey residents' local programming needs are being met and to fashion, if necessary, a mechanism for assuring future adequacy of such service. Following our receipt and analysis of voluminous comments and replies, the Commission, by its First Report and Order and Further Notice of Proposed Rule Making (FCC 76-262, 58 F.C.C. 2d 790 (1976)), released March 25, 1976, rejected the New Jersey VHF drop-in concept and the Coalition's proposal to reallocate VHF Channel 7 from New York City to central New Jersey. (41 FR 12697, March 26, 1976.) However, the Commission did find" * * * that a need exists for augmented locally-oriented television broadcast service for the citizens of New Jersey * * *." (First Report and Order and Further Notice, supra, at paragraph 25) and sought further comment on a number of proposals for accomplishing this service augmentation.

2. Although it stated its belief that any form of station reallocation was "infeasible," the Commission indicated that it would accept comments concerning reallocations not involving the movement of transmitter sites. However, the Commission's request for further comment focused upon the establishment of a New Jersey "physical presence" by some or all of the stations licensed to New York City and Philadelphia. We wished to examine the propriety of and the need for requiring some or all of these stations to establish separate or shared studio facilities in New Jersey and to determine the bases upon which stations could be selected if not all were to be required to maintain studios. Comment was sought on several alternative proposals for a New Jersey physical presence including the reployment of electronic newsgathering (ENG) or film crews, the assignment of New Jersey correspondents, and the establishment of local news offices in the state. The Commission also indicated that it wished to further explore the possibility of "hyphenating" station assignments and that it would consider the adoption of a "dual-licensing" concept heretofore foreign to established television licensure policies. Additionally, the Commission invited comment on the need for designating a special New Jersey service obligation for some or all of the area licensees. Finally, it sought guidance as to the proper New Jersey service role of the area's educational and UHF stations, including those licensed to New Jersey cities.

3. Our first Report and Order and Further Notice elicited a number of comments and replies from interested parties. Broadcasters filing comments include American Broadcasting Companies, Inc. (Station WABC–TV), Metromedia, Inc. (Station WNEW–TV), National Broadcasting Company, Inc. (Station WNBC–TV), RKO General, Inc. (Station WOR–TV), and WPIX, Inc. (Station WPIX), all licensees of New York City stations, and Philadelphia licensees, Capital Cities Communications, Inc. (Station WPVI–TV) and Westinghouse Broadcasting Company, Inc. (Station KYW–TV). CBS, Inc., licensee of stations at New York City (Station WCBS–TV) and Philadelphia (Station WCAU–TV), also filed comments. Additionally, comments were received from the Educational Broadcasting Corporation, the licensee of Station WNET, Newark, New Jersey, Kaiser Broadcasting Company, the licensee of Station WKBS–TV, Burlington, New Jersey, WHYY, Inc., the licensee of Station WHYY–TV, Wilmington, Delaware, the Pennsylvania Association of Broadcasters, Mr. Ethan Hitchcock, a member of the Board of the Educational Broadcasting Corporation, and from the Nassau Broadcasting Company, the licensee of two New Jersey and aural outlets. Non-broadcast parties filing comments include the New Jersey Coalition for Fair Broadcasting, Professor Jerome Aumente of Rutgers University, New Jersey Governor Brendon Byrne, Mr. Ralph A. Dungan, Chancellor for Higher Education of New Jersey, Congressman Andrew Maguire, New Jersey State Senator John M. Skevin, and the Department of Justice. Reply comments were filed by ABC, the Association of Maximum Service Telecasters, Governor Byrne, CBS, Capital Cities, Chancellor Dungan, Mr. Maguire, Metromedia, NBC, the National Association of Broadcasters, the New Jersey Coalition for Fair Broadcasting, Westinghouse, and WNJU–TV Broadcasting Corporation, the licensee of Station WNJU–TV, Linden, New Jersey. Informal letter comments were submitted by a number of persons and organizations and include several filings by elected officials from New Jersey and bordering states.

4. The comments of these parties touched upon a number of areas and issues and generally addressed the matters for which further comment was sought. We have reviewed the comments submitted in response to our Further Notice in this proceeding, having undertaken our own analysis of the factual and legal questions presented, and have given extensive consideration to the basic policy questions involved here. Based on this review and analysis it is our judgment that New Jersey's need for additional locally-oriented television service is real, but that the elimination of this service deficiency does not require reallocation or hyphenation of station assignments or dual-licensing. We believe that the current allocations structure in the three-state area can provide adequate service to New Jersey so long as the licensees involved are responsive to the unique considerations presented here. Licensees, we believe, should recognize their special New Jersey service obligations and should make a positive physical commitment to the discharge of this service duty. However, we believe that flexibility and licensee discretion are the keynotes to the fulfillment of our New Jersey service goals. Because of these considerations we shall not mandate at this time specific complement of physical hardware to be devoted to New Jersey coverage nor shall we specify New Jersey programming or news percentage quotas. Adoption of such inflexible standards, we believe, could constrict rather than foster responsive New Jersey programming and could result in a serious abridgement of the journalistic discretion of the licensees involved. Instead we are persuaded that the proper course is the establishment, for all area licensees, of a special New Jersey service duty and a requirement that these licensees make positive physical commitments to the establishment of a New Jersey "presence." That is, we shall set up guidelines as to what we believe would be an appropriate and satisfactory New Jersey physical presence for particular categories of stations, cognizant, of course, of their varying capacities. However, we have not ruled out the possibility of requiring certain out-of-state television stations to maintain production studios in New Jersey. As discussed further, infra, the Commission will make its final judgment on the studio matter following its receipt and analysis of the presence commitment statements to be submitted by various out-of-state licensees. The reasoning, as well as the factual and legal premises on which we base our decisions are set forth below along with a summary of the comments filed.

Summary of Comments and Issues Presented

5. Arguments set forth in this second round of comments addressed several matters. These subjects can be described, generally, as follows:

The need vel non for increased New Jersey oriented television service.

Reallocation to New Jersey of certain New York City or Philadelphia VHF stations.

Hyphenation or dual-licensing of New York City and/or Philadelphia television stations.

Role of the area's educational and UHF stations.

Use of cable television to increase New Jersey-oriented television program service.

Establishment by "out-of-state" television stations of a New Jersey "physical presence," by way of, for example, separate or shared studio facilities, ENG or film crews, local correspondents and offices, and microwave relay towers.

The number and selection of stations which might be required to establish a New Jersey physical presence.

The degree of a "presence" commitment which could be required of station licensees.

Establishment of a special New Jersey service obligation, reporting requirements, and monitoring.

Whether presence requirements and special service obligations (by dual-licensing or other means) would constitute untoward precedents or unlawful abridgements of licensee programming discretion and business judgment.

In the sections below we set forth a brief summary of the comments received on each particular subject followed by a discussion of the issues presented in each.

Need for Increased New Jersey Service

comments

6. Most broadcast parties contend that the record does not suport the Commission's finding that New Jersey's television broadcast service is inadequate and requires a remedy but indeed that the opposite conclusion should be reached. Several observe that the Commission found many of the Coalition-proffered studies to be unpersuasive and contend that the Commission did not perform a sufficient independent evaluation of its own. Broadcasters ask that the Commis-

sion reexamine the record to see that New Jersey's needs are geing met, contending that the state is served by a substantial number of broadcast signals and news and public affairs programs. A number of these broadcasters submit updated exhibits listing recent New Jersey-oriented programs and news items each has presented and maintain that their New Jersey programming "percentages" are satisfactory and reflect a conscientious effort to serve the state. Certain broadcasters, such as WPIX, Inc., argue that any New Jersey service deficiency can be remedied by requiring the stations licensed to New Jersey to provide a reasonable amount of locally-oriented programming. Metromedia maintains that the Commission's finding that the area's current allocations structure is consistent with Section 307(b) of the Communications Act [1] precludes the finding of a service inadequacy and exhausts the Commission's authority here. Capital Cities and Westinghouse contend the Commission erred in not finding "substantial differences" between the New Jersey-related coverage afforded by Philadelphia stations as opposed to that broadcast by New York City licensees and argue that no need for additional out-of-state service exists in southern New Jersey.

7. The Coalition and its supporters argue, on the other hand, that a finding of New Jersey's need for additional locally-oriented television service is supported by the record. The Coalition contends that the new programming studies and lists submitted by broadcasters are not significantly different from the programming exhibits filed by these parties in the first stage of this proceeding. Although acknowledging evidence that certain Philadelphia stations generally afford a higher amount of news coverage to New Jersey than do New York City stations, the Coalition concludes that this evidence does not compel a finding that southern New Jersey is not "underserved."

DISCUSSION

8. Initially, it should be pointed out that no timely petitions for reconsideration were filed pursuant to Section 405 of the Communications Act.[2] Thus, the Commission is not required to reexamine its finding of a New Jersey service need. Nevertheless, in our discretion we have reviewed the broadcasters' comments and find nothing which persuades us to change our position or which demonstrates that our conclusion is not supported by the record. However, because certain parties apparently have misconstrued the nature of our finding, we believe it is appropriate to restate it here. In our First Report and Order, supra, we found a service inadequacy, not an absence of service. Contrary to the interpretation of, for example, the Department of Justice, we did not find that the level of New Jersey's local television service is "very low." In the second phase of this proceeding we seek to devise a regulatory response which will assure the adequacy of New Jersey's service, not to create an unnecessary excess of licensee requirements wholly out of proportion to the service need presented. Furthermore, we strongly disagree with Metromedia's assertion that our Section 307(b) finding precludes further action. Indeed, our Section 307(b) conclusion was premised on the apparent ability of the area's numerous licensees to recognize the special service needs of New Jersey and to respond with effective programming to meet those needs. With respect to the arguments of Capital Cities and Westinghouse, the Commission recognized that certain Philadelphia stations generally provided more New Jersey-oriented program service than that broadcast by New York City stations. Our First Report and Order and the appended summary of comments recognized this evidence. However, at that stage of our New Jersey service proceeding we found no reason to limit our focus to non-Philadelphia stations, to make a station-by-station service assessment, or to single out particular stations for commendation or censure. Indeed, and as discussed in the detail infra, we believe that proper resolution of this proceeding requires the good faith New Jersey efforts of all area licensees backed up by firm service commitments. Moreover, it appears that stations with a record of substantial ongoing New Jersey service should be able to meet our New Jersey service expectations without substantial difficulty.

COMMENTS

9. Although no petitions for reconsideration were timely filed pursuant to Section 405 of the Communications Act, several parties asked the Commission to reconsider its rejection of the suggested reallocation of VHF Channel 7 from New York City to central New Jersey and the relocation of its main studio and transmitter to sites within the state. Additionally, a number of parties submitted comments for and against the New Jersey reallocation of VHF television assignments and stations without moving transmitter sites.

10. Chancellor Dungan, among others, asserts that New Jersey's service needs likely cannot be met adequately without the reallocation of a VHF station.[3] The Coalition contends that reallocation of VHF Channel 7 would be the most effective New Jersey remedy and, along with Governor Byrne and Representative Maguire, informally seeks reconsideration. These parties generally argue that section 307(b) of the Communications Act requires the allocation of one or more VHF channels to the state. As an alternative to the Channel 7 proposal, Representative Maguire suggests that the Commission reallocate to Newark, New Jersey (without moving the transmitter) one of the VHF assignments now utilized by a New York City independent station. The Coalition maintains that, if the Commission will not provide for local VHF transmission from central New Jersey (the Channel 7 proposal), it should accept the Coalition's secondary reallocation proposal and allocate a minimum of three VHF assignments to New Jersey without moving transmitter sites.

11. Most broadcast parties did not address the drop-in or the Channel 7 reallocation matters in detail but merely expressed their agreement with the Commission's decisions concerning these proposals. Certain broadcasters point out that no timely petitions for reconsideration were filed and insist that further reargument of these matters is improper. It is argued, especially by independent licensees, that any other form of VHF station reallocation would not be in the public interest and that an independent VHF station could not operate successfully in central New Jersey. Additionally, certain Philadelphia licensees point out that their city now has only three VHF commercial stations, far less, they contend, than several markets of equal or smaller size.

DISCUSSION

12. Although no timely filed reconsideration petitions are before us, the Commission has informally reviewed those comments requesting reconsideration of the Channel 7 reallocation proposal. Nothing contained in these comments has convinced us (1) that the rejection of this proposal was inconsistent with our statutory mandates, (2) that the reallocated station would either be viable or would significantly add to the New Jersey service picture or (3) that the reallocation would not result in a significant disruption and loss of service.[4] Moreover, and as we theorized in

[1] Section 307(b) of the Communications Act of 1934 provides as follows:

(b) In considering applications for licenses and modifications and renewals thereof, when and insofar as there is demand for the same, the Commission shall make such distribution of licenses, frequencies, hours of operation, and of power among the several States and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same.

[2] Section 405 provides, in pertinent part, that a petition for reconsideration must be filed within 30 days of the decision's public notice. Our First Report and Order appeared in the FEDERAL REGISTER on March 26, 1976. No new formal filings asking for reconsideration were received prior to May 3, 1976. See also Section 1.429(d) of the Commission's Rules.

[3] Certain parties, in expressing their favor of a VHF commercial station licensed to a city in New Jersey, appear to criticize, at least by implication, our rejection of the VHF drop-in proposal originally suggested but later withdrawn by the Coalition.

[4] Some comments also appeared to question our drop-in decision. We wish to make it clear that while this proposal will no longer be given consideration in the instant proceeding, the entire drop-in concept is still under active review in Docket 20418. (Notice of Inquiry and Memorandum Opinion and Order in Docket 20418, FCC 75-374, 52 F.C.C. 2d 618 (1975).)

the First Report and Order, it is our final determination that adequate service to New Jersey can be obtained through the use of the existing allocations structure. Section 307(b) does not require the reallocation of one or more VHF stations to New Jersey. We believe that our New Jersey service goals will be better achieved through the effective use of all the area stations rather than by concentrating our reliance and our expectations on only a few television outlets. A station reallocated to New Jersey would have a primary obligation to its city of license to be sure. However, it would still have only a secondary responsibility to the remaining New Jersey and non-New Jersey portions of its service area. Thus, the expected increase in New Jersey service to be realized by the reallocation of one or a few stations likely would be minimal indeed. These stations would have obligations to their entire service areas and, contrary to the views of some parties, it would not serve the public interest for such licensees to devote local programming exclusively to New Jersey matters. Indeed, if we were able to reallocate one or more mass-audience VHF stations to New Jersey it is likely that the remaining New York City and Philadelphia stations could reduce their New Jersey service and ascertainment activities, fully consistent with Commission policies.[5] It is true that any reallocated station would likely be required to maintain a studio in or near its New Jersey city of license. However, it is our view that the establishment of an effective physical presence commitment by all area broadcasters and the adherence to a special New Jersey service obligation will far outweigh the New Jersey gains which might possibly be realized by the reallocation of only one or a few VHF stations.

HYPHENATION AND DUAL-LICENSING COMMENTS

13. The Coalition, Governor Byrne and Representative Maguire argue that the Commission should "hyhenate" or "dual-license" certain out-of-state television assignments. Mr. Maguire suggests that we "hyphenate" at least one Philadelphia VHF station so that it will devote "equal time" to both states. He maintains that all three Philadelphia VHF stations perhaps should be hyphenated in order to avoid any competitive advantages or disadvantages among the stations. Governor Byrne, concerned that hyphenation of New York City and Philadelphia stations with substantially smaller New Jersey cities may be impractical, suggests that all area VHF stations should be hyphenated with "New Jersey." The Coalition contends that all out-of-state VHF stations should be hyphenated with individual New Jersey communities or with either Northern or Southern New Jersey. Basically, these parties use the term "hyphenation" to denote a dual-license arrangement by which a station would have a primary service responsibility to two communities or, in the case of a "New Jersey" hyphenation, a primary responsibility to one community and at least a portion of a state. They contend that such a "formal license responsibility" (1) will "give content" to any presence requirement, (2) will assure that broadcasters will meet their New Jersey service responsibilities, and (3) will help satisfy the Commission's Section 307(b) responsibilities. It is argued that because of the unique nature of the New Jersey situation the adoption of a hyphenation scheme here will not produce a precedent applicable to other parts of the country. Governor Byrne and others contend that hyphenation would avoid interference with news judgment that could result from air time quotas and other numerical standards.

14. Broadcasters question the significance of "hyphenation" and the propriety of any dual-license approach. Some insist that the joint ID resulting from hyphenation would just be a formality, appealing only to "chauvinistic whims," and would not affect a station's service obligations. As in their earlier comments, they contend that several non-New Jersey cities would appear to have "equal claim" to a dual-ID or to any other hyphenation benefits and cite the difficulty of choosing a particular city to be so favored. Metromedia argues that involuntary hyphenation is beyond the Commission's authority and would establish a troublesome precedent. Insofar as hyphenation would denote a dual-license arrangement, broadcasters contend that the Commission's rules and policies do not contemplate the licensing of a television station to more than one city and maintain that the Commission's allocations criteria would be frustrated if the Commission were to require concentration of service to a secondary or satellite city. They argue that a "hyphenation" of this sort would improperly interfere with licensee judgment and would not be in the public interest. Furthermore, some parties contend that the Commission, if it utilized such hyphenation here, could not resist similar demands in future cases. In the event there is a need for a special New Jersey service obligation, certain broadcast parties insist that hyphenation is a poor choice for meeting this need.

DISCUSSION

15. It is clear that the Commission is empowered to utilize "hyphenation" in the traditional sense of the term. "Hyphenation" is often used to denote a waiver of the station identification rules (see Section 73.1201 of the Commission's Rules) to allow a station to enjoy the promotional benefits of identification with a larger city (e.g., Arlington, Virginia-Washington, D.C.). The Commission has, on a few occasions, used "hyphenation" in the sense of modifying the Television Table of Assignments (see Section 73.606 of the Commission's Rules) to allow a licensee to choose the particular city to which it wishes to be licensed. (See, e.g., Television Channel Assignment in Tucson-Nogales, Arizona, 32 F.C.C. 2d 889 (1972).) In neither of the above situations is the service obligation of the station affected. A television station has only one city of license and, therefore, only one primary service obligation.

16. Thus, as we stated earlier, the "dual-license" form of hyphenation, as advanced by the Coalition and its supporters, is foreign to established television licensure policies.[6] Although we will not reject this proposal simply on the grounds that we have never done it before, it is our view that a unique hyphenation scheme is not necessary to achieve our New Jersey service goals. It appears that the Coalition is not really concerned with the manner by which we license stations but rather protests the kind of service obligations which accompany the license. It is the New York City and Philadelphia stations' "secondary" service responsibility to New Jersey that they find objectionable. However, we do not believe that such dual-licensing is either a necessary or appropriate means for insuring adequate New Jersey service. We do believe that a special New Jersey service duty is warranted here, but find that hyphenation is not required to establish this duty or to place "formal" service responsibilities on area licensees. Indeed, it would appear that "hyphenation" of the form advanced by the Coalition and others would create inflexible service obligations and likely could produce an unmanageable and unneeded precedent. Finally, although we do not believe any reason exists to further consider formal dual-identification in this proceeding, it would appear appropriate for out-of-state licensees to consider the use of a non-official promotional ID highlighting the stations' New Jersey service responsibilities.

THE NEW JERSEY SERVICE ROLE OF EDUCATIONAL AND UHF STATIONS

17. All but one of New Jersey's licensees (Station WNET, Channel 13, Newark) are UHF stations. Broadcasters' comments in this proceeding express a variety of views as to the proper New Jersey role of the area's UHF licensees. Metromedia and WPIX insist that the primary burden for New Jersey service should be placed on stations licensed to New Jersey and that if these stations do their job it may be unnecessary to place new requirements on out-of-state stations. Capital Cities, while arguing that neighboring stations should not have to act as substitutes for local outlets primarily responsible to New Jersey, states that local UHF broadcasters have not reached a level of health to permit a full news and public affairs commitment. The Pennsylvania Association of Broadcasters contends, however, that the Commission should not adopt a VHF–UHF double standard. Several broadcast parties insist that it is too early to "write

[5] See paragraph 24, Primer on Ascertainment of Community Problems by Broadcast Applicants, 27 F.C.C. 2d 650, 659 (1971).

[6] See, e.g., Main Studios and Station Announcements, 15 R.R. 1613 (1957).

off" UHF service to New Jersey. Kaiser Broadcasting Company, the licensee of a Burlington, New Jersey, UHF independent station, states that it recognizes its New Jersey service responsibilities but finds limitations on its ability to fully meet New Jersey's local television needs. It notes that it operates one of the area's "small and struggling" UHF stations that are not ready to assume the responsibilities for local service that can be borne by VHF stations which have operated successfully for twenty years or more. Kaiser indicates that as its station continues to grow it will expand its local programming efforts and assume an increasingly significant service role, but that taking on full service responsibilities today would have serious effects on the station's viability. WNJU–TV (Channel 47, Linden, New Jersey), submits figures from its recent Annual Financial Reports (FCC Forms 324) showing substantial yearly losses, and argues that imposition of the added financial burden involved in the production of English language news and public affairs programs would make Station WNJU–TV's survival impossible. It states that it can only survive as a "Spanish language specialty station."

18. On the subject of New Jersey service by educational outlets, the commercial broadcasters uniformly protest what they consider to be the hypocrisy of a state demanding additional television service while at the same time providing insufficient funding for its own local outlets. Broadcasters refer to New Jersey's substantial cutbacks in the budget of the New Jersey Public Broadcasting Authority (NJPBA) which operates four UHF educational stations located throughout the state. They point out that New Jersey's per capita support of public broadcasting compares unfavorably with that of other states with comparable facilities and funding arrangements. Several parties refer to the kinds of NJPBA services which apparently will be eliminated or reduced. It is argued that an element of "New Jersey self-help" must assume an important place in any resolution of the New Jersey television service problems. Unless New Jersey is willing to make the same kind of public television service investments as other states, broadcasters contend, it should not be heard to complain about local service deficiencies. Nassau Broadcasting contends that Federal and additional state funding of the NJPBA stations would best accomplish our New Jersey service goals.

19. Station WHYY–TV (Educational, Channel 12), which is licensed to Wilmington, Delaware, and transmits from the antenna farm shared with the Philadelphia stations, states that it is financially and operationally unrealistic to expect WHYY–TV, at present budgetary levels, to provide a true New Jersey local service in addition to the service it provides Wilmington and Philadelphia. It states that the station works "harmoniously" with NJPBA officials and seeks to coordinate its schedules to avoid duplication of programming and fund-raising activities.

20. The Educational Broadcasting Corporation (EBC), the licensee of noncommercial educational Station WNET, Newark, and Mr. Ethan Allen Hitchcock, a member of the EBC Board, have also filed comments. They assert that Station WNET has met its responsibilities as a "metropolitan" station. EBC states that it (1) has faithfully fulfilled its commitment to serve as a tri-state television outlet as contemplated in NTA Television Broadcasting Corporation, 44 F.C.C. 2d 563 (1961)), (2) has continually provided a specific television service to the New Jersey segment of its service area, and (3) plans significant programming responsive to Newark and New Jersey's needs and interests. EBC submits a voluminous summary of its general and locally-oriented television programming and contends that its New Jersey service must be viewed in the context of the four NJPBA stations and New Jersey's other UHF licensees. Mr. Hitchcock submits that in recent years WNET has quadrupled the number of its New Jersey contributing viewers. Hitchcock and EBC also contend that the state of New Jersey contributes no financial support to WNET while New York State has contributed $2,283,000 to the operation of the station. They note that WNET's New Jersey-oriented programming is paid for out of the station's discretionary funds. EBC states that it seeks funds for New Jersey programming and that it will expand such programming if the funding becomes available. EBC outlines its New Jersey ascertainment, origination, and staff efforts and notes that several New Jersey citizens are on the EBC Board now and have been on it during past years. It is contended that WNET has responsibly served New Jersey's needs in the context of the metropolitan area's rapid growth, and WNET's national public television production activities.

21. Non-broadcast parties to this proceeding generally argue that educational and UHF stations cannot fully satisfy local needs and should not be viewed as a substitute relieving commercial VHF stations of their responsibilities. The Coalition contends that it would be inappropriate to place new burdens on New Jersey's present UHF or non-commercial licensees. It argues that the Commission should simply scrutinize the New Jersey stations at renewal time and require a showing of substantial local service. Although the responses are not uniform, most non-broadcast parties find no reason to place additional New Jersey service responsibilities on Station WHYY–TV, Wilmington, and suggest that it be reminded of its NTA duties. Several parties insist that Station WNET be required to fully meet its NTA requirements and that it adhere to the agreements it entered into in 1961. The Coalition, however, notes that WNET's past performance is presently at issue before the Commission in its license renewal proceeding and suggests that the Commission continue to consider WNET's performance in that separate proceeding. A number of parties have responded to the broadcasters' criticism of the NJPBA funding cutbacks. Governor Byrne states that these cutbacks should not "color" the Commission's consideration of New Jersey's needs and indicates that his administration is conducting a comprehensive review of what service can be provided by the existing NJPBA facilities. He further contends that the lack of VHF service is the only relevant issue in this proceeding. The Coalition argues that broadcasters should not use New Jersey's current budgetary crisis and resultant NJPBA cutbacks as evidence that the state does not deserve additional local television service.

DISCUSSION

22. The important consideration in this proceeding is the assurance of New Jersey's locally-oriented program service—not just its VHF program service of just its commercial program service. Because our goal is local service it appears incumbent upon the Commission to maximize, within practical and equitable limitations, the New Jersey service capabilities of all area licensees. Although the assurance of adequate New Jersey television service must depend to a large degree on the efforts of the area's mass-audience stations, there is no reason to ignore the capacity and responsibility of the area's UHF and educational licensees, especially in light of the fact that most are licensed to New Jersey cities and have in-state primary service obligations. It would appear that significant New Jersey service contributions can and should be made by the area's commercial UHF stations. As these UHF stations achieve a stronger financial base we will expect their New Jersey service and area-wide service to similarly increase. The State of New Jersey, through its Public Broadcasting Authority, is also a television licensee and must endeavor to provide the funding and support necessary to insure the New Jersey service contributions of its own stations. With respect to the New Jersey service role of Station WNET, we believe that the proper course is to consider this station's responsibilities separately in its pending license renewal proceeding. Thus, we have determined that all stations in the area, UHF and VHF, commercial and noncommercial, each should play an active New Jersey service role. However, and as discussed more thoroughly, infra, the Commission recognizes the disparate capacities of these stations and will endeavor to formulate guidelines and establish service expectations in a corresponding fashion.

CABLE TELEVISION

COMMENTS

23. In its initial participation in this proceeding the United States Department of Justice has filed comments in response to our first Report and Order's finding of a need for agumented New Jersey service. The Justice Department presents its brief analyses of the subject proceeding, New Jersey's television allo-

cation history, and the Commission's allocation policies in general. The Department, basing its comments on its responsibility to promote competition, refers to its participation in the VHF Drop-in proceeding[7] and to a number of other Commission filings where the Department has urged the consideration of ways in which new technologies, such as cable television, could be permitted "greater competitive opportunity to benefit the public." Basically, it contends that an optimal New Jersey solution would include (1) the authorization of new VHF service to the state, (2) the enhancement of the New Jersey UHF broadcasters' competitive abilities, and (3) the relaxation or elimination of some or all of the Commission's cable television regulations. It is argued that in taking these actions the Commission might make it possible for "competition and not detailed regulation" to develop more responsive New Jersey programming. The Department's comments do not further pursue the VHF authorization matter but focus on the expansion of New Jersey's cable television service which, it contends, could also aid UHF development.

24. The Department states its impression that the Commission has found the level of local New Jersey service to be "very low." On this basis it argues that the traditional justification for many of the Commission's cable television "restraints,"—the maintenance of local broadcasting service—"would not appear to exist." Additionally, it finds some "empirical evidence" that expansion and further penetration of cable television can assist the further development of UHF broacasting by bringing UHF signals much closer to technical parity with VHF signals and, thus, increasing viewership. The Department asserts that expansion of cable television services and any resultant strengthening of UHF services might be a feasible solution to the New Jersey situation in that confronting established conventional broadcasters with new viable competition, there is "some likelihood" that these broadcasters "might" improve their program offerings in an effort to attract New Jersey viewers. Probable beneficiaries of this competition, the Department maintains, would be not only the viewer but also the local advertiser which would be able to buy time in a "more competitive" environment. It asserts that New Jersey, with a high population density and a substantial per capita income, could, in theory, afford cable television an environment where it could develop and provide a new abundance of services to the public.

25. Several area broadcasters have responded to the Department's filing. They protest the Department's assertion that local service to New Jersey is so low that it is not worth preserving. ABC, CBS and AMST also find no correlation between the expansion of cable and pay cable, which, they contend, could adversely affect local broadcasters, and the improvement of locally-oriented New Jersey television service. They argue, generally, that New Jersey viewers have the same "stake" in preserving conventional television as do viewers in other states and consider the adoption of separate cable rules for different states to be unwise. Further, it is contended that the current legal and regulatory structure inhibits broadcasters' abilities to compete with cable television and not vice versa.

DISCUSSION

26. Initially we wish to point out that the Department of Justice is incorrect when it states that we have found New Jersey's local television service to be "very low." Secondly, we do not agree that relaxation or rescission of the Commission's cable television rules would enhance UHF broadcasters' competitive positions. It is hard to conceive how bringing UHF signals up to "tuner parity" with VHF stations would outweigh the audience fractionalization effects of increased distant signal importation, unregulated pay cable operations, and the elimination of network non-duplication and syndicated program exclusivity rights. These adverse effects would touch upon all broadcasters, UHF and VHF, commercial and noncommercial, and could seriously affect their service to viewers and communities in New Jersey and in other states. Additionally, it is clear that distant signals imported into New Jersey would not carry any programming of a local New Jersey interest and would not be vehicles for local New Jersey advertisers. Commission actions to rescind the current access channel and technical capacity rules (see Sections 76.252, 76.254 and 76.256 of the Commission's Rules) would likely inhibit, rather than foster locally-produced cable television programming and local advertising. Because of the panoply of over-the-air broadcast signals serving the state, it is unlikely that New Jersey would afford, even with significant relaxation of our rules, the environment best conducive for cable penetration. In view of the above we believe it is totally inappropriate, in this New Jersey television proceeding, to alter our cable television regulatory structure. The present rules are designed to afford a balance—to preserve local broadcast service (which certainly does exist in New Jersey and surrounding states) and to allow for the growth of cable television and the development of new non-broadcast services. No sufficient reasons have been advanced to justify the elimination or substantial modification of this regulatory approach.

ESTABLISHMENT OF A NEW JERSEY PHYSICAL PRESENCE

COMMENTS

27. The Coalition's comments contain its multi-faceted model for a New Jersey physical presence. First, the Coalition contends that all New York City and Philadelphia VHF licensees should be required to establish production studies and office facilities in New Jersey to serve as home bases for New Jersey program production, research, and administration, as well as contact points for ascertainment and other dialogue purposes. Second, it argues that a New Jersey physical presence must include the commitment, by all these VHF licensees, of electronic newsgathering (ENG) units to state coverage and the establishment of a system of microwave relay towers designed to extend the stations' ENG capability to full geographic coverage of New Jersey. Third, the Coalition states that the Commission must establish a concrete and practical facilities requirement for providing regular coverage of Trenton, the state capital. It contends that reallocation to Trenton of VHF Channel 7 would best serve this purpose but offers the alternative proposal of a Trenton shared-studio facility combined with a specific Trenton programming obligation imposed on all of the stations.[8] This three-part system, the Coalition contends, would facilitate day-to-day detailed visual coverage of New Jersey matters. In support of its proposal the Coalition maintains that a production studio is the basic component of station operation and that New Jersey studios would solve logistical problems, encourage dialogue and would increase New Jerseyans' television access. It contends that New Jersey studios would demonstrate the stations' commitment to produce New Jersey programming and would give the stations a better perspective of the state. The Coalition argues that shared studios likely would not be a suitable remedy because of (1) the stations' incompatible union contracts, (2) the complexity of coordinating schedules, and (3) the need for journalistic independence. The Coalition asserts that competition would be shortchanged if shared studios were employed. Despite the above observations, the Coalition still proposes a shared studio for Trenton coverage.

28. Additionally, the Coalition contends that the Commission should not limit the number of participating stations in view of the size and complexity of the New Jersey population needing service and because the individual stations can each provide only "partial" New Jersey service. The Coalition rejects the concept of using a lottery for station selection and asserts that financial ability is the only manageable standard. It is a reasonable standard, the Coalition contends, considering the stations' financial profiles. The Coalition appends to its comments detailed specifications and plans for stations' individual New Jersey studios, the proposed shared studio at Trenton, and the suggested microwave relay system.

29. New Jersey Governor Byrne, in comments similar to that of the Coali-

[7] Notice of Inquiry and Memorandum Opinion and Order in Docket 20418, supra.

[8] This proposed programming requirement, as well as other suggested programming obligations, will be discussed in a separate section.

tion, argues that there must be a permanent establishment of facilities and permanent assignment of production crews to New Jersey. Byrne rejects the lottery concept and maintains that all financially capable stations should be required to provide independent New Jersey studios, to deploy ENG crews into the state, and to construct and utilize the microwave relay tower system suggested by the Coalition. To require less than all financially-able stations to create a New Jersey presence, the Governor contends, would unfairly and inequitably assign a burden that all should be required to bear. Governor Byrne takes exception to the concept of shared studios, stating that the sharing would not prevent waste and inefficiency. He states that since the New York City VHF stations "maintain separate facilities within blocks of each other in Manhattan," no lesser degree of coverage can be accepted for New Jersey. However, Governor Byrne does support the establishment of a shared studio in Trenton for "pooled" political coverage. Representative Maguire argues that New Jersey needs a dramatic commitment by area licensees in the form of studios staffed by people who live in and care about the state. Professor Jerome Aumente suggests a "presence" scenario where the VHF stations would keep their main studios and headquarters in New York City and Philadelphia but would each permanently assign two reporters and at least one news crew to New Jersey. He supports the concept of electronic newsgathering and states that it should be given careful consideration. Although ideally each out-of-state station should have an auxiliary studio. Aumente observes, the more realistic requirement might be for some stations to provide a studio or that omnibus studios be used by all area stations on a shared-time basis. Chancellor Dungan submits a similar presence plan involving permanently assigned reporters and ENG crews as well as joint production studios in Trenton. New Jersey State Senator John Skevin suggests that the aggregate of all the out-of-state stations' New Jersey commitment of resources and personnel should be equal to that which would have been provided by a VHF station operating in North Jersey and another operating in South Jersey. Mr. Skevin contends that the proposed lottery would convey the impression that service to New Jersey is a distasteful burden and maintains that a New Jersey television presence should not take on the appearance of a reluctant handout from a station which had the misfortune of losing the New Jersey service lottery.

30. Broadcasters commenting on the subject of a New Jersey "presence" generally contend that if further New Jersey service is needed the Commission should rely upon the voluntary good faith commitments of licensees to maximize their coverage of New Jersey news and public affairs within the practical limits of their respective abilities to do so. It is argued that each licensee should be free to define and implement its own plans for improving its capacity to serve New Jersey and that more responsive programming would result thereby than if the Commission were to mandate adherence to a uniform regimen. They contend that some of the "presence" elements proposed could result in economic burdens wholly out of proportion to any tangible benefits which might accrue to the public.

31. Without exception broadcasters maintain that separate or shared New Jersey auxiliary studios would be a waste and would be counter-productive. Broadcasters oppose, in particular, the proposal that a shared studio be established in Trenton. They state that studios bear little relationship to the process of newsgathering. It is argued that fixed, static auxiliary studios are impractical and inappropriate means for facilitating New Jersey news coverage and are more symbolic than productive of any real service benefits. Broadcasters insist that auxiliary studios offer no advantage over ENG systems and maintain that the latter are more efficient and more effective. Several remark that our envisioning the application of ENG to the service needs of New Jersey is most timely and predict that future use of ENG could substantially alter the manner in which locally-originated programs are produced and broadcast. They observe that news happens "on location" and assert that an analysis of a station's news reporting capability must focus upon the availability of news crews, not the existence of auxiliary studios. It is contended that any logistical and time consumption impediments which confront television news reporting can be eliminated through the use of ENG. As far as public affairs programming is concerned, broadcasters assert that the existence or non-existence of New Jersey studios has little relevance. They cite the proximity and accessibility of existing main studios and insist that the reduction in travel time to public affairs program participants would be minimal and would be the only practical public affairs benefit of New Jersey auxiliary studios. It is observed that the Governor of New Jersey has a shorter trip to these VHF stations' studios than do the Governors of New York and Pennsylvania. Moreover, certain licensees state that the existence of New Jersey auxiliary studios would not affect each broadcaster's own journalistic judgments in the selection of public affairs programs and the coverage of news items. Several broadcasters contend that mandated "presence" requirements raise serious policy and Constitutionality questions. They contend that the Commission should not oversee a station's allocation of newsgathering and programming resources and argue that New Jersey presence requirements discriminate against non-New Jersey viewers. Additionally, they maintain that any Commission action to impose "presence" requirements will open a floodgate of similar demands from other urban areas where communities rely upon VHF television service from stations licensed to nearby central cities.

32. Should the Commission decide to require a New Jersey physical presence by out-of-state licensees, broadcasters generally argue that these obligations should apply equally to similarly situated licensees. All contend that a lottery for station selection would be arbitrary and inequitable and that it ignores the great disparity of stations' respective abilities to shoulder burdens. Westinghouse contends that the inherent unfairness in placing additional obligations on only certain stations in a market would be heightened by such an arbitrary method of selection. Certain independent station licensees argue that any station selection should consider network affiliation, existing facilities, and other indicia of financial well-being.

33. Several broadcasters refer to their current "presence" in New Jersey. CBS, for example, points out that Station WCAU–TV has a news office and a full-time reporter in New Jersey, that Station WCBS–TV has a full-time New Jersey correspondent, and that both stations use news crews in New Jersey extensively. Westinghouse states that it has originated programs from New Jersey utilizing ENG gear. Several broadcasters comment that they are giving active consideration and study to the use of microwave links to extend their ENG capabilities to Trenton and other area locations. However, they oppose, as premature and unnecessary, the adoption and enforcement of the Coalition's microwave relay tower proposal. Capital Cities asserts that practical and constructive steps can be taken by the individual licensees to help improve their capacity to provide service to New Jersey without impairing the ability of the licensee to serve its entire audience. It cites as examples the flexible deployment of ENG and film crews and the use of New Jersey correspondents. Several argue that because of the competitive nature of the New York City and Philadelphia markets the use of ENG equipment will develop naturally and without Commission mandate. A number of broadcast parties indicate that they will offer, on certain conditions, specific commitments to New Jersey service. NBC states that it can establish a meaningful presence and provide effective facilities by: (1) dedicating at least one mobile film or video (ENG) crew to New Jersey each working day on average (approximately 260 crew-days per year), using more than one unit if necessary; (2) employing a full-time New Jersey news correspondent used exclusively for New Jersey reporting and promoted as a New Jersey correspondent; (3) utilizing a staff of stringers throughout the state; (4) providing a toll-free New Jersey news telephone line listed in the local directories and publicized over the air and in local newspapers, and (5) fostering continuing local dialogue by corresponding with and sending copies of newsletters and editorials to New Jersey community leaders and by increasing community leader luncheons. NBC states that it will commit itself to establishing this form of "presence" so long as the Commission im-

poses no additional obligations such as an auxiliary studio requirement. The National Association of Broadcasters, in reply comments, states that if the Commission holds to its belief that additional physical "presence" is needed in New Jersey, the Commission should accept, as effective, proposals similar to that advanced by NBC. According to NAB, each broadcaster would continue to exercise its full journalistic discretion and the Commission would be free of First Amendment involvement. ABC states that it would dedicate one of its two ENG units to New Jersey on a substantially full-time basis and that it is prepared to open an office in New Jersey as the headquarters for its ENG crew and as a focal point for its New Jersey contact. The preferable course, states ABC, would not be the dedication of an ENG crew to any area but rather the ability to use them as needed. ABC indicates that its presence proposals, as described above, are contingent upon comparable initiatives by other New York City market television stations. Metromedia states, in reply comments, that if the Commission makes a judgment that the public interest would be served by accepting the commitments of ABC and NBC and by imposing similar responsibilities on other licensees that are similarly situated, such an action would represent a responsible resolution to this proceeding. Metromedia indicates that, consistent with its capabilities as an independent station, WNEW–TV would be willing to commit itself to deploying a news crew to New Jersey for approximately 100 days per year, on average. We note that in reply comments, however, the Coalition and its supporters argue that certain of these broadcasters have offered little more than what they currently provide for New Jersey service.

DISCUSSION

34. In exploring the concept of a New Jersey "presence" we sought out suggestions as to what physical commitment might be needed to facilitate each licensee's ability to cover events and issues relating to New Jersey, to obtain information about the state's affairs, and to have access to New Jersey leaders, residents, and community groups. It must be kept in mind that the Commission's goal in this proceeding is the assurance of adequate New Jersey television service not the establishment of a physical presence for its own sake. Although we believe that the physical presence concept is an important element in assuring adequate service, the form and quantitative measures of any presence requirement must be tailored to the actual service need. The Commission is persuaded that an appropriate presence can be defined in this proceeding and, in conjunction with a flexible service obligation, can be an effective component for assuring adequate New Jersey oriented television service.

35. As discussed in the final section of this Second Report and Order, we believe that the enunciation of flexible guidelines, followed by the licensees' firm commitment of physical resources, is a proper course for establishing an effective New Jersey presence. This conclusion, however, is based upon what we expect will be the licensees' announcement of good faith New Jersey service commitments. Following an analysis of the actual service commitments to be sustained by the area licensees we will review this judgment and determine whether certain out-of-state licensees should be required to maintain New Jersey production studios.

PROGRAMMING OBLIGATIONS, REPORTS AND MONITORING

COMMENTS

36. As noted earlier, the Coalition has suggested that each area VHF commercial licensee should be obligated to give special attention and coverage to events of "statewide significance" emanating from Trenton. In addition, the Coalition states that the Commission should establish specific quantitative guidelines for these stations' New Jersey programming. Referring to its recommendation that each licensee establish a separate New Jersey studio, the Coalition avers that each such station should produce one-half or at least one-third of its local programming in its New Jersey studio.* If the Commission ultimately decides against requiring auxiliary New Jersey studios the Coalition insists that we should still establish percentage guidelines for the amount of New Jersey programming to be broadcast by each licensee. The Coalition suggests that these guidelines could take the form of delegated staff requirements and could "simplify" any reporting or monitoring procedure the Commission may wish to adopt. According to the Coalition, these percentage guidelines would not constitute interference with broadcasters' programming judgment as the Commission would not be addressing the property of any particular program or news item.

37. Chancellor Dungan suggests that the Commission establish a special monitoring process to assure itself that reasonable local and state oriented television service is actually being provided. Dungan adds that the monitoring system could be administered directly by the Commission itself or could be carried out by a New Jersey entity supported by grants from the stations. He contends that employment of this monitoring system, "at least for a few years," is critical to the Commission's fulfillment of its New Jersey responsibilities. Professor Aumente submits that a special New Jersey service obligation is absolutely needed and that the Commission should establish and enforce measures of New Jersey service and presence. He finds no need for fixed percentages or identification of subjects to be covered which, he observes, could intrude into First Amendment territory. Aumente maintains that the stations' license renewals should be conditioned on periodic reviews of New Jersey service and suggests that either the Commission's staff monitor New Jersey coverage or that such monitoring be undertaken by others and supported by stations' contribution to a general fund. Representative Maguire proposes that the Commission establish special reporting standards for stations licensed to a city near a border with another state. By requiring stations to provide an accounting of the amount of news and public affairs programming devoted to the bordering state, Mr. Maguire argues, the Commission would eliminate, for example, the difficulty it experienced in reviewing Coalition-submitted data, and would facilitate future enforcement of licensee obligations.

38. Basically, the broadcast parties oppose any effort to place "artificial restrictions" on the licensees' right to determine the amount or content of news and public affairs programming offered to New Jersey or to other portions of the stations' service areas. Although some concede that the New Jersey situation may be unique, nearly all broadcasters find this case to be a potential precedent for future demands by other communities and regions. They assert that "Trenton obligations" and percentage guidelines would constitute unwarranted and improper intrusion into the journalistic and editorial judgments of the individual licensees. Several contend that stations' programming prerogatives should not be infringed upon, regardless of whether it is done in a non-excessive or indirect manner. Furthermore, a number of broadcasters argue that specially-mandated service to New Jersey would be at the discriminatory expense of service to other specific areas and to generalized service for all. Several Pennsylvania elected officials have submitted letters opposing any diminution of service to their state that might result from the establishment of a New Jersey presence or service obligation. Certain broadcast parties contend that the amount of their New Jersey program service is so significant now that no dramatic increase thereof should be expected or would be possible absent substantial intrusion into their program judgment. Westinghouse and RKO General suggest, as they did in their initial comments in this proceeding, that the Commission review its local service policies. Westinghouse proposes that the Commission no longer require a "primary" service to a station's city of license and only a "secondary" service to all other areas served. RKO General suggests that an experiment of this nature be undertaken with the New York City licensees. (See paragraph 56 of the "Factual Background and Digest of Comments and Filings" appended to our First Report and Order, supra, at 829.)

* The Coalition reasons that since the Commission requires that at least 50% of a station's local programming be produced at the main studio (see, e.g. *Ponce Television Corp.*, 17 F.C.C. 2d 411 (1969)) a converse rule should be applied to assure production at an auxiliary studio.

DISCUSSION

39. In its *NTA Television Broadcasting Corporation, supra*, decision the Commission gave notice to non-New Jersey area stations that they " * * * have a duty to serve, to some extent, the local needs of the New Jersey viewing audience." Following the issuance of the *NTA* decision a number of new television outlets, licensed to New Jersey cities, began service to the multi-state area. These stations have a primary New Jersey service duty and the Commission expects that these stations, commercial and noncommercial, will continue and expand their contributions to the State's overall television service. But, notwithstanding the primary obligations and potential of New Jersey's own stations, it is our view, based on the entire record of this proceeding, that the area's out-of-state licensees must still recognize and respond to their significant New Jersey service responsibilities, including appropriate coverage of the State's capital. That is, we believe that a special New Jersey service obligation should attach to these stations' local service responsibilities. We shall not, however, establish New Jersey service percentage guidelines. Such a requirement, we believe, would constitute improper if not unlawful abridgement of licensee discretion and could impede both effective news journalism and creative public affairs programming. Rather, we are persuaded that any special New Jersey service duty should be administered flexibly and in a fashion which does not deprive other areas of needed service. Contrary to the views of some commenting parties, a station's local program service is not a finite quantity. Additional service to one area, if not in excess, does not demand service reductions elsewhere. Stations have the capacity and the obligation to responsibly discharge a special service duty based on a special service need. We do not believe that such a service emphasis requirement is beyond our authority, contrary to established Commission policy [10] or wholly inappropriate in view of all the circumstances.

40. The special New Jersey service obligation we envision for non-New Jersey television stations is one that establishes a formal license duty beyond that enunciated in NTA. We seek an extra measure of licensee responsibility from the mass-audience stations in the area in order to provide a needed supplement to the State's home-based New Jersey service. Through these stations' service emphasis, plus the continued and expanded service of New Jersey's own stations, we believe that the resultant rise of New Jersey-oriented service will materially outweigh that which arguably could have been achieved by station reallocation.[11] It should be noted by New Jersey licensees that our decision here should in no way be taken to mean a lessening in these licensees' own community service responsibilities. There must be a continued effort on their part to meet their public trustee responsibilities. We do not believe that any extraordinary reporting or monitoring system need be established to ensure adequate New Jersey service. The Commission's existing renewal and reporting procedures provide what we believe to be a sufficient accountability mechanism. However, we shall expect all area licensees to complete their renewal applications so as to demonstrate their commitment to a physical New Jersey presence.

A PLAN FOR ADEQUATE NEW JERSEY SERVICE

41. As noted above, we find that New Jersey's special service needs call for the establishment of special New Jersey service obligations applicable not only to some but to all area stations, including those outlets which are licensed to New Jersey cities and already have primary service obligations to specified cities within the state. It is our view that the requirements set forth below should apply to all television stations licensed to New Jersey cities and to those area television stations serving any portion of New Jersey with a predicted principal community signal (see Section 73.658(a) of the Commission's Rules).

42. In the renewal applications of the above-described stations we shall require a statement as to the nature of the station's commitment to a New Jersey physical presence. As we have indicated earlier, the Commission is aware of the varying capabilities of the area's network affiliated, independent, specialty and educational stations. And we do not wish to establish additional fixed requirements at this time for any particular class of stations. Licensees must have the flexibility to assign resources and personnel and produce programming in a manner consistent with their business and journalistic discretion. Nevertheless, and in view of the unique considerations presented here, we believe that some minimum guidelines are appropriate and will serve to express the Commission's judgment as to what a reasonable commitment would be.

43. We have carefully examined the comments submitted in this proceeding and find that they have given us guidance for the establishment of suitable and flexible physical presence guidelines. Based on this review we believe that each out-of-state network affiliate should be able to commit itself to the full-time (allowing, of course, for exceptional circumstances) New Jersey dedication of one or more news crews and to the assignment of at least one full-time New Jersey correspondent. We also believe that these stations should give consideration to facilitating direct contact with the state perhaps by the establishment of toll-free New Jersey telephone lines and functionally-significant New Jersey offices and by the use of a microwave relay system or systems designed to expand the stations' new coverage capabilities. As noted above, we believe it would be appropriate for out-of-state licensees to consider the use of a non-official promotional ID highlighting the stations' New Jersey service responsibilities and activities. Each such licensee will be given the opportunity to fashion its own presence complement. We shall expect the area's independent licensees to make similar commitments to the establishment of a New Jersey physical presence, but will consider lesser demonstrations if upported by adequate justification. Noncommercial outlets, especially those licensed to New Jersey cities, should also demonstrate their commitment to New Jersey service. These guidelines are not based upon what we believe are the stations' relative financial abilities, but rather reflect a suitable and reasoned apportioning of a New Jersey service responsibility among the various stations in the area. Certainly any and all out-of-state licensees are free to establish separate or shared studios in New Jersey as a demonstation of their service commitment. The final decision as to the requirement of Commission-mandated New Jersey studios by these out-of-state licensees will be deferred briefly as noted below.

44. New York City and Philadelphia station licensees whose license renewals are conditioned on the outcome of this proceeding (see 53 F.C.C. 2d 1112 (1975); 55 F.C.C. 2d 685 (1975)) will be required to file special supplementary statements as to their commitment to the establishment of a New Jersey physical presence. These statements must be filed within sixty (60) days of the release of this Second Report and Order. After the Commission has had an opportunity to examine closely these stations' physical presence commitment statements we will address the sole remaining issue in this proceeding and determine whether New Jersey production studios need be made part of certain stations' New Jersey presence commitment.

45. Authority for the actions taken herein is contained in Sections 4(i) and (j), 303, 307, 308, 309 and 403 of the Communications Act of 1934, as amended.

46. Accordingly, it is ordered, That the licensees of the television broadcast stations described in paragraph 41 of the above, shall file, until further notice by the Commission, supplementary statements to their renewal applications in accordance with the requirements specified in paragraph 43 of the above.

[10] See, e.g., Petersburg Television Corporation, 19 F.P.C. 451, 475 (1954).

[11] We have reviewed the suggestions of RKO General and Westinghouse (see paragraph 38, supra) but are not persuaded at this time that the Commission should abandon, even on an experimental basis, the primary city of license service duties of broadcast licensees. But see Primer on Ascertainment of Community Problems by Broadcast Applicants, 27 F.C.C. 2d 650 (1971).

47. It is further ordered, That the licensees of the New York City and Philadelphia stations the license renewals of which are conditioned on the outcome of this proceeding, shall file, within sixty (60) days of the release of this document, supplementary statements describing their commitment to the establishment of a New Jersey physical presence.

48. It is further ordered, That this proceeding, except as indicated above, is terminated.

FEDERAL COMMUNICATIONS COMMISSION,[12]
VINCENT J. MULLINS,
Secretary.

[FR Doc.76-20414 Filed 7-14-76;8:45 am]

FEDERAL POWER COMMISSION

[18 CFR Part 250]

[Docket No. RM76-19]

APPLICATION FOR SMALL PRODUCER CERTIFICATE AND ANNUAL STATEMENT FOR INDEPENDENT PRODUCERS HOLDING SMALL PRODUCER CERTIFICATES

New Form No. 151

JUNE 28, 1976.

Notice is hereby given pursuant to the Administrative Procedure Act, 5 U.S.C. § 553, and Sections 8, 10, 14, 15 and 16 of the Natural Gas Act,[1] that the Commission proposes to add Section 250.14 to Part 250 of the Approved Forms under the Natural Gas Act to provide that new FPC Form No. 151 be required for reporting. The proposed new form would be entitled "Applications for small producer certificate and the annual statement for independent producers holding small producer certificates."

During a period of critical natural gas shortages, such as the nation is experiencing today, the public interest requires that the Commission have available to it current and continuing information on the operations of companies producing gas for sale in interstate commerce. The interests of those companies regulated by the Commission also require an effective and progressive means of regulation.

On September 26, 1973, in Docket No. R-438, the Commission issued Order No. 494, amending Part 2, Chapter I, Title 18 of the Code of Federal Regulations and setting forth Commission policy for the development of a fully automated computer regulatory system to provide such information. When developed and fully operative, the system will provide prompt and ready access to data contained in a central electronic data bank, eliminating the duplication of information now collected and reducing the quantity of existing manual files. This system will not only facilitate the evaluation and analysis of all data, but it will also accommodate the development of new regulatory techniques.

In Order No. 494, the Commission stated that all existing "hard copy" public use forms would be redesigned and consolidated to eliminate redundancies and that instrution for reporting would be clarified by use of Electronic Data Processing (EDP) Technology. Public use form information, as it is presently submitted, will be replaced by the submission of individual data elements with a general data element and code scheme. It is anticipated that this major system revision will result in the reduction of the total number of data items currently transmitted to the Commission by the respondents.

In Order No. 494, the Commission further stated that the development of the automated computer information system would be effected through the use of phased rulemaking proceedings in which various Commission reporting procedures and report forms would be restructured. To this end, Form No. 151 is designed to incorporate into a readily retrievable data processing system the information proposed to be elicited by revised FPC Form Nos. 314A,[2] and 314B [3] as set forth in the Notice of Proposed Rulemaking issued May 25, 1976, in Docket No. RM76-15.

It is anticipated that a one-year period of parallel reporting will be required for system evaluation. Assuming successful operation of the new system within such time period, the present Form Nos. 314A and 314B for these respondents would then be eliminated.

Proposed Form No. 151 would consist of seven schedules, numbered 508 through 514. Schedules 508 through 513 would constitute an application for a small producer certificate, eliciting data pertaining to production, affiliation, ownership, and contractual provisions. Schedule 514 would provide the Commission with small independent producer sales data.

All Data and information submitted pursuant to the proposed form would be required to be subscribed and verified by a duly authorized executive officer of the respondent as being factually accurate and complete to the best of his or her knowledge in accordance with the Commission's Rules of Practice and Procedures (18 CFR, Part 1). An original and four copies of each completed Form No. 151 would be required to be filed with the Commission. Proposed Form No. 151 is set forth below, along with the definitions and procedures to be followed in its completion.

Any interested person may submit to the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, not later than August 27, 1976, data, views, and comments or suggestions in writing concerning all or part of the proposed form. Written submittals will be placed in the Commission's public files and will be available for public inspection at the Commisson's Office of Public Information, Room 1000, 825 North Capitol Street NE., Washington, D.C. 20426, during regular business hours. The Commission will consider all such written submittals before acting on the matters herein proposed. An original and 14 conformed copies should be filed with the Secretary of the Commission. Submissions to the Commission should indicate the name, title, mailing address and telephone number of the person to whom communications concerning the proposal should be addressed, and whether the person filing submissions requests a conference with the staff of the Commission to discuss the proposed form. The staff, in its discretion, may grant or deny written requests for conference prior or subsequent to the filing of formal written submittals.

The proposed amendments to Part 250 of the Commission's Approved Forms under the Natural Gas Act would be issued pursuant to the authority granted the Commission by the Natural Gas Act, as amended, particularly Sections 8, 10, 14, 15, and 16 (52 Stat. 825, 826, 828, 829, 830; 15 U.S.C. § 716g, 717i, 717m, 717n, 717o).

Effective for the reporting year 1976, the Commission proposes to amend Part 250, Forms, in Subchapter G—Approved Forms, Natural Gas Act, Chapter I, Title 18 of the Code of Federal Regulations by adding a new Section 250.14 prescribing new FPC Form No. 151, Application for small producer certificate and the annual statement for independent producers holding small producer certificates, in the form set out below. New Section 250.14 will read as follows:

§ 250.14 Form No. 151, Application for small producer certificate and annual statement for independent producers holding small producer certificates.

This form consists of the application for small producer certificate and the annual statement of sales and revenues filed by the holders of small producer certificates. The filing of small independent producer sales data is annually on or before April 1 for the previous calendar year.

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

FORM 151—APPLICATION FOR SMALL PRODUCER CERTIFICATE AND ANNUAL STATEMENT FOR INDEPENDENT PRODUCERS HOLDING SMALL PRODUCER CERTIFICATES

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[12] Concurring Statement of Commissioner Charlotte T. Reid in which Commissioner Abbott Washburn joins; Dissenting Statement of Commissioners Benjamin L. Hooks and Glen O. Robinson, filed as part of original.

[1] 52 Stat. 825, 826, 828, 829, 830; 15 U.S.C. § 717g, 717i, 717m, 717n, 717o.

[2] 18 CFR § 250.10 (1975).

[3] 18 CFR § 250.11 (1975).

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GENERAL INSTRUCTIONS

Small Producer is defined in the Code of Federal Regulations, Title 18, Section 157.40.

Submission requirements:

Respondent category	Schedule	Old FPC form—	Submission date
Small producers applying for an exemption certificate.	0508–0513	314A	Due when filing for an exemption certificate.
Small producers that have small producer certificates.	0514	314B	Annually on or before Apr. 1, for previous calendar year ending Dec. 31.

The reporting period entered by the respondent on each schedule represents the *ending period* (month, day, year) of the period to which the data applies, *not* the date the schedule was completed. An example for an annual submission would be 12/31/76.

Prior to mailing the scheduled to the Commission, the respondent must complete FPC Schedule 0100, Index to Public Use Schedules Submitted, and submit it with the completed schedule(s).

Footnotes cannot be placed directly on any public use data schedule. FPC Schedule 0000 is used for a footnote entry.

Additional statements, maps, diagrams, charts or other documentation supportive to the data schedules not otherwise specifically required should be entered and submitted as supplemental information utilizing FPC Schedule 1000.

All schedules should be forwarded to: Federal Power Commission, 825 North Capitol Street NE., Washington, DC 20426, Attn: Office of the Secretary.

DETAILED INSTRUCTIONS

Schedule 0100—Index of FPC Public Use Schedules Submitted

I. DESCRIPTION

This schedule shall be used to identify the schedules which were submitted by each respondent.

II. GENERAL INFORMATION

A. This schedule shall be submitted by all Federal Power Commission respondents.

B. This schedule shall be completed for each submission of schedules to the Federal Power Commission.

C. The report period date required on line two of this schedule shall be the final date of the period covered by the submission i.e., if data is reported on a calendar year basis, the date to be reported is December 31, 1976, in the format MMDDYY 123176.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

Data field No.:	*Instructions*
1	*Date received in mail Room* (N6): This data field is for Federal Power Commission internal processing only. (TMDATE)
2	*Date received in DBCG* (N6): This data field is for Federal Power Commission internal processing only. (TMDATE)
3 (key)	*Schedule number* (N4): Enter the schedule number of each schedule being submitted in this submission.
4	*Schedule contact name* (A35): Enter the name of the individual to contact about the schedule number reported in data field 3 above. The format for the name is: Last name, first name or initial, middle initial. (IDNAME)
5	*Schedule contact telephone number* (A12): Enter the area code and telephone number, in the format NNN–NNN–NNNN. Be certain to over strike the preprinted hyphens (-).
6	*Number of pages* (N4) NO: Enter the number of pages submitted for the schedule reported in data field 3 above.
7	*Indicate primary reporting media, hardcopy or tape* (N1): Enter "1" if hardcopy is being submitted; or enter "2" if tape is being submitted. (INETOR)
8	*Name of attestor:* Enter the legal name of the individual who is attesting to the validity of the data content being submitted on each of the schedules reported in data field 3 above. (IDNAME)
9	*Signature of attestor:* Enter the attestors legal signature in this data field. (IDNAME)
10	*Date of attestation:* Enter the date of attestation, in the format MMDDY. (TM DATE)

Schedules 0508–0513—Application for small producer certificate

Schedules 0508 through 0513, inclusive, constitute the application for a Small Producer Certificate. Pursuant to the Commission's Small Producer Regulations, as promulgated by its Order No. 428, as amended, and Opinion No. 742 in Docket No. R–393, a producer who applies for small producer certificate may, subject to the limitations set forth in the regulations, commence new jurisdictional sales or collect its contract rates for existing or new sales as of the date of filing of its application, regardless of pricing area, without further filings with the Commission.

Independent producers must qualify as "Small Producers" as defined in Section 157.40(a)(1) of the Commission's Regulations under the Natural Gas Act, i.e., a producer who is not affiliated with a natural gas pipeline company and whose total jurisdictional sales on a nationwide basis, together with such sales of "affiliated producers," as defined in Section 157.40(a)(2) of the regulations, are not in excess of 10,000 MMCF at 14.65 PSIA during any calendar year.

Producers who qualify must complete schedules 0508 through 0513, filing with the Commission an original and four copies thereof, under oath, of each of these schedules. Copies should also be served on each purchaser and other affected parties.

All volumes are to be reported in MMCF rounded to three decimal places at a uniform pressure base of 14.73 PSIA at 60° Fahrenheit.

Detailed instructions for each of the component schedules of this application follow.

Schedule 0608—Application for Small Producer Certificate—Part I

I. DESCRIPTION

This schedule is designed to collect general identification data concerning the applicant.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Small Producers, as defined in cover sheet for Schedules 0508 through 0513.

B. Applicants shall complete these schedules when applying for a Small Producer certificate.

C. Where there are more than one applicant, a separate application must be submitted by each party.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

Data field No:	*Instructions*
1 (key)	*Legal name of applicant* (A100): Enter full, legal name of producer applying for certificate. (IDNAME)
2 (key)	*State abbreviation* (A2): Enter the abbreviation for state of organization, if applicable, from the Register of Data Standards, *IDSTAT*.
3	*Indicate if additional applicants* (N1): Enter "0" if no additional applicants are involved; or "1" if more than one applicant. If more than one applicant is involved, a separate application should be submitted for each, *unless they are affiliated*. Parties engaged in joint ventures, unless affiliated, must file separately, as well. (INYONO)

Data field No.:	Instructions
4 (key)	*Type of organization* (N1): Enter code for type of organization, as follows: (TYBSOR) 1=Corporation; 4=Sole Proprietorship; 5=General Partnership; 6=Limited Partnership; 7=Trust; 9=Other (please explain in footnote).
5	*Address—Principal place of business* (A35): Enter street address of location of principal place of business. (LCADDR)
6	*City name* (A20): Enter city of above location. (IDCITY)
7	*State abbreviation* (A2): Enter the abbreviation for state of above location, from the Register of Data Standards, *IDSTAT*.
8	*Zip Code* (N5) NO: Enter the zip code for above location.
9	*Last name of responsible person* (A12): Enter last name of person responsible for this application. (IDNAME)
10	*First name of responsible person* (A8): Enter first name of person responsible for this application. (IDNAME)
11	*Title of responsible person* (A8): Abbreviate, if necessary. (IDDESC)
12	*Telephone number* (A12): Enter the area code and telephone number of responsible person, in the format NNN-NNN-NNNN. Be certain to overstrike the preprinted hyphens (-). (NRCADL)
13	*Address* (A35): Street address of responsible person. (LCADDR)
14	*City name* (A20): Enter the name of the city. (IDCITY)
15	*State abbreviation* (A2): Enter the state abbreviation of above, from the Register of Data Standards, *IDSTAT*.
16	*Zip code* (N5) NO. Enter the zip code for above location.
17	*Total jurisdictional sales volume* (N9.3) MMCF: Report total jurisdictional sales volume, at 14.73 psia, including volumes sold by *all* affiliated parties, for calendar year preceding this application. Include volumes of gas paid for but not taken under prepayment clauses or otherwise, volumes sold under limited-term certificates, emergency sales volumes and volumes of gas sold under rate schedules of other parties covering jurisdictional sales, in the proportion that the applicant and affiliates have interests in such sales. Do not include volumes sold pursuant to percentage sales contracts (Section 154.91 (e)).
18	*Jurisdictional sales by applicant* (N8.3) MMCF: Report jurisdictional sales volume, at 14.73 psia, for calendar year preceding this application, for applicant *only*.
19	*Name of affiliate* (A35): Enter name of each affiliate of applicant which sold jurisdictional gas during calendar year preceding this application, one name per line. (IDNAME)
20	*Jurisdictional sales by affiliate* (N6.3) MMCF: Enter volumes of gas sold, at 14.73 psia, associated with affiliates listed in data field 19 above.

SCHEDULE 0509—APPLICATION FOR SMALL PRODUCER CERTIFICATE—PART II

I. DESCRIPTION

This schedule is the second part of the application for Small Producer Certificate, and is designed to collect data on owners and officers of applicant, and relatives of applican who are independent producera.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Small Producers, as defined in cover sheet for Schedules 0508 through 0513.

B. Applicants shall complete these schedules when applying for Small Producer Certificate.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

Data field No.:	Instructions
1 (key)	*Legal name of applicant* (A100): Enter full, legal name of producer applying for certificate. (IDNAME)
2 (key)	*State abbreviation* (A2): Enter the abbreviation for state of organization, from the Register of Data Standards, *IDSTAT*.
3 (key)	*Owners of applicant* (A35): List all owners of 10 percent or more interest in the applicant, by name. (IDNAME)
4	*Position* (N1): Enter one-digit code for position held, if any, by owner listed in data field 3 above, as follows: (TYBSTL) 1=President; 2=Vice president; 3=Treasurer; 4=Secretary; 5=Director; 6=Trustee; 7=General partner; 8=Limited partner; 9=Other (please specify in footnote).
5	*Percent ownership* (N3.2) PCT: Enter percentage of interest in applicant owned by owner listed in data field 3 above, rounded to two decimal places.
6 (key)	*Officers, directors, trustees, etc., of applicant* (A30): List all officers, directors, trustees, partners, or the like, of the applicant, not listed in data field 3 above. (IDNAME)
7	*Position* (N1): Enter the code for position held by individual listed in data field 6 above, from code list in data field 4 instruction. (TYBSTL)
8	*Percent ownership* (N3.2) PCT: Enter percentage of interest in applicant held by individual listed in data field 6 above, if any, rounded to two decimal places.
9 (key)	*Independent producer relatives of applicants* (A30): List all independent producers who are related to the applicant by blood or marriage and who control, are controlled by, or are under common control with the applicant within the meaning of Section 157.40(a)(2) of the regulations. (IDNAME)

Schedule 0510—Application for Small Producer Certificate—Part III

I. DESCRIPTION

This schedule is the third part of the application for Small Producer Certificate, and is designed to collect data on positions held and/or ownership by applicant and affiliates in other jurisdictional natural gas companies, both independent producers and pipeline companies, either directly or through intermediary parties.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Small Producers, as defined in cover sheet for Schedules 0508 through 0513.

B. Applicants shall complete these schedules when applying for Small Producer Certificate.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

Data field No.:	Instructions
1 (key)	*Legal name of applicant* (A1003): Enter full, legal name of producer applying for certificate. (IDNAME)
2 (key)	*State abbreviation* (A2): Enter the abbreviation for state of organization, from the Register of Data Standards, *IDSTAT*.
3	*Indicate if applicant or affiliate* (N1): If interest in following company is held by applicant, enter "1"; if by an affiliate, enter "2". (INETOR)

Data field No.:	Instructions
4 (key)----	*Name other company* (A35): Enter name of other company in which interest is held. (IDNAME)
5 ----------	*Type ownership or position held* (N1): Enter one-digit code, as follows: (INETOR) 1=Ownership; 2=Position held; 3=Both.
6 ----------	*Percent, if ownership* (N3.2) PCT: If interest owned, enter percentage of interest rounded to two decimal places.
7 ----------	*Position, if applicable* (N1): If position held, enter code for position as follows: (TYBSTL) 1 = President; 2 = Vice president; 3=Treasurer; 4 = Secretary; 5 = Director; 6 = Trustee; 7 = General Partner; 8 = Limited Partner; 9 = Other (please specify in footnote).
8 ----------	*Indicate if jurisdictional gas is purchased* (N1): If no jurisdictional gas is purchased from applicant by company entered in data field 4 above, enter "0"; if jurisdictional gas is purchased, enter "1". (INYONO)

Schedule 0511—Application for Small Producer Certificate—Part IV

I. DESCRIPTION

This schedule is the fourth part of the application for Small Producer Certificate, and is designed to collect data on certificates and rate schedules of applicant.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Small Producers, as defined in cover sheet for Schedules 0508 through 0513.

B. Applicants shall complete these schedules when applying for Small Producer Certificate. Identify clearly each sale and each interest in each sale which is to be covered by the Small Producer Certificate. Note that sales from reserves other than small producer reserves as defined in Section 157.40(a)(3) of the Regulations may be covered by the Small Producer Certificate, subject to the rate limitations applicable to comparable sales by large producers or otherwise applicable (Section 157.40(c)).

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

Data field No.:	Instructions
1 (key)----	*Legal name of applicant* (A100): Enter full, legal name of producer applying for certificate. (IDNAME)
2 (key)----	*State abbreviation* (A2): Enter the abbreviation for state of organization, from the Register of Data Standards, *IDSTAT*.
3 (key)----	*Docket number* (A9): Enter all certificates presently held by applicant, by docket number. (IDDCKT)
4 ----------	*Basic rate schedule number* (N3): Enter all contracts presently on file with the Commisison as applicant's rate schedules, by rate schedule number. (IDRATE)
5 ----------	*Name interest owner* (A26): Enter name of interest owner whose sales are covered by applicant's certificates and/or rate schedules. (IDNAME)
6 ----------	*Percent of ownership* (N3.2) PCT: Enter percentage of ownership, rounded to two decimal places, associated with owner listed in data field 5 above.
7 ----------	*Indicate covered or not covered* (N1): If this interest is *not* to be covered by Small Producer Certificate applied for, enter "2"; if it is to be covered, enter "1". (INETOR)

Schedule 0512—Application for Small Producer Certificate—Part V

I. DESCRIPTION

This schedule is the fifth part of the application for Small Producer Certificate, and is designed to collect data on applicants sales under rate schedules of others.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Small Producers, as defined in cover sheet for Schedules 0508 through 0513

B. Applicants shall complete these schedules when applying for Small Producer Certificate.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

Data field No.:	Instructions
1 (key)----	*Legal name of applicant* (A100): Enter full, legal name of producer applying for certificate. (IDNAME)
2 (key)----	*State abbreviation* (A2): Enter the abbreviation for state of organization, from the Register of Data Standards, *IDSTAT*.
3 (key)----	*Name of other seller* (A35): Enter name of other seller in whose sale applicant has interest. (IDNAME)
4 ----------	*Docket number* (A9): Enter the certificate docket number of sale. (IDDCKT)
5 ----------	*Basic rate schedule number* (N3): Enter the rate schedule number of sale. (IDRATE)
6 ----------	*Percent interest of applicant* (N3.2) PCT: Enter the applicant's percentage of interest in this sale, rounded to two decimal places.

Schedule 0513—Application for Small Producer Certificate—Part VI

I. DESCRIPTION

This schedule is the sixth, and final, part of the application for Small Producer Certificate, and is designed to collect data on applicants jurisdictional gas sales where no certificate was issued or rate schedule filed with the Commission.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Small Producers as defined in cover sheet for Schedules 0508 through 0513.

B. Applicants shall complete these schedules when applying for small producer certificate.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

Data Field No.:	Instructions
1 (key) ---	*Legal name of applicant* (A100): Enter full, legal name of producer applying for certificate. (IDNAME)
2 (key) ---	*State abbreviation* (A2): Enter the abbreviation for state of organization, from the Register of Data Standards, *IDSTAT*.
3 (key) ---	*Basic contract date* (N6): Enter date of contract for sale of gas, in the format MMDDYY. (TMDATE)
4 (key) ---	*Purchaser ID* (N6): Enter the code for purchaser, from the Register of Data Standards, *IDRESP*.
5 ----------	*Source of Production* (A26): Enter the name of the gas producing field, from the Register of Data Standards, *IDGPFL*.
6 ----------	*County code* (N3): Enter code for producing field, from the Register of Data Standards, *IDCNTY*.
7 ----------	*State abbreviation* (A2): Enter state abbreviation for producer field, from the Register of Data Standards, *IDSTAT*.
8 ----------	*Annual delivery obligation* (N6.3) MMCF: Report annual delivery obligation under contract, at 14.73 psia.
9 ----------	*Total rate cents/Mcf* (N3.4) CTS/MCF: Enter total rate for gas sold at 14.73 psia, rounded to four decimal places.
10----------	*Name other interest owner* (A35): Enter names of other interest owners, if applicable. (IDNAME)
11----------	*Percent interest* (N3.2) PCT: Enter percentage of interest of other owners entered in data field 10 above, rounded to two decimal places.
12----------	*Indicate covered or not covered* (N1): If this sale or interest is *not* to be covered by Small Producer Certificate applied for, enter "2"; if it is to be covered, enter "1". (INETOR)

Schedule 0514—Small Independent Producer Sales Data

I. DESCRIPTION

This schedule is used to collect sales data from Small Independent Producers holding small producer certificates.

II. GENERAL INFORMATION

A. This schedue shall be submitted by Independent Producers with a sales volume less than 10,000 MMCF annually.

B. Respondents shall complete all data fields on this schedule annually.

C. All volumes shall be reported in MMCF rounded to three decimal places at a uniform pressure base of 14.73 PSIA at 60° Fahrenheit.

D. The amount of natural gas shall be equal to the sum of the detailed volume.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

Data field no.:	*Instructions*
1 (key)	*Small producer docket number* (A9): Enter the docket number, including the hyphen. (IDDCKT)
2	*Quantity total sales* (N9.3) MMCF: The total amount of sales shall be equal to the sum of the detailed volume (data field 13) of this schedule. Enter the total in MMCF rounded to three decimal places at 14.73 PSIA.
3	*Revenue total sales* (N10) DOL: Enter the total revenue, attributable to the quantity entered in data field 2, to the nearest whole dollar. The total amount of this revenue shall be equal to the sum of the detailed revenues (data field 15).
4	*Quantity interest* (N9.3) MMCF: Enter the interest in the amount of natural gas that was sold during the reporting year under other producers' certificates and/or Federal Power Commission Gas Rate Schedules.
5	*Revenue Interest* (N9) DOL: Enter the revenue interest to the nearest whole dollar that was made from sales during the reporting year under other producers' certificates and/or Federal Power Commission Gas Rate Schedules. NOTE.—For sales by the respondent, as entered in data field 9, complete all the following data fields. For sales by an affiliate, compete data fields 7, 8, 9, 13, and 15 only.
6 (key)	*Date of contract* (N6): Enter the date of the contract under which the small producer certificate holder sold gas, in the format MMDDYY.
7 (key)	*Buyer Code* (N6): Enter code number assigned to individual buyer, or to the small producer affiliate if an affiliate sale, from the Register of Data Standards, *IDRESP*.
8 (key)	*Buyer Name* (A35): Enter the name of the buyer of gas, or of the small producer affiliate if an affiliate sale, from the Register of Data Standards, *IDRESP*.
9 (key)	*Type of Sale* (A5): Enter the abbreviation from the following list which describes the type of sale under which the quantity entered in data field 13 was sold. (TYSLCP) *Abbreviation and description:* AFFIL — Jurisdictional Sales by an affiliate of the small producer respondent. APPLI—Sales by a small producer under a Small Producer Certificate, or sales by a small producer prior to being covered by a Small Producer Certificate. OTHER—Sales by a small producer under authorization other than a Small Producer Certificate, such as emergency sales, sales under limited-term certificates, and optional procedure certificates.
10	*Area Code* (N2:) Enter the code of the FPC natural gas area in which the gas sold under the contract originated, from the Register of Data Standards. IDCNTY.
11	*State Abbreviation* (A2): Enter the two letter abbreviation of the state in which the gas sold under the contract originated, from the Register of Data Standards, *IDSTAT*.
12	*County Code* (N3): Enter the three-digit code of the county in which the gas sold under the contract originated, from the Register of Data Standards, IDCNTY. NOTE.—If the gas sold under a contract originates in different areas, states, or counties, use separate lines for each area, state, and county and enter, in data field 13, only the quantity of gas attributable to that area, state, and county.
13	*Quantity sold* (N7.3) MMCF: Enter the quantity of gas sold attributable to the respondent's, or affiliate's interest.
14	*Percent interest* (N3.2) PCT: Enter the percentage of interest of the respondent in the contract for the quantity entered in data field 13.
15	*Revenues received* (N9) DOL: Enter the revenues received for the quantity entered in data field 13.
16	*Sales under rate schedule* (N3): Enter the repondent's basic Commission rate schedule number, if any, under which sale was made.
17	*Docket number* (A9): Enter the respondent's docket number, including hyphen, under which the listed sale was made. If the sale was an emergency sale, leave this data field blank and enter this fact in a footnote.

Schedule 0000—Footnotes to FPC Public Use Schedules

I. DESCRIPTION

This schedule is used to collect the text for all footnote references for a respondent submission.

II. GENERAL INFORMATION

A. This schedule shall be submitted when applicable by all respondents for reporting footnotes to FPC Public Use Schedules.

B. The footnote reference numbers must be unique within a particular submission.

C. The respondent has to indicate two major types of footnotes.

1. General Footnote—The General Footnote can refer to either the entire schedule or one data field on the schedule, i.e. all data which is reported for data field 5 on the schedule not just one specific value for data field 5.

2. Specific Footnote—The Specific Footnote can refer either to an entire logical entry, i.e. group of related data which *separates* as an entity on a schedule or a data item within the logical entry.

The following entries are provided as an example:

Type footnote	Data field 2, footnote No.	Data field 3, reference identification
1. General footnote:		
a. Entire schedule	001	(1)
b. All data values for data field, 5 entries on this schedule	001	005
All data values for data field, 6 entries on this schedule	001	006
2. Specific footnote:		
a. Entire logical entry	002	(1)
b. Data item entry	002	004
	002	006
	002	008

1 GEN.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number.

Data field No.	*Instructions*
1 (key)----	*Schedule number* (N4): Enter the number of the schedule on which the footnote reference number was assigned, e.g., 0501 or 0505.
2 (key)----	*Footnote number* (N3): Enter the unique footnote reference number from 001–999 for each particular submission.
3 (key)----	*Reference identification* (A3): Enter "GEN" for type 1a and 2a footnotes, that apply to the entire schedule (or to an entire logical entry) or enter the appropriate data field number for the specific data field value being footnoted (type 1b or 2b).
4 (key)----	*Line sequence number* (N2): Enter 01, 02 etc., for each successive line of text.
5 (key)----	*System code* (N6): This data field applies only to electric respondents reporting data by system. Enter the six digit number code for the system, from the Register of Data Standards, *IDSYST*.
6 (key)----	*Plant ID* (N5): This data field applies only to electric respondents reporting data by plant. Enter the five digit numeric code for the plant, from the Register of Data Standards, *IDPLNT*.
7 (key)----	*Project development code* (A5): This data field applies only to electric respondents reporting data by license projects. Enter the five digit numeric code for the license project, from the Register of Data Standards, *IDLPRJ*.
8 ---------	*Text* (A72): Enter the text of the footnote. Use successive lines as required for text. Repeat data fields 1–3, 5 or 6 as applicable, and increment data field 4 (line sequence number) by 1.

Schedule 1000—Supporting Documentation

I. DESCRIPTION

This schedule is used to collect schedule related supporting documentation not required by the Public Use Schedules.

II. GENERAL INFORMATION

A. This schedule shall be submitted by any Federal Power Commission respondent who desires to provide supportive documentation or any additional information relating to the Public Use Schedules.

B. This schedule shall be completed only as deemed necessary by the respondent or where specifically requested by detailed instructions for other schedules.

CROSS-REFERENCE

Schedule 508: Application for Small Producer Certificate—Part 1
Source: Form 314A, Sections 1–6.
Schedule 509: Application for Small Producer Certificate—Part 2
Source: Form 314A, Section 8.
Schedule 510: Application for Small Producer Certificate—Part 3
Source: Form 314A, Section 9.
Schedule 511: Application for Small Producer Certificate—Part 4
Source: Form 314A, Section 7.
Schedule 512: Application for Small Producer Certificate—Part 5
Source: Form 314A, Section 7.
Schedule 513: Application for Small Producer Certificate—Part 6
Source: Form 314A, Section 7.
Schedule 514: Small Independent Producer Sales Data
Source: Form 314B.

DATA STANDARDS

Form 151

IDCNTY

Desc: Identifies the counties of the U.S. Counties, as first order subdivisions of most states, are considered synonymous with parish, borough, or census division used in others. For RIS use, this list is supplemented with natural gas offshore areas.

Source: FIPS PUB 6–2, Sept. 15, 1973 and FPC.

List: Offshore, State, 00990; Offshore, Federal, 00995; Offshore, General, 00999 (rest are FIPS).

IDGPFL

Desc: Identifies gas plants or fields for which production is reported to the FPC.

Source: FPC Staff.

List: (To be supplied to individual respondent when form due.)

IDNGAR

Desc: Identifies export/import sources of natural gas or subdivisions of the U.S. designated as natural gas areas by the FPC.

Source: FPC Staff.

List:

Appalachian Basin—North subarea	10
Appalachian Basin—South subarea	11
Illinois Basin	12
Mississippi—Alabama	20
Mississippi—Offshore	21
Northern Louisiana	22
Texas Railroad Commission—District No. 6	23
Southern Arkansas	24
Texas Railroad Commission—District No. 5	25
Texas Railroad Commission—District No. 9	26
Other Oklahoma	27
Northern Arkansas	28
Southern Louisiana—Onshore	30
Southern Louisiana—Offshore	31
Texas Railroad Commission—District No. 2	40
Texas Railroad Commission—District No. 3	41
Texas Railroad Commission—District No. 4	42
Texas—Offshore	43
Texas Railroad Commission—District No. 1 (south)	44
Texas Railroad Commission—District No. 7–B	50
Texas Railroad Commission—District No. 7–C	51
Texas Railroad Commission—District No. 8	52
Texas Railroad Commission—District No. 8–A	53
Texas Railroad Commission—District No. 1 (north)	54
New Mexico	55
Texas Railroad Commission—District No. 10	60
Oklahoma Panhandle	61
Oklahoma Anadarko	62
Kansas	63
Utah—Ameth Field Area	70
San Juan Basin Area	71
Uintah—Green River Basin Area	72
Colorado—Julesberg Area	73
Montana—Wyoming Area	74
Montana—Dakota Area	75
Other areas	80
Imports	90
Exports	95

IDRESP

Desc: Identified respondents to the FPC.

Source: FPC Staff.

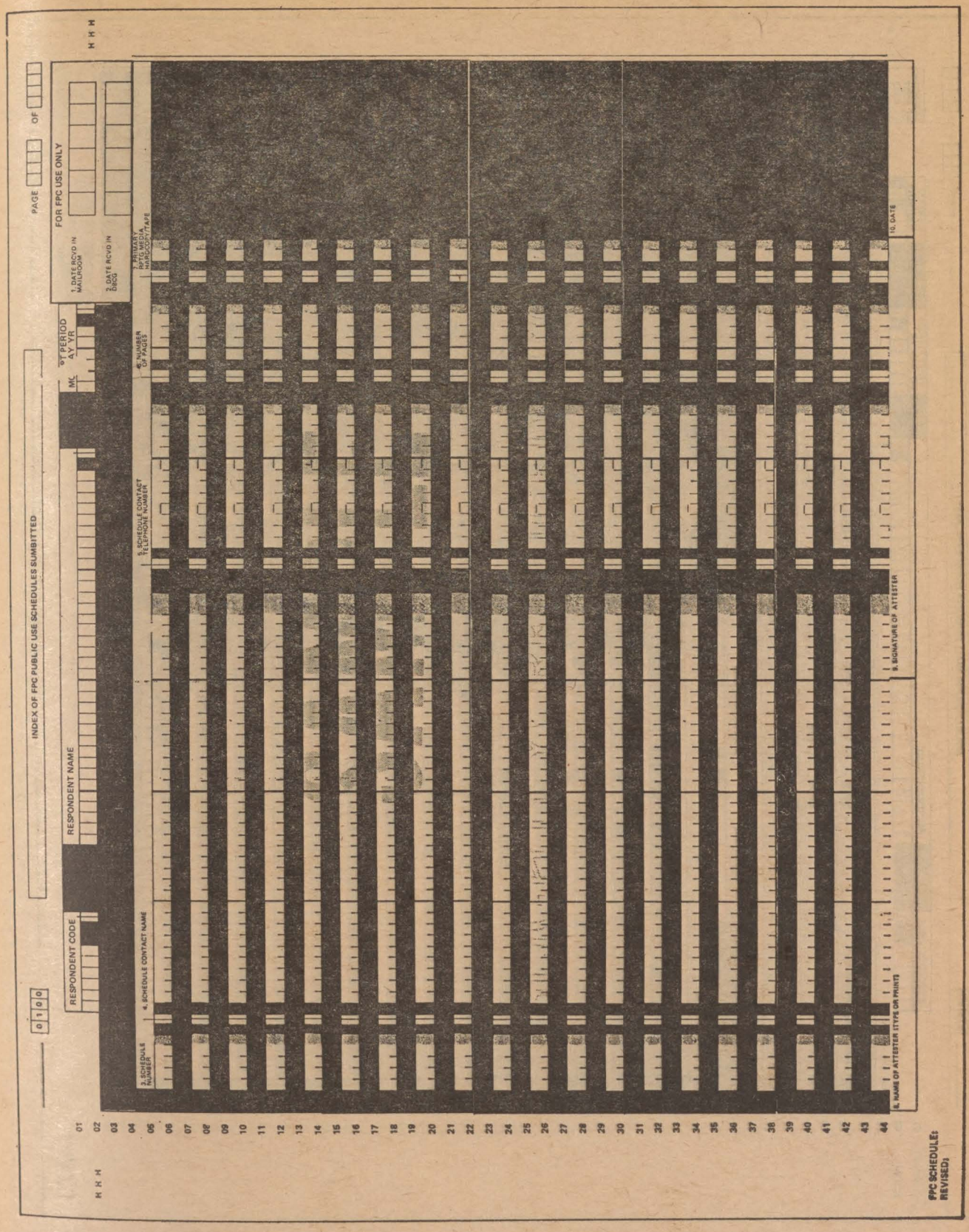
List: (To be supplied to individual respondent when form due.)

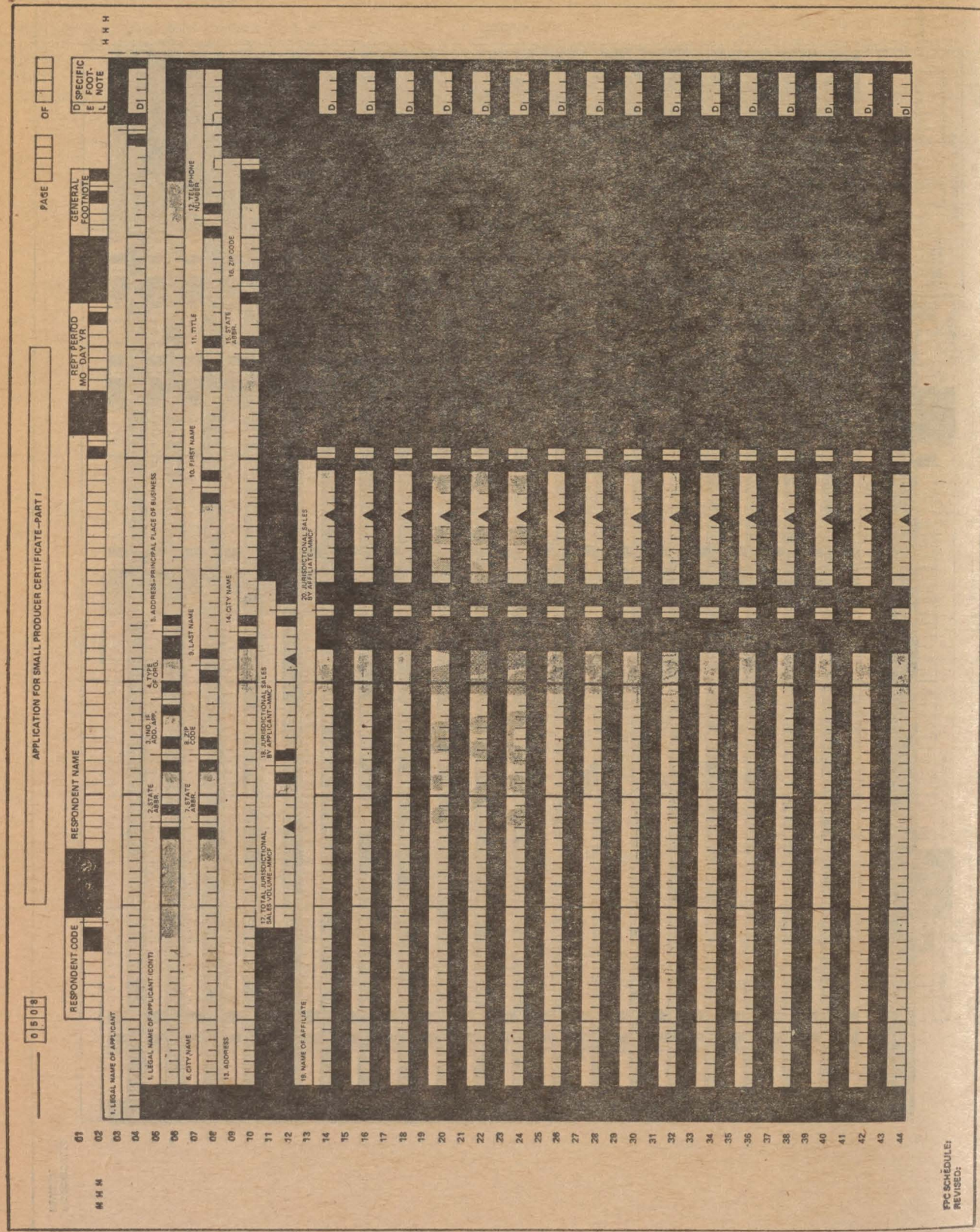
IDSTAT

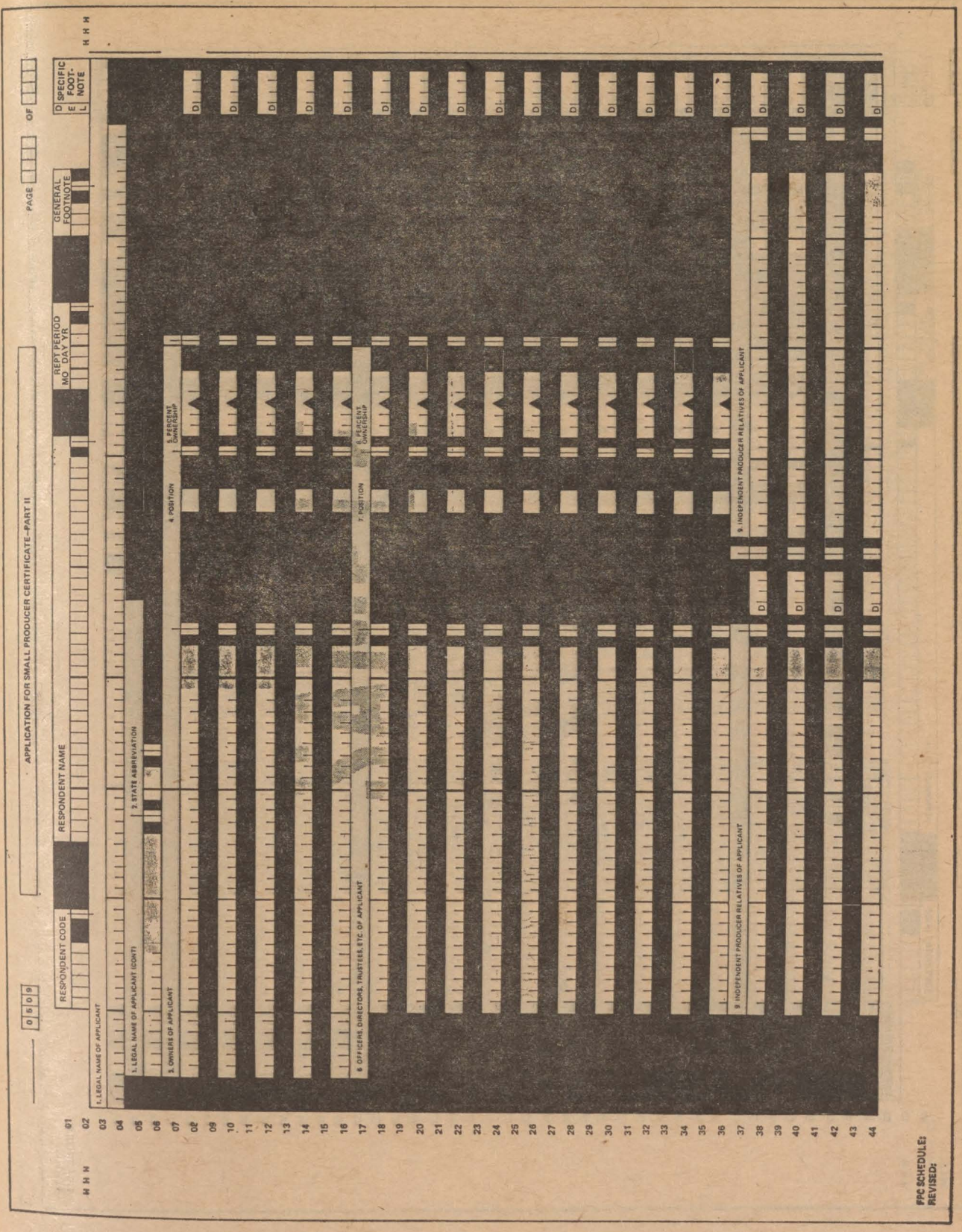
Desc: Identifies the 50 states, the District of Columbia, and the outlying areas of the U.S., all of which are considered first order subdivisions of the U.S.

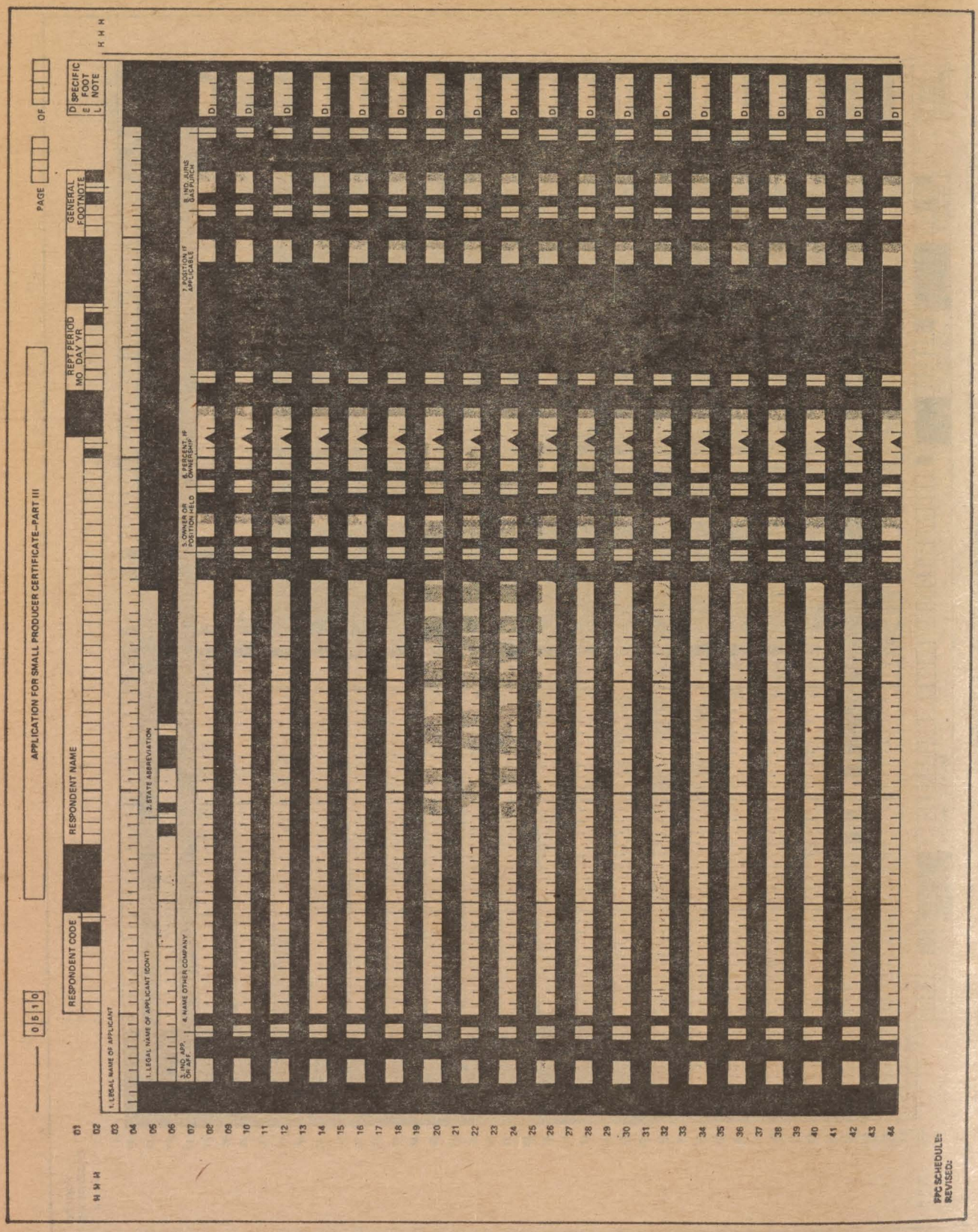
Source: FIPS Pub 5–1, June 15, 1970.

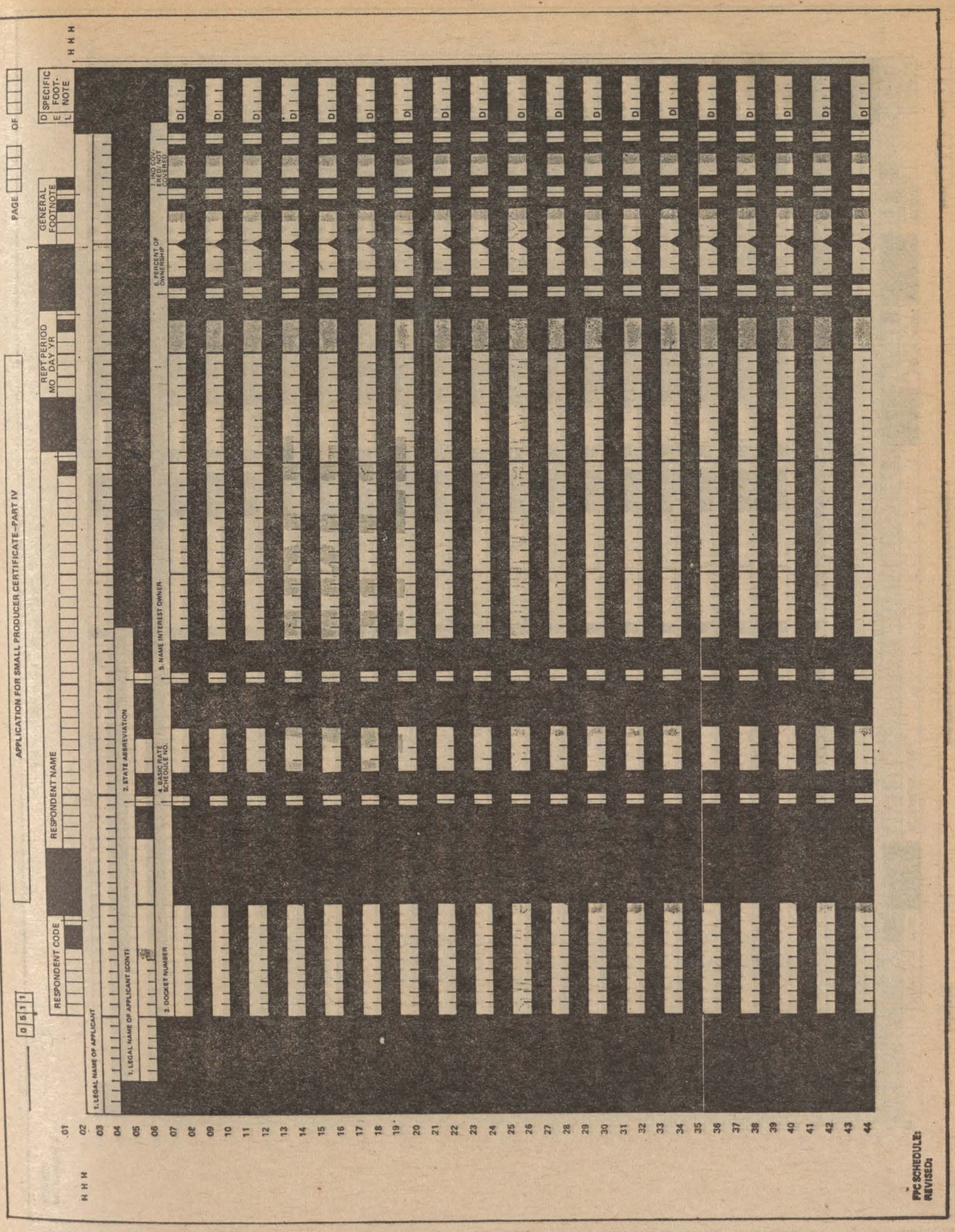
List: (FIPS).

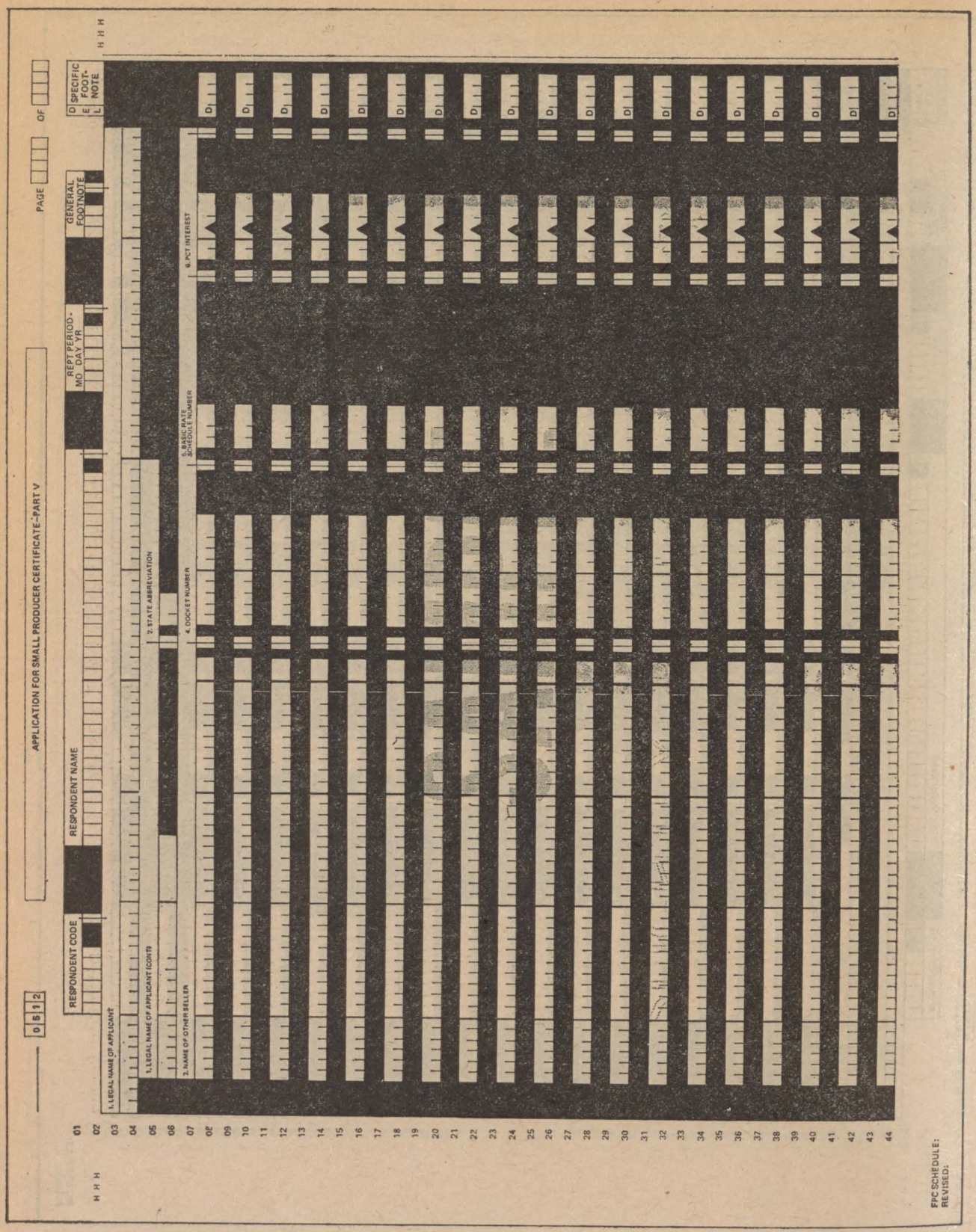

INDEX OF FPC PUBLIC USE SCHEDULES SUMBITTED
0 1 0 0
RESPONDENT CODE
RESPONDENT NAME
PAGE
OF
FOR FPC USE ONLY
1. DATE RCVD IN MAILROOM
2. DATE RCVD IN BUDG
3. SCHEDULE NUMBER
4. SCHEDULE CONTACT NAME
5. SCHEDULE CONTACT TELEPHONE NUMBER
6. NUMBER OF PAGES
7. PRIMARY RPTG MEDIA RECEIVED (TAPE
8. NAME OF ATTESTER (TYPE OR PRINT)
9. SIGNATURE OF ATTESTER
10. DATE
FPC SCHEDULE: REVISED:

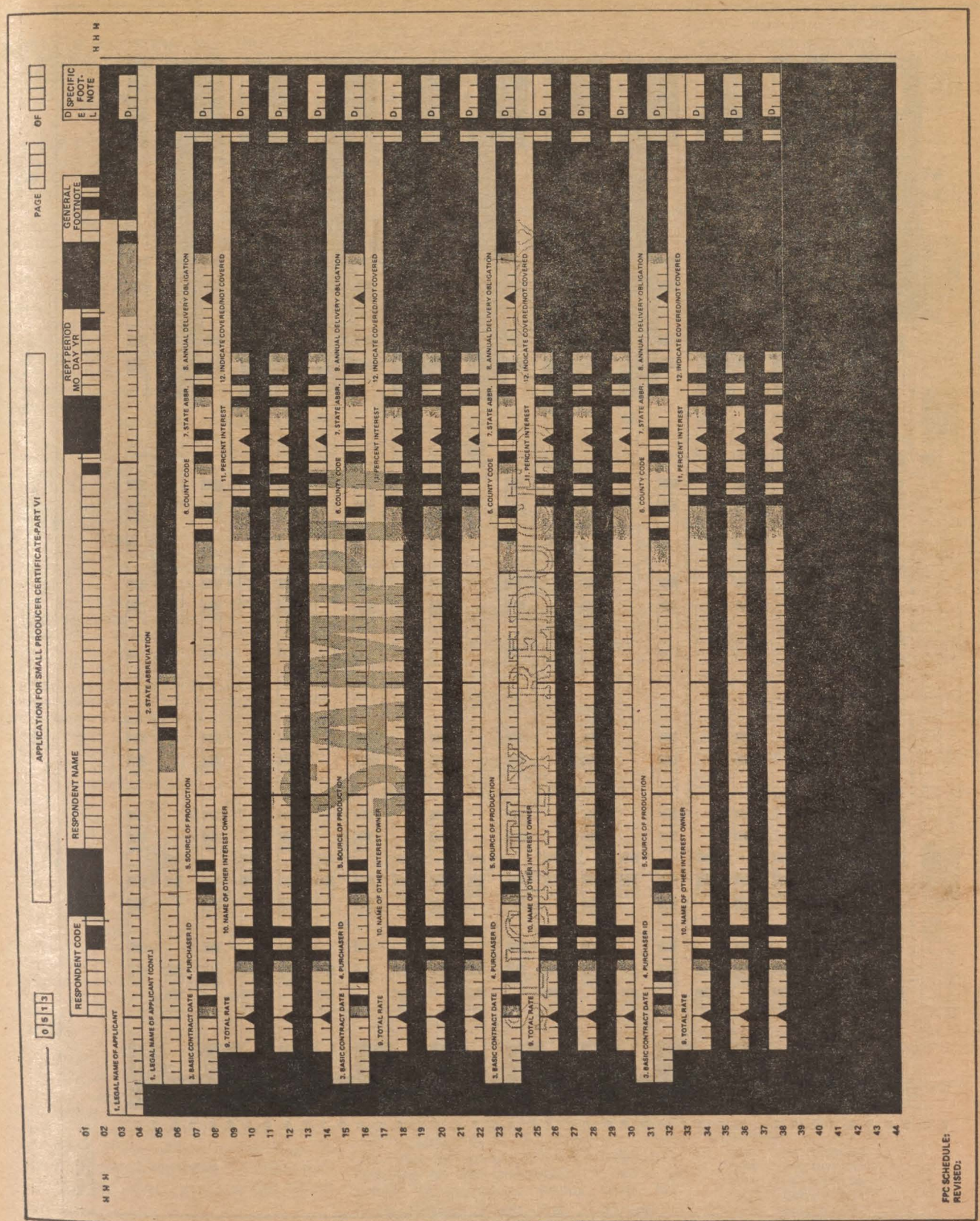

APPLICATION FOR SMALL PRODUCER CERTIFICATE--PART I
0 5 0 8
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO DAY YR
GENERAL FOOTNOTE
PAGE
OF
D SPECIFIC E FOOT- L NOTE
H H H
1. LEGAL NAME OF APPLICANT
1. LEGAL NAME OF APPLICANT (CONT)
2. STATE ABBR
3. IND. IF ADD. APP.
4. TYPE OF ORG.
5. ADDRESS--PRINCIPAL PLACE OF BUSINESS
6. CITY NAME
7. STATE ABBR
8. ZIP CODE
9. LAST NAME
10. FIRST NAME
11. TITLE
12. TELEPHONE NUMBER
13. ADDRESS
14. CITY NAME
15. STATE ABBR
16. ZIP CODE
17. TOTAL JURISDICTIONAL SALES VOLUME--MMC
18. JURISDICTIONAL SALES BY APPLICANT--MMC
18. NAME OF AFFILIATE
20. JURISDICTIONAL SALES BY AFFILIATE--MMC
FPC SCHEDULE:
REVISED:

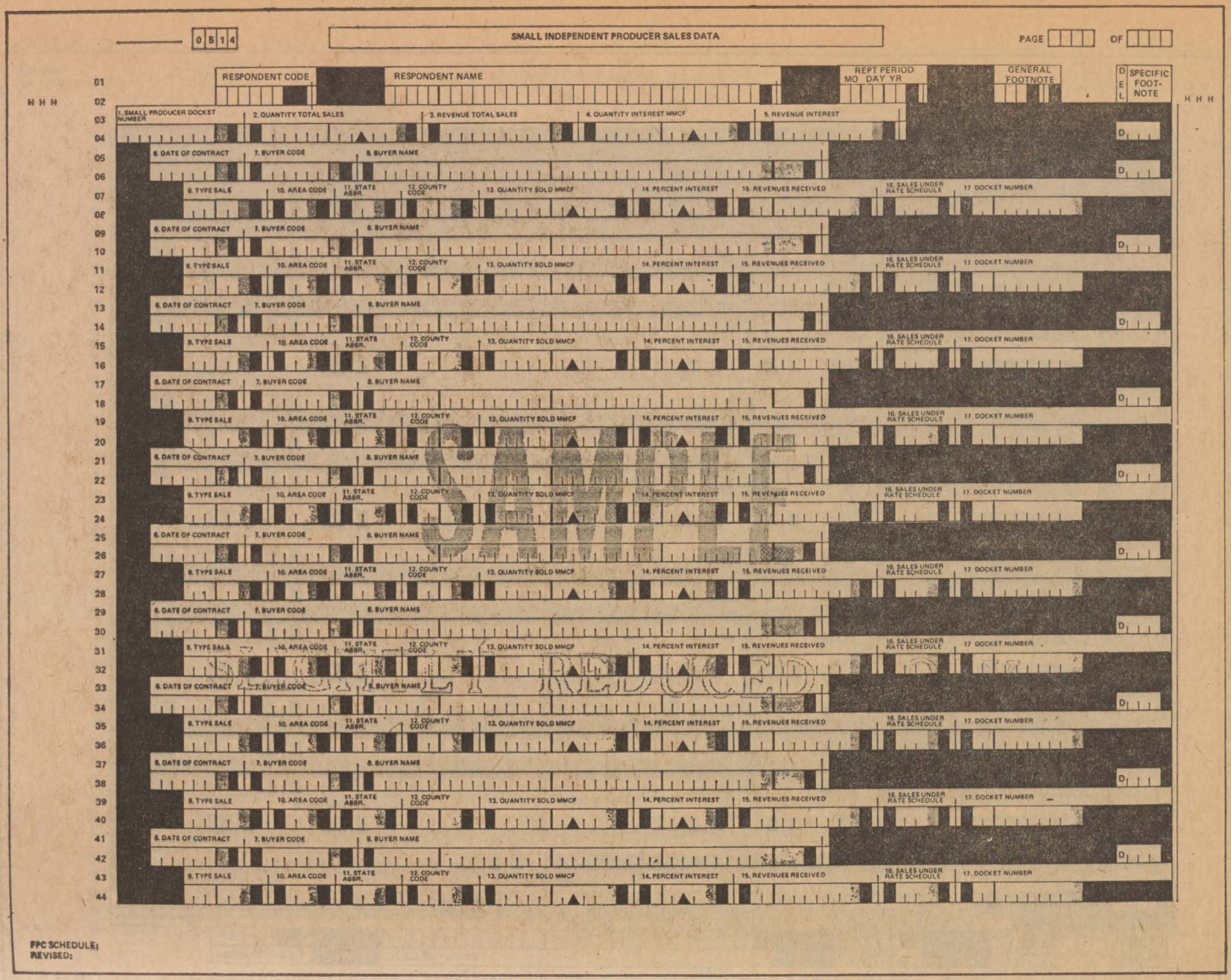

APPLICATION FOR SMALL PRODUCER CERTIFICATE—PART II
0509
RESPONDENT CODE
RESPONDENT NAME
RPT PERIOD MO DA YR
GENERAL FOOTNOTE
SPECIFIC FOOT-NOTE
PAGE
OF
1. LEGAL NAME OF APPLICANT
1. LEGAL NAME OF APPLICANT (CONT)
2. STATE ABBREVIATION
3. OWNERS OF APPLICANT
4. POSITION
5. PERCENT OWNERSHIP
6. OFFICERS, DIRECTORS, TRUSTEES, ETC. OF APPLICANT
7. POSITION
8. PERCENT OWNERSHIP
9. INDEPENDENT PRODUCER RELATIVES OF APPLICANT
9. INDEPENDENT PRODUCER RELATIVES OF APPLICANT
FPC SCHEDULE:
REVISED:


APPLICATION FOR SMALL PRODUCER CERTIFICATE–PART III
0 5 1 0
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO DAY YR
GENERAL FOOTNOTE
PAGE
OF
SPECIFIC FOOT NOTE
1. LEGAL NAME OF APPLICANT
1. LEGAL NAME OF APPLICANT (CONT)
2. STATE ABBREVIATION
3. IND. APP. OR APT.
4. NAME OTHER COMPANY
5. OWNER OR POSITION HELD
6. PERCENT IF OWNERSHIP
7. POSITION IF APPLICABLE
8. IND. AVRS GAS PURCH
FPC SCHEDULE:
REVISED:


APPLICATION FOR SMALL PRODUCER CERTIFICATE—PART IV
PAGE
OF
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO DAY YR
GENERAL FOOTNOTE
D SPECIFIC FOOT-NOTE
1. LEGAL NAME OF APPLICANT
1. LEGAL NAME OF APPLICANT (CONT)
2. STATE ABBREVIATION
3. DOCKET NUMBER
4. BASIC RATE SCHEDULE NO.
5. NAME INTEREST OWNER
6. PERCENT OF OWNERSHIP
7. IF CO-OWNER ENTITY NOT COVERED
FPC SCHEDULE: REVISED:


APPLICATION FOR SMALL PRODUCER CERTIFICATE-PART V
0 5 1 2
PAGE
OF
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD-MO DAY YR
GENERAL FOOTNOTE
D SPECIFIC FOOT-NOTE
1. LEGAL NAME OF APPLICANT
1. LEGAL NAME OF APPLICANT (CON'T)
2. STATE ABBREVIATION
2. NAME OF OTHER SELLER
4. DOCKET NUMBER
5. BASIC RATE SCHEDULE NUMBER
6. PCT INTEREST
FPC SCHEDULE:
REVISED:


APPLICATION FOR SMALL PRODUCER CERTIFICATE-PART VI
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO DAY YR
GENERAL FOOTNOTE
PAGE
OF
SPECIFIC FOOT-NOTE
1. LEGAL NAME OF APPLICANT
2. STATE ABBREVIATION
3. BASIC CONTRACT DATE
4. PURCHASER ID
5. SOURCE OF PRODUCTION
6. COUNTY CODE
7. STATE ABBR.
8. ANNUAL DELIVERY OBLIGATION
9. TOTAL RATE
10. NAME OF OTHER INTEREST OWNER
11. PERCENT INTEREST
12. INDICATE COVERED/NOT COVERED
FPC SCHEDULE:
REVISED:



[FR Doc.76-20272 Filed 7-14-76;8:45 am]

[18 CFR Part 141]

[Docket No. RM76-20]

REPORT OF INDUSTRIAL GENERATION OF ELECTRIC ENERGY AND ELECTRIC GENERATING CAPACITY

New FPC Form No. 160

JUNE 28, 1976.

Notice is hereby given pursuant to the Administrative Procedure Act, 5 U.S.C. § 553, and Sections 10, 19, 20, 202, 205, 206, 207, 304, 309 and 311 of the Federal Power Act,[1] that the Commission proposes to add Section 141.30 to Part 141 of the Approved Forms under the Federal Power Act to provide that a new FPC Form No. 160 be required for reporting. The proposed new form would be entitled "Report of Industrial Generation of Electric Energy and Electric Generating Capacity."

During the period of critical energy needs, such as the nation is currently experiencing, the public interest requires that the Commission have available to it current and continuing information on the operations of industrial companies generating electric energy. The interests of those industrial companies regulated by the Commission also require efficient and progressive means of regulation.

On September 26, 1973, in Docket No. R-438, the Commission issued Order No. 494, amending Part 2, Chapter I, Title 18 of the Code of Federal Regulations and setting forth Commission policy for the development of a fully automated computer regulatory system to provide such information. When developed and fully operative, the system will provide prompt and ready access to data contained in central electronic data bank, eleminating the duplication of information now collected and reducing the quantity of existing manual files. This system will not only facilitate the evaluation and analysis of all data, but it will also accommodate the development of new regulatory techniques.

In Order No. 494, the Commission stated that all existing "hard copy" public use forms would be redesigned and consolidated to eliminate redundancies and that instructions for reporting would be clarified by use of Electronic Data Processing (EDP) Technology. Public use form information, as it is presently submitted, will be replaced by the submission of individual data elements within a general data element and code scheme. It is anticipated that this major system revision will result in the reduction of the total number of data items currently transmitted to the Commission by the respondents.

In Order No. 494, the Commission further stated that the development of the automated computer information system would be effected through the use of phased rulemaking proceedings in which various Commission reporting procedures and report forms would be restructured. To this end, Form No. 160 is designed to incorporate into a readily retrievable data processing system the information currently submitted on FPC Form Nos. 4B[2] and 12C[3].

It is proposed that the respondents be provided with a printed record of data currently in the Commission files on plant codes, capacities, locations, standard industrial classifications, etc. The respondent code, plant code, and prime mover type are to be entered by the respondent onto the schedules for identification. New data are to be entered only to reflect needed changes or corrections in the Commission's data files, as well as to record the latest net generation figures.

Standard Industrial Classification (SIC) Code, county code, and prime mover status (previously covered by instructions) which were not on the monthly FPC Form No. 4 will be required. The new form would eliminate information now collected on FPC Form No. 12C for deliveries of energy generated or purchased which is supplied to company employees, to other industrial establishments, or to electric utilities, including the total of such sales and deliveries.

It is anticipated that at least one year of parallel reporting will be required for system evaluation. Assuming successful operation of the new system within such time period, the current FPC Form Nos. 4B and 12C would then be eliminated.

The proposed FPC Form No 160 would consist of two schedules, Schedule 646 and Schedule 705. Schedule 646 would show annual net generation and end-of-year capacity of industrial power plants which have previously reported and installed capacity of less than 5 megawatts. Schedule 705 would show monthly net generation from those industrial power plants with an installed generating capacity of 5 megawatts or greater.

All data and information submitted pursuant to the proposed form would be required to be subscribed and verified by a duly authorized executive officer of the respondent as being factually accurate and complete to the best of his or her knowledge according to the Commission's Rules of Practice and Procedure (18 CFR, Part 1). An original and four copies of each completed Form No. 160 would be required to be sent to the Federal Power Commission. Proposed Form No. 160 is set forth below, along with the definitions and procedures to be followed in its completion.

Any interested person may submit to the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, not later than August 27, 1967 data, views, and comments or suggestions in writing concerning all or part of the proposed form. Written submittals will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20426, during regular business hours. The Commission will consider all such written submittals before acting on the matters herein proposed. An original and 14 conformed copies should be filed with the Secretary of the Commission. Submissions to the Commission should indicate the name, title, and mailing address and telephone number of the person to whom communications concerning the proposals should be addressed and whether the person filing submissions requests a conference with the staff of the Federal Power Commission to discuss the proposed form. The Staff, in its discretion, may grant to deny written requests for conference prior to or subsequent to the filing of formal submittals.

The proposed amendment to Part 141 of the Commission's Approved Forms under the Federal Power Act would be made pursuant to the authority granted the Commission by the Federal Power Act, as amended, particularly Sections 10, 19, 20, 202, 205, 206, 207, 304, 309 and 311.[4]

Effective for the reporting year 1976, the Commission proposes to amend Part 141, Statements and Reports (Schedules), in Subchapter D—Aproved Forms, Federal Power Act, Chapter I, Title 18 of the Code of Federal Regulations by adding a new Section 141.30 prescribing new FPC Form No. 160, Report of Industrial Generation of Electric Energy and Electric Generating Capacity, in the form set out below. New Section 141.30 will read as follows:

§ 141.30 Form No. 160, Report of Industrial Generation of Electric Energy and Electric Generating Capacity.

This form is designed to obtain information concerning the net generation of electrical energy and installed nameplate capacity of industrial establishments.

Industrial plants with an installed capacity of less than 5 MW file annually by May 1 for the previous calendar year. Industrial plants with an installed capacity greater than 5 MW file monthly, 10 days after the reporting month.

The secretary shall cause prompt publication of this notice to be made in the Federal Register.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

REPORT OF INDUSTRIAL GENERATION OF ELECTRIC ENERGY AND ELECTRIC GENERATING CAPACITY

FORM 160—TABLE OF CONTENTS

General Instructions.
Detailed Instructions:
Schedule:
0100 Instructions.
0646 Instructions.
0705 Instructions.
0000 Instructions.
1000 Instructions.
Data Standards:

[1] 41 Stat. 1068-1070, 1073, 1074; 49 Stat. 842-844, 849, 851-853, 855, 856, 858, 859; 67 Stat. 461; 82 Stat. 617; 16 U.S.C. § 803, 812, 813, 824a, 824d, 824e, 824f, 825c, 825h, 825j.

[2] 18 CFR 141.24 (1975).

[3] 18 CFR 141.54 (1975).

[4] Supra, note 1.

Schedule:
- 0100—Index of FPC Public Use Schedules Submitted.
- 0646—Annual Industrial Power Plant Data.
- 0705—Monthly Industrial Power Plant Data.
- 0000—Footnotes to FPC Public Use Schedules.
- 1000—Supporting Documentation.

The reporting period entered by the respondent on each schedule represents the *ending period* (month, day, year) of the period to which the data applies, *not* the date the schedule was completed. An example for an annual submission would be 12/31/76 and for a monthly submission would be 6/30/76.

Prior to mailing the schedules to the Commission, the respondent must complete FPC Schedule 0100, Index of Public Use Schedules Submitted, and submit it with the completed schedule(s).

Footnotes cannot be placed directly on any public use data schedule. FPC Schedule 0000 is used for a footnote entry.

Additional statements, maps, diagrams, charts or other documentation supportive to the data schedules not otherwise specifically required should enter and submit the supplemental information utilizing FPC Schedule 1000.

All schedules should be forwarded to: Federal Power Commission, 825 North Capitol Street NE., Washington, DC 20426, Attn: Office of the Secretary.

DETAILED INSTRUCTIONS

Schedule 0100—Index of FPC Public Use Schedules Submitted

I. DESCRIPTION

This schedule shall be used to identify the schedules which were submitted by each respondent.

II. GENERAL INFORMATION

A. This schedule shall be submitted by all Federal Power Commission respondents.

B. This schedule shall be completed for each submission of schedules to the Federal Power Commission.

C. The report period date required on line two of this schedule shall be the final date of the period covered by the submission i.e., if data is reported on a calendar year basis, the date to be reported is December 31, 1976, in the format
MMDDYY
123176.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

Data field No.:	*Instructions*
1	*Date received in mail room* (N6): This data field is for Federal Power Commission internal processing only. (TMDATE)
2	*Date received in DBCG* (N6): This data field is for Federal Power Commission internal processing only. (TMDATE)

Report of Industrial Generation of Electric Energy and Electric Generating Capacity

GENERAL INSTRUCTIONS

Industrial is defined as producers having generating plants for the purpose of supplying electric power required in the conduct of their industrial operations. Mining, manufacturing, and stationary plants of railroads and railways for active power is included.

Submission requirements:

Respondent category	Schedule	Old FPC form—	Submission date
Industrial plants with installed capacity less than 5 MW.	0646	12C	Annually, by May 1, for the previous calendar year ending Dec. 31.
Industrial plants with installed capacity greater than 5 MW.	0705	4	Monthly, 10 d after the end of previous month.

Data field No.:	*Instructions*
3 (key)	*Schedule number* (N4): Enter the schedule number of each schedule being submitted in this submission.
4	*Schedule contact name* (A35): Enter the name of the individual to contact about the schedule number reported in data field 3 above. The format for the name is: Last name, first name or initial, middle initial. (IDNAME)
5	*Schedule contact telephone number* (A12): Enter the area code and telephone number, in the format NNN–NNN–NNNN. Be certain to over strike the preprinted hyphens (-).
6	*Number of pages* (N4) NO: Enter the number of pages submitted for the schedule reported in data field 3 above.
7	*Indicate primary reporting media, hardcopy or tape* (N1): Enter "1" if hardcopy is being submitted; or enter "2" if tape is being submitted. (INETOR)
8	*Name of contact:* Enter the name of the individual to be contacted concerning the schedules reported above.
9	*Title of contact:* Report the person's title listed in data field 9 above.
10	*Date of submission:* Enter the date the above schedules are forwarded to the Commission.

I. DESCRIPTION

This schedule is used to collect data from those industrial power plants with installed generating capacity of less than five megawatts.

II. GENERAL INFORMATION

A. This schedule is requested from Federal Power Commission selected industrial establishments which owned or operated electric generating capacity, other than motor generators, at any time during the subject year. If such generating capacity has been disposed of to others, give the name and address of the new operator in a general footnote.

B. Respondents shall complete the key data fields to provide appropriate identification, using the plant code and prime mover type supplied in the accompanying record of Commission data. For data fields 2–5 and 7–8 only changed values, additions, and deletions from those shown in the record of Commission data are to be entered. In all cases, annual net generation figures are to be provided in data field 9.

III. DETAILED INSTRUCTIONS

The following data field-by-date field instructions are cross-referenced to the corresponding schedule layout by the data field number:

Data field No.:	*Instructions*
1	*Plant code* (N5): Enter the code, from the Register of Data Standards, *IDPLNT*.
2	*Standard industrial classification (SIC) code* (N4): If available, enter the Standard Industrial Classification code for the industrial operation which utilizes the plant generation entered on this schedule, from the Register of Data Standards, *TYSICL*.
3	*Principal produce* (A20): If the SIC code is *not* available, enter in data field 3 the name of the principal produce created by the industrial operation. (IDDESC)
4	*State abbreviation* (A2): Enter the state abbreviation, from the Register of Data Standards, *IDSTAT*.
5	*County code* (N3): Enter the county code in which the plant is located, from the Register of Data Standards, *IDCNTY*.
6 (key)	*Prime mover type* (A2): Enter for *each* prime mover type the appropriate code as follows: (TYPLPW) HY—Hydroelectric; PS—Pumped storage; ST—Steam-electric; IC—Internal combustion; GT—Gas-turbine; SC—Steam/combined cycle; GC—Gas turbine/combined cycle.
7	*Prime mover status* (A1): Enter the abbreviation for prime mover status as follows: (TYSTOS) O—Fully operational (in commercial service); S—Standby or reserve; R—Retired; T–Testing (not in commercial service).
8	*Installed generating capacity* (N4) KW: Enter installed generating capacity (maximum nameplate rating in *kilowatts*) as of Dec. 31 of the subject year.
9	*Net generation* (N6.1) MWH: Enter net generation (in megawatt-hours), by type of prime mover, for the year ended Dec. 31. To enter negative quantities, type over the preprinted minus sign in right-most character of the data field immediate-

Data field No.:	*Instructions*
	ly after the last significant digit; for example 491.7–.

I. DESCRIPTION

This schedule is used to collect data from those industrial power plants with installed generating capacity of five megawatts or greater.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Federal Power Commission selected industrial establishments which owned or operated electric generating capacity, other than motor generators, at any time during the subject month. If such generating capacity has been disposed of to others, give the name and address of the new operator in a general footnote.

B. Respondents shall complete the key data fields to provide appropriate identification, using the plant code and prime mover type supplied in the accompanying record of Commission data. For data fields 2–5 and 7–8 only changed values, additions, and deletions from those shown in the record of Commission data are to be entered. In all cases, the latest monthly net generation figures are to be provided in data field 9.

III. DETAILED INSTRUCTIONS

The following data field-by-date field instructions are cross-referenced to the corresponding schedule layout by the data field number:

Data field No.:	*Instructions*
1 (key)	*Plant code* (N5): Enter the code, from the Register of Data Standards. *IDPLNT.*
2	*Standard industrial classification (SIC) Code* (N4): If available, enter the Standard Industrial Classification code for the industrial operation which utilizes the plant generation entered on this schedule, from the Register of Data Standards, *TYSICL.*
3	*Principal project* (A20): If Standard Industrial Classification code is *not* available, enter in data field 3 the name of the principal product created by the industrial operation. (IDDESC)
4	*State abbreviation* (A2): Enter the abbreviation, from the Register of Data Standards. *IDSTAT.*
5	*County code* (N3): Enter the county code in which the plant is located, from the Register of Data Standards, *IDCNTY.*
6 (key)	*Prime mover type* (A2): Enter for *each* prime mover type, the appropriate code as follows: (TYPLPW) HY — Hydroelectric; PS—Pumped storage; ST — Steam-electric; IC — Internal combustion; GT—Gas-turbine; SC — Steam/combined cycle; GC—Gas turbine/combined cycle.
7	*Prime mover status* (A1): Enter the abbreviation, for prime mover status as follows: (TYSTOS) O—Fully operational (in commercial service); S—Standby or reserve; R—Retired; T—Testing (not in commercial service).
8	*Installed generating capacity* (N3.1) MW: Enter installed generating capacity (maximum nameplate rating in megawatts) as of the end of the subject month.
9	*Net generation* (N6.1) MWH: Enter the net generation (in megawatt hours) by type or prime mover, for the subject month. To enter negative quantities, type over the preprinted minus sign in the rightmost character of the data field immediately after the last significant digit; for example 491.7–.

Schedule 0000—Footnotes to FPC Public Use Schedules

I. DESCRIPTION

This schedule is used to collect the text for all footnote references for a respondent submission.

II. GENERAL INFORMATION

A. This schedule shall be submitted when applicable by all respondents for reporting footnotes to FPC Public Use Schedules.

B. The footnote reference numbers must be unique within a particular submission.

C. The respondent has to indicate two major types of footnotes.

1. General Footnote—The General Footnote can refer to either the entire schedule or one data field on the schedule, i.e. all data which is reported for data field 5 on the schedule not just one specific value for data field 5.

2. Specific Footnote—The Specific Footnot can refer either to an entire logical entry, i.e. group of related data which *separates* as an entity on a schedule or a data item within the logical entry.

The following entries are provided as an example:

Type footnote	Data field 2, footnote No.	Data field 3, reference identification
1. General footnote:		
a. Entire schedule	001	(1)
b. All data values for data field, 5 entries on this schedule	001	005
All data values for data field, 6 entries on this schedule	001	006
2. Specific footnote:		
a. Entire logical entry	002	(1)
b. Data item entry	002	004
	002	006
	002	008

[1] GEN.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number.

Data field No.:	*Instructions*
1 (key)	*Schedule number* (N4): Enter the number of the schedule on which the footnote reference number was assigned, e.g., 0501 or 0505.
2 (key)	*Footnote number* (N3): Enter the unique footnote reference number from 001–999 for each particular submission.
3 (key)	*Reference identification* (A3): Enter "GEN" for type 1a and 2a footnotes, i.e., footnotes that apply to the entire schedule (or to an entire logical entry) or enter the appropriate data field number for the specific data field value being footnoted (type 1b or 2b).
4 (key)	*Line sequence number* (N2): Enter 01, 02 etc., for each successive line of text.
5 (key)	*System code* (N6): This data field applies only to electric respondents reporting data by system. Enter the 6 digit number code for the system, from the Register of Data Standards, *IDSYST.*
6 (key)	*Plant ID* (N5): This data field applies only to electric respondents reporting data by plant. Enter the 5 digit numeric code for the plant, from the Register of Data Standards, *IDPLNT*
7 (key)	*Project development code* (A5): This data field applies only to electric respondents reporting data by license projects. Enter the 5 digit numeric code for the license project, from the Register of Data Standards, *IDLPRJ.*
8	*Text* (A72): Enter the text of the footnote. Use successive lines as required for text. Repeat data fields 1–3, 5 or 6 as applicable, and increment data field 4 (line sequence number) by 1.

Supporting Documentation

I. DESCRIPTION

This schedule is used to collect schedule related supporting documentation not required by the Public Use Schedules.

II. GENERAL INFORMATION

A. This schedule shall be submitted by any Federal Power Commission respondent who desires to provide supportive documentation or any additional information relating to the Public Use Schedules.

B. This schedule shall be completed only as deemed necessary by the respondent or where specifically requested by detailed in-

structions for other schedules.

DATA STANDARDS

Form 160

IDCNTY

Desc: Identifies the counties of the U.S. Counties, as first order subdivisions of most states, are considered synonymous with parish, borough, or census division used in others. For RIS use, this list is supplemented with natural gas offshore areas.

Sourse: FIPS PUB 6-2, Sept. 15, 1973 and FPC.

List: Offshore, State, 00990; Offshore, Federal, 00995; Offshore, General, 00999 (rest are FIPS).

IDPLNT

Desc: Identifies electric power generating plants reporting to the FPC.

Source: FPC Staff.

List: (To be supplied to individual respondent when form due.)

IDSTAT

Desc: Identifies the 50 States, the District of Columbia, and the outlying areas of the U.S., all of which are considered first order subdivisions of the U.S.

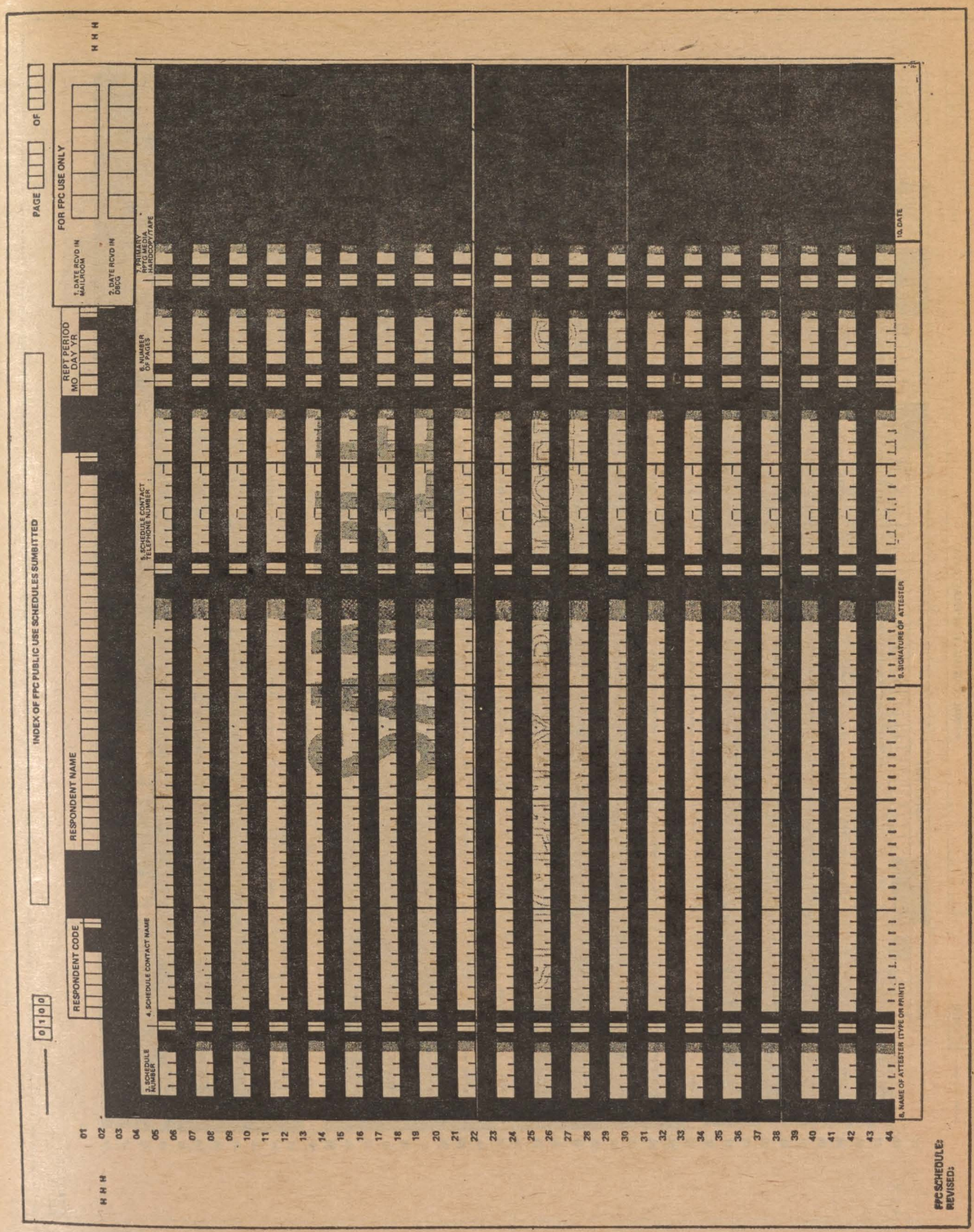
Source: FIPS PUB 5-1, June 15, 1970.

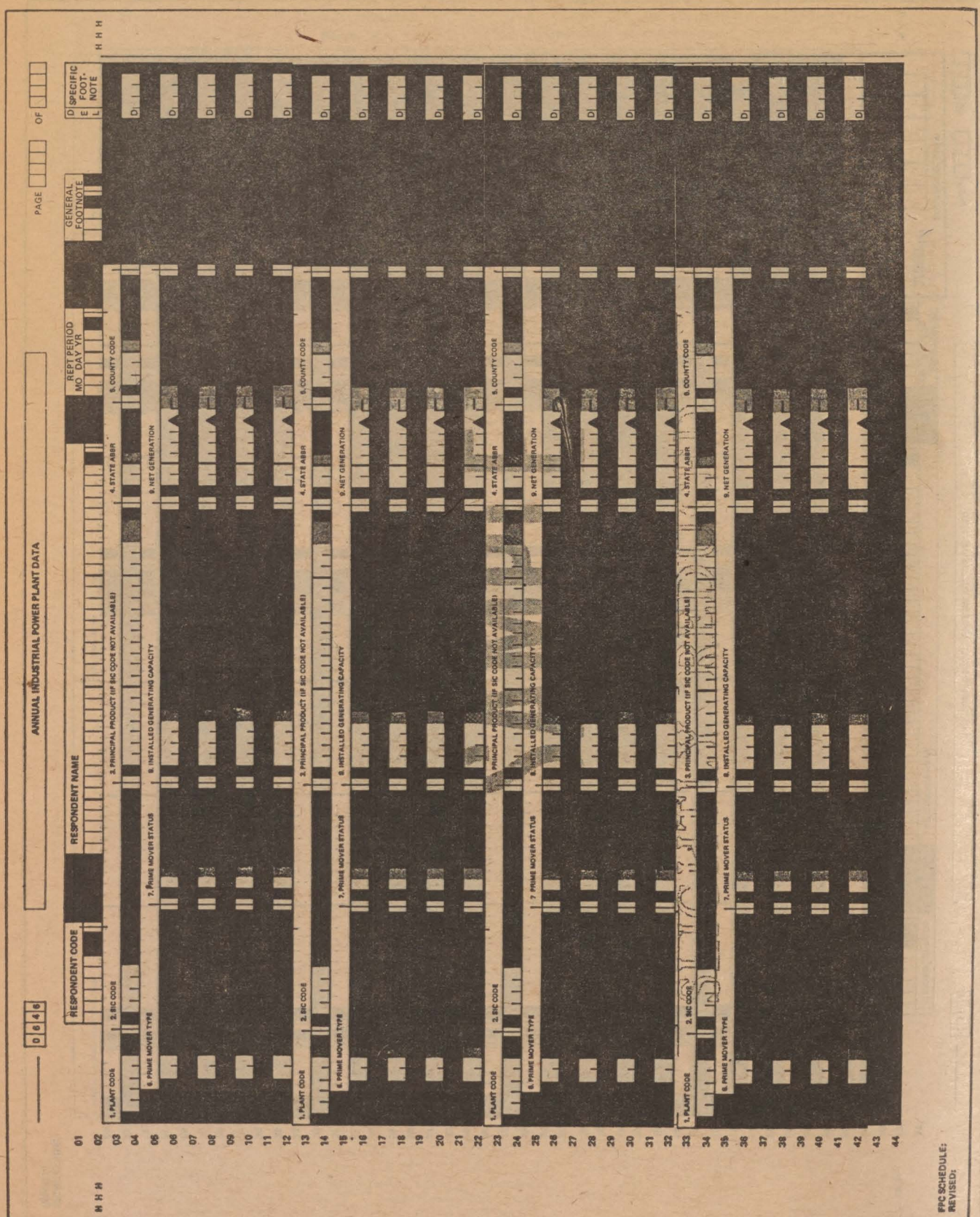
List: (FIPS.)

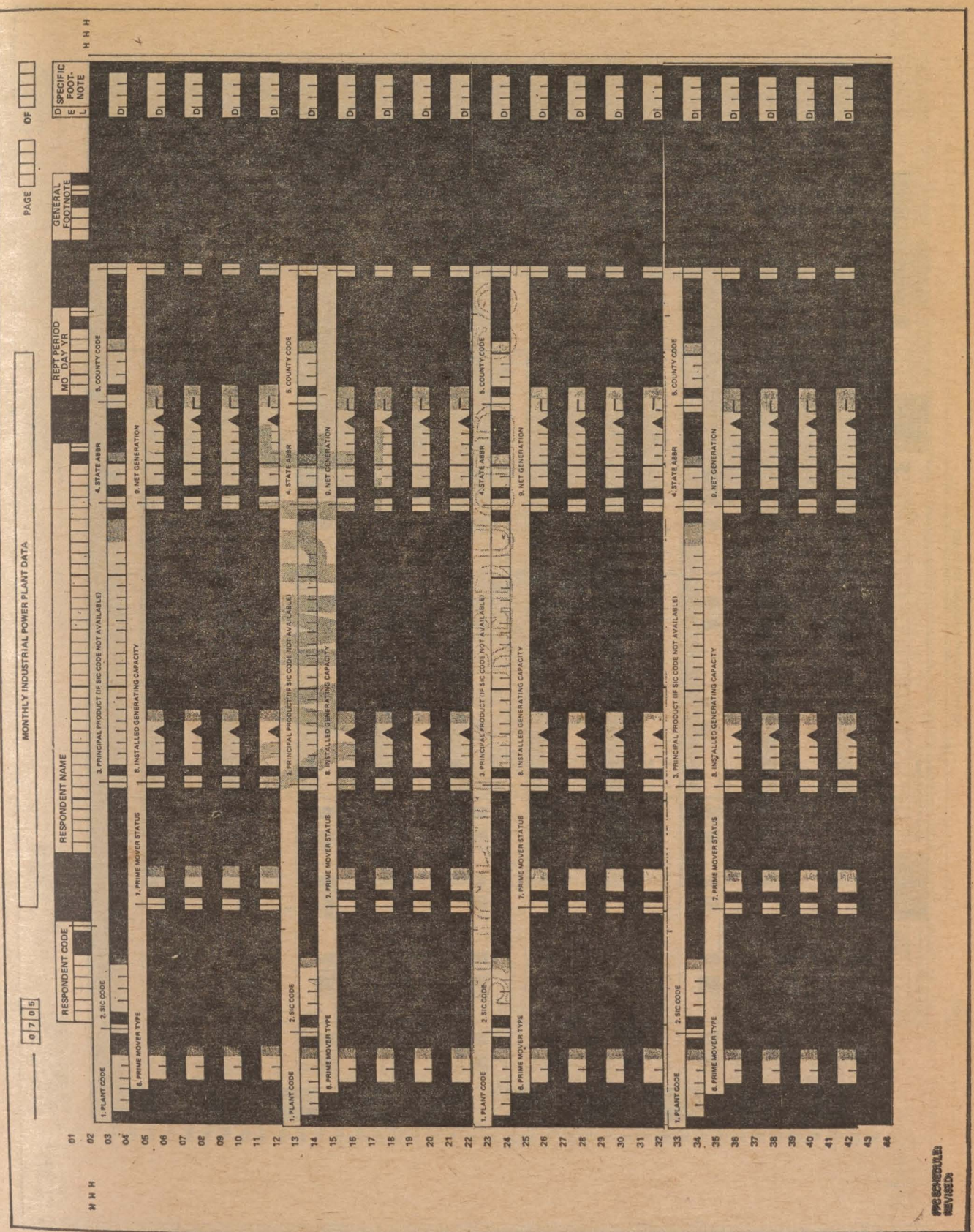
TYSICL

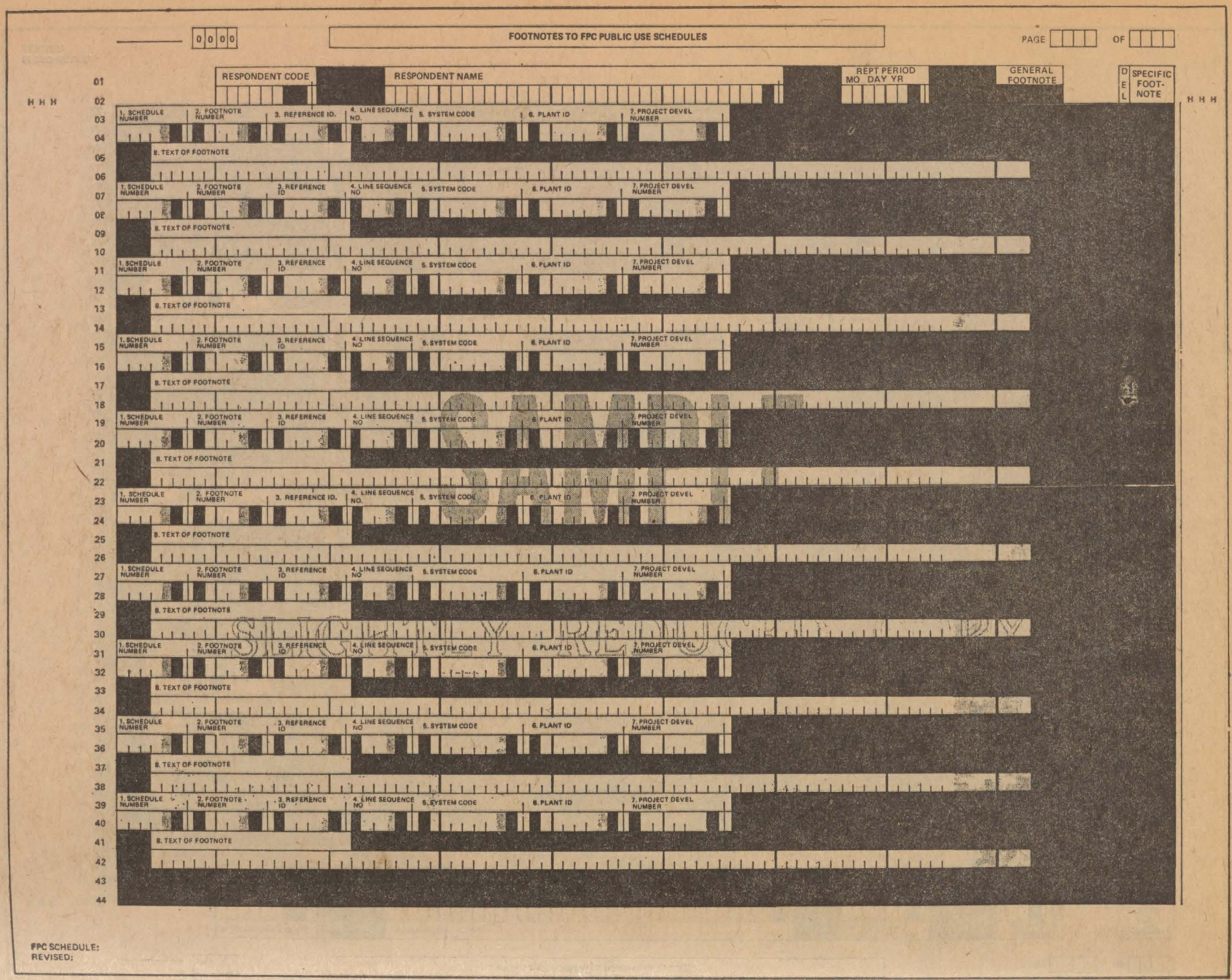
Desc: Indicates a classification assigned to establishments by type of economic activity.

Source: U.S. Office of Management and Budget.


INDEX OF FPC PUBLIC USE SCHEDULES SUMBITTED
0100
RESPONDENT CODE
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REPT PERIOD MO DAY YR
PAGE
OF
FOR FPC USE ONLY
1. DATE RCVD IN MAILROOM
2. DATE RCVD IN DDCS
7. PRIMARY RPTG MEDIA MAGTAPE/TAPE
6. NUMBER OF PAGES
5. SCHEDULE CONTACT TELEPHONE NUMBER
4. SCHEDULE CONTACT NAME
3. SCHEDULE NUMBER
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[FR Doc.76-20273 Filed 7-14-76;8:45 am]

GENERAL SERVICES ADMINISTRATION

[41 CFR Part 101–20]

REVISION OF COOLING AND HEATING ENERGY

Conservation Policies and Procedures

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553 that pursuant to the Federal Property and Administrative Services Act of 1949, as amended, and Pub. L. 566, 8th Congress, approved June 1, 1948 (40 U.S.C. 318), the General Services Administration (GSA) is considering an amendment to 41 CFR Part 101–20 published in the FEDERAL REGISTER on November 6, 1974, at 39 FR 39266, to establish 68° as the target temperature for heating operations in lieu of previously established range of 65–68°.

Any person who wishes to submit written data, views, or objections pertaining to the proposed amendment may do so by filing them in duplicate with the Commissioner, Public Buildings Servcie, (P), General Services Building, 19th and F Streets, NW., Washngton, D.C. 20405, on or before August 16, 1976.

Dated: July 7, 1976.

NICHOLAS A. PANUZIO,
Commissioner,
Public Buildings Service.

Paragraph (b) of section 101–20.116–3 is revised to read as follows:

§ 101–20.116–3 Cooling and heating energy conservation policies and procedures.

* * * * *

(b) During the seasonably cold months, space temperatures shall be maintained at not greater than, but as close to 68° F as possible during working hours and not more than 55° F during nonworking hours. Temperatures in warehouse and similar space shall be adjusted lower depending on the type of occupancy and the activity in the space. Higher temperatures than those specified for heating are permissible when obtained with normal building operation heat gains, such as solar energy, etc. The use of cooling energy to achieve the temperatures specified for heating is prohibited.

(Sec 205(c), 63 Stat 390, (40 USC 486(c).)

[FR Doc.76–20450 Filed 7–14–76;8:45 am]

VETERANS ADMINISTRATION

[38 CFR Part 3]

VETERANS BENEFITS

Burial Benefits

The Administrator of Veterans' Affairs proposes amendments to Part 3 of Title 38, Code of Federal Regulations, to clarify regulatory provisions relating to payment or reimbursement for funeral and burial expenses of deceased veterans.

Section 902 of Title 38, United States Code, provides a $250 burial allowance payable for funeral and burial expenses of veterans of wartime service and certain veterans of peacetime service. This section prescribes restrictions on payment of the burial allowance to the effect that where payments have been made on such expenses by certain public and private organizations or entities, the burial allowance payable may not exceed the difference between the amount(s) paid by such organizations or entities and the total funeral and burial expenses incurred. Where the difference in such cases equals or exceeds the $250 burial allowance the full amount of burial allowance is available for payment. This provision is designed to prevent duplicative payments for the same funeral and burial expenses. The section further provides that where there is specific provision for payment of funeral and burial expenses in some other Act, the burial allowance under that section will not be payable. Section 903(a) provides for payment of the burial allowance and, in addition, costs of transporting the body to the place of burial where death occurs in a VA facility to which the veteran was properly admitted for hospital or domiciliary care. Section 903(b), enacted by Public Law 93–43 (87 Stat. 75), provides for payment of a $150 plot or interment allowance (payable in addition to the burial allowance) when a veteran eligible for the burial allowance is not buried in a National cemetery. Section 907, also enacted by Public Law 93–43, provides that, when the death of the veteran is service connected, funeral and burial expenses may be paid in an amount not exceeding that provided by the Federal Employees' Compensation Act in the case of a Federal employee whose death is due to injury sustained in the performance of duty. This payment is in lieu of the $250 burial allowance under sections 902 and 903(a) and the $150 plot or interment allowance under section 903(b) but not the transportation costs under section 903(a). The amount currently payable as burial allowance in the service-connected death cases is $800.

Section 3.1600(c) of Title 38, Code of Federal Regulations, provides for payment of transportation costs in addition to the statutory burial allowance as provided in section 903 of Title 38, United States Code. Section 3.1604 of Title 38, Code of Federal Regulations, prescribes limitations on payment of the burial allowance as provided in section 902 of Title 38, United States Code. Currently, §§ 3.1600(c) and 3.1604(a) refer only to the $250 burial allowance and could be interpreted as limiting the burial allowance payable in hospitalization cases to that amount. To clarify this, it is proposed to amend these sections of the Code of Federal Regulations to reflect that the $800 service-connected death burial allowance may be payable in such cases. The proposed amendment to § 3.1604, Title 38, Code of Federal Regulations, also reflects that the $800 burial allowance, which is in lieu of the $250 burial allowance, is subject to the same limitations as that benefit. Minor editorial changes are made in §§ 3.1601 and 3.1602(a) to reflect these provisions apply equally to male and female veterans.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, NW., Washington, DC 20420. All relevant material received before August 16, 1976, will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 am and 4:30 pm Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

Notice is given that the proposed amendments would be effective the date of final approval.

It is hereby certified that the economic and inflationary impacts of this proposed regulation have been carefully evaluated in accordance with OMB Circular A–107.

(72 Stat. 1114; 38 U.S.C. 210)

Approved: July 9, 1976.

By direction of the Administrator.

ODELL W. VAUGHN,
Deputy Administrator.

PART 3—ADJUDICATION

1. In § 3.1600, paragraphs (a), (b) (1), (2), (4), and (c) are revised to read as follows:

§ 3.1600 Payment of burial expenses of deceased veterans.

* * * * *

(a) *Wartime veterans.* When a veteran of any war dies, an amount not to exceed $250 ($800 if he (or she) dies of a service-connected disability) (where entitlement is based on § 3.8 (c) or (d), at a rate in Philippine pesos equivalent to $125 or $400 if death is service-connected) is payable on the burial and funeral expenses and transportation of the body to the place of burial, if otherwise entitled within the further provisions of §§ 3.1600 through 3.1611. For this purpose the period of any war is as defined in § 3.2, except that World War I extends only from April 6, 1917, through November 11, 1918, or if the veteran served with the United States military forces in Russia, through April 1, 1920. (38 U.S.C. 902; 907; 107(a))

(b) *Peacetime veterans.* The statutory burial allowance authorized by paragraph (a) of this section is payable based on service of a veteran rendered during other than a war period:

(1) If he (or she) was discharged or retired from active service for a disability incurred or aggravated in line of duty.

The official service department records showing that the veteran was discharged or released from service for disability incurred in line of duty will be accepted for this purpose, notwithstanding, that the Veterans Administration has determined, in connection with a claim for monetary benefits, that the disability was not incurred in line of duty; or

(2) If he (or she) was at the time of his (or her) death in receipt of, or but for receipt of retirement pay would have been entitled to receive disability compensation; or

* * * * *

(4) If he (or she) dies of a service-connected disability. (38 U.S.C. 902)

(c) *Death while properly hospitalized.* If a person dies while properly hospitalized by the Veterans Administration, there is payable an allowance not to exceed $250 ($800 if he or she died of a service-connected disability) for the actual cost of funeral and burial, and an additional amount for transportation of the body to the place of burial. See § 3.1605. (38 U.S.C. 903; 907)

* * * * *

2. In § 3.1601, paragraph (a) (introductory portion) and (a)(2)(i) is revised to read as follows:

§ 3.1601 Claims and evidence.

(a) *Claims.* Claims for reimbursement or direct payment of burial and funeral expenses, transportation of the body and plot or interment allowance, must be received by the Veterans Administration within 2 years after the permanent burial or cremation of the body. Where the burial allowance was not payable at the death of the veteran because of the nature of his (or her) discharge from service, but after his (or her) death the discharge has been corrected by competent authority so as to reflect a discharge under conditions other than dishonorable, claim may be filed within 2 years from date of correction of the discharge. (38 U.S.C. 904)

* * * * *

(2) Claims for the plot or interment allowance may be executed by:

(i) The funeral director, if he (or she) provided the plot or interment services, or advanced funds to pay for them, and if the entire bill for such or any balance thereof is unpaid (if unpaid balance is less than $150 only the amount of the unpaid balance thereof will be payable to the funeral director); or

* * * * *

3. In § 3.1602, paragraph (a) is revised to read as follows:

§ 3.1602 Special conditions governing payments.

(a) *Two or more persons expended funds.* If two or more persons have paid from their personal funds toward the burial, funeral, plot, interment and transportation expenses, the burial and plot or interment allowance will be divided among such persons in accordance with the proportionate share paid by each, unless waiver is executed in favor of one of such persons by the other person or persons involved. The person in whose favor payment is waived will not be allowed a sum greater than that which was paid by such person. (See § 3.1601(a)(3).)

* * * * *

4. In § 3.1604, the introductory portion of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 3.1604 Payments from non-Veterans Administration sources.

(a) *Contributions or payments by public or private organizations.* When contributions or payments on the burial expenses have been made by a State, any agency or political subdivision of the United States or of a State, or the employer of the deceased veteran only the difference between the entire burial expenses and the amount paid thereon by any of these agencies or organizations, not to exceed $250 ($800 if death was service connected), will be authorized. Contributions or payments by any other public or private organization such as a lodge, union, fraternal or beneficial organization, society, burial association or insurance company, will bar payment of the burial allowance if such allowance would revert to the funds of such organization or would discharge such organization's obligation without payment.

* * * * *

[FR Doc.76-20497 Filed 7-14-76;8:45 am]

notices

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

DEPARTMENT OF DEFENSE

Department of the Navy

REGIONAL DISCHARGE REVIEW SYSTEM

Additional Hearing Locations

In FEDERAL REGISTER Document 75–27207, published on October 9, 1975, 40 FR 47524, the Department of the Navy published notice that, beginning in November 1975, the Navy Discharge Review Board will convene and conduct hearings for a number of days each quarter in each of the following locations: Chicago, Illinois; New Orleans, Louisiana; and San Francisco, California.

Notice is hereby given that approval has been granted for the Navy Discharge Review Board to conduct hearings, within assigned resources, on a non-continuing basis in cities other than Chicago, New Orleans, and San Francisco, when the concentration of petitioners in a geographical area so warrants. This expanded availability will facilitate personal appearances before the Board.

The following itinerary for the balance of calendar year 1976 has been approved, but remains subject to modification if necessary:

July 28–30 Jacksonville, Florida
August 9–11 Columbus, Ohio
August 12–14 Minneapolis, Minnesota
August 16–20 Chicago, Illinois
September 13–16 Boston, Massachusetts
October 13–15 Seattle, Washington or Portland, Oregon
October 18–20 San Diego, California
October 21–23 San Francisco, California
November 8–12 Chicago, Illinois
December 6–9 New Orleans, Illinois

Any former member of the Navy or Marine Corps who desires to obtain a review of his or her discharge, either in Washington, D.C. or in one of the other cities in which the Board will conduct hearings, should file an application with the Board using DD Form 293. If a personal appearance is requested, the petitioner should indicate which scheduled location is preferred. Application forms (DD Form 293) can be obtained from, and the completed applications should be mailed to, the following new address:

Navy Discharge Review Board, Suite 905, 801 North Randolph Street, Arlington, VA 22203.

Notice is hereby given that, since the foregoing itinerary is subject to modification and since, following receipt of a new application, the Navy Discharge Review Board must obtain the petitioner's military records before a hearing may be scheduled, the receipt of an application by the Navy Discharge Review Board is not tantamount to scheduling such hearing. Petitioners and/or their counsel will be notified by mail of the date and place of their hearing when personal appearance is requested.

Dated: July 8, 1976.

JOHN S. JENKINS,
Captain, JAGC, U.S. Navy, Assistant Judge Advocate General (Civil Law).

[FR Doc.76–20384 Filed 7–14–76;8:45 am]

DEPARTMENT OF JUSTICE

CENTRAL ILLINOIS LIGHT CO.

Proposed Consent Judgment in Action To Enjoin Discharge of Pollutants

In accordance with Departmental Policy, 28 C.F.R. § 50.7, 38 Fed Reg. 19020, notice is hereby given that on July 1, 1976, a proposed consent decree in *United States* v. *Central Illinois Light Company*, was lodged with the United States District Court for the Southern District of Illinois. The proposed decree requires Central Illinois Light Company to burn low-sulfur coal at its Duck Creek Generating Station, Unit No. 1, from October 1, 1976 until the company has completed installation of the flue gas desulfurization system at the Duck Creek station.

The Department of Justice will receive for 30 days from the date of publication of this notice written comments relating to the proposed judgment. Comments should be addressed to the Assistant Attorney General for the Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and refer to *United States* v. *Central Illinois Light Company*, D.J. Ref. 90–5–2–3–731.

The proposed consent decree may be examined at the office of the United States Attorney, Southern District of Illinois, Springfield, Illinois; the Region V Office of the Environmental Protection Agency, Enforcement Division, 13th floor, 230 Dearborn, Chicago, Illinois; the Clerk of the District Court, Southern District of Illinois, U.S. Courthouse, Peoria, Illinois; and the Pollution Control Section, Land and Natural Resources Division, Department of Justice, Room 2623, Department of Justice Building, Ninth Street and Pennsylvania Avenue, Northwest, Washington, D.C. A copy of the proposed consent judgment may be obtained in person or by mail from the Pollution Control Section. In requesting a copy, please enclose a check in the amount of $.60 (10 cents per page reproduction charge) payable to the Treasurer of the United States.

PETER R. TAFT,
Assistant Attorney General, Land and Natural Resources Division.

[FR Doc.76–20404; Filed 7–14–76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. A 9602]

ARIZONA

Proposed Withdrawal and Reservation of Lands

The Forest Service, United States Department of Agriculture, has filed an application, Serial Number A 9602, for the withdrawal of the lands described below from location and entry under the general mining laws, but not the mineral leasing laws, subject to existing valid rights.

The lands described are known as the Brazaletes Pueblo Site, an important archaeological site, together with its many smaller associated sites. The site has been accepted in the *National Register* of Historical Places published in the March 11, 1975 FEDERAL REGISTER. The Forest Service is charged with the responsibility of protecting and managing all resources in the national forest system and, therefore, wants to preserve this site for its historical value. Any disturbance of the area by mining activity would cause serious deterioration.

On or before August 16, 1976, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 2400 Valley Bank Center, Phoenix, Arizona 85073.

The Department's regulations provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demands for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's to eliminate lands needed for purposes more essential than the applicant's,

and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the Federal Register. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

GILA AND SALT RIVER MERIDIAN, ARIZONA

TONTO NATIONAL FOREST

BRAZALETS PUEBLO SITE

T. 7 N., R. 6 E., unsurveyed
Beginning at Corner No. 1 which lies N. 60°00'00" E. 15,630 ft. from the corner common to T. 7 N., Rgs. 5 and 6 E., and T. 6 N., Rgs. 5 and 6 E.; thence N. 65°00'00" E., 6,600 ft. to Corner No. 2; thence E. 26°20'-00" E., 3,000 ft. to Corner No. 3; thence S. 64°45'00" W., 6,700 ft. to Corner No. 4; thence N. 24°25'48" W., 3,028.57 ft. to the point of beginning.
All of the lands, when surveyed, will be situated in approximately secs. 22, 27, 28 and 33.

The area as described aggregates approximately 460.10 acres in Maricopa County, Arizona.

Dated: July 8, 1976.

E. F. SPANG,
Acting State Director.

[FR Doc.76-20387 Filed 7-14-76;8:45 am]

[Int. Des. 76-22]

CHALLIS PLANNING UNIT, CUSTER COUNTY, IDAHO; DOMESTIC LIVESTOCK GRAZING

Environmental Statement, Extension of Time Period for Comments; Correction

On page 24196 of the FEDERAL REGISTER of Tuesday, June 15, 1976, a notice was published announcing availability for review of the draft environmental impact statement for the proposed domestic livestock grazing program for the Challis Planning Unit in Custer County, Idaho. The notice announced dates for two public meetings and extended the time period for public comments. The following correction is made in that notice.

On page 24196, in the first column, fourth paragraph, the date appearing in the first sentence is changed from July 30, 1976, to August 7, 1976.

Dated: July 8, 1976.

GEORGE L. TURCOTT,
Associate Director,
Bureau of Land Management.

[FR Doc.76-20389 Filed 7-14-76;8:45 am]

UTAH STATE MULTIPLE USE ADVISORY BOARD

Meeting

Notice is hereby given that the Utah State Multiple Use Advisory Board of the Bureau of Land Management will meet September 15–16, 1976, in Moab, Utah. The first day will consist of a field tour to observe conditions and to obtain board suggestions concerning the following topics: The proposed Canyonlands Grazing Environmental Impact Statement, oil and gas and mining developments in southeastern Utah, interpretation and recreation opportunities, wildlife habitat problems and stipulations attached to rights-of-way permits. Members of the public may participate in the field trip as far as there is space available on the bus and with the understanding that representatives of the news media will be given priority. Others may provide their own transportation.

The board will meet September 16 at 8:00 a.m. in the Ramada Inn. Moab, Utah. Topics to be considered will include progress of the grazing EIS program in Utah, proposed energy developments in the state, administrative effectiveness of bureau field offices in Utah since the July 1, 1975, reorganization, wild horse problems and developments, Bonneville Salt Flats Speedway, discussion of range improvement funds paid to the state by BLM, and a report of National Advisory Board proceedings. The meeting will be open to the public and time will be available on September 16, at 11:00 a.m. for brief statements by members of the public. Such statements should be limited to agenda items with the exception of suggestions of topics for future state board consideration. Those wishing to make an oral statement should notify the Utah State Director, Bureau of Land Management, University Club Building, 136 East South Temple, Salt Lake City, Utah, 84111, before the close of business September 13, 1976. Any interested person or organization may file a written statement with the board for its consideration. Such statements may be submitted at the meeting or mailed to the State Director at the above address.

In preparation for the board meeting, three subcommittees of the board will conduct special studies to report to the board: Energy developments concerning BLM-administered lands in Utah, BLM grazing EIS progress in Utah and administrative effectiveness of the BLM Utah field offices since the July 1, 1975 reorganization. The energy subcommittee plans to have a meeting August 16, 1976, at 10:00 a.m. in the Utah State Office, at the above address. The grazing subcommittee will be in the St. George area August 19–20. The administrative effectiveness subcommittee will be in Price and Monticello August 16–17 and in Fillmore and Kanab August 23–24. Persons desiring to provide information for these subcommittees may make arrangements in advance by contacting Jack M. Reed, Public Affairs Officer, Utah State Office, Bureau of Land Management, University Club Building, 136 East South Temple, Salt Lake City, Utah 84111. His telephone number is 524–4227. He also may be contacted for additional details about the board's Moab meeting.

A summary report of the Moab meeting will be available to the public about November 1 in the BLM Utah State Office and BLM district offices in Cedar City, Moab, Richfield, Salt Lake City and Vernal. Copies may be obtained at cost from the BLM Utah State Office.

PAUL L. HOWARD,
State Director.

[FR Doc.76-20390 Filed 7-14-76;8:45 am]

[NM 28404]

NEW MEXICO

Application

JULY 7, 1976.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for one 4½-inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN,
NEW MEXICO

T. 31 N., R. 8 W.,
Sec. 33, S½NE¼;
Sec. 34, SW¼NW¼.

This pipeline will convey natural gas across .505 of a mile of national resource land in San Juan County, New Mexico.

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

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 6770, Albuquerque, New Mexico 87107.

STELLA V. GONZALES,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.76-20388 Filed 7-14-76;8:45 am]

[INT DES 76-21]

COLORADO

Public Hearings

On June 7, 1976, there was published in the FEDERAL REGISTER (41 FR 22850) Notice of Availability of Draft Environmental Statement for the proposed development of coal resources in northwest Colorado. Several requests for additional time to submit comments and prepare oral testimony have been received in response to the June 7 Notice.

The purpose of this Notice is to:

(1) Extend the time for receiving written comments on the draft statement; and

(2) Announce dates, times, and locations for a second set of public hearings on the draft statement.

Written comments on the draft statement may be delivered by mail to the Bureau of Land Management, Northwest Colorado Environmental Statement Project Office, Post Office Box 689, Steamboat Springs, Colorado 80477, prior to close of business on Wednesday, September 1, 1976; or personally delivered to the Project Office at Room 105 of the Holiday

Inn in Steamboat Springs, Colorado, during regular hours of business up to and including September 1, 1976; or submitted to the presiding officer at either of the two public hearings to be conducted on August 17 and 18, 1976.

A second set of public hearings to receive testimony on the draft environmental statement is scheduled on August 17, 1976 at the Wyer Auditorium, Denver Public Library, 1357 Broadway, Denver, Colorado; and on August 18, 1976, at the Moffat County Court House Auditorium, Craig, Colorado. Hearings are scheduled to begin at 2:00 p.m. and 7:00 p.m. at both locations.

Oral testimony of ten minutes maximum duration will be accepted from each witness at the hearing in lieu of written comments or in addition to any written comments submitted by such witness. The ten minute time limitation will be strictly enforced. Complete texts of prepared speeches may be filed with the presiding officer at the hearing whether or not the speaker has been able to finish with oral delivery in the allotted ten minutes.

Speakers will be heard, if present, in their established order on the witness list. After the last witness present has been heard, the presiding officer will consider the request of any other person present and wishing to testify. Only one witness will be allowed to represent the viewpoints of a single organization. However, any witness will be permitted to give germane testimony if offered as the views or opinion of a private citizen.

Written requests to testify orally should be received at the Northwest Colorado Coal Environmental Statement Project Office, Post Office Box 689, Steamboat Springs, Colorado 80477, prior to close of business on August 13, 1976. Requests should identify the organization represented, should be signed by the prospective witness, and should state the location (Denver or Craig) and approximate time (afternoon or evening) for giving oral testimony. The cut-off date is necessary so that a witness list can be made available on the day before the public hearing.

Comments on the draft environmental statement, whether written or oral, will receive equal consideration in preparation of a final environmental statement.

JAMES S. LAVENDER,
Acting State Director.

[FR Doc.76-20451 Filed 7-14-76;8:45 am]

SALT LAKE DISTRICT MULTIPLE USE ADVISORY BOARD, UTAH

Salt Flat Committee Meeting

Notice is hereby given that the Bureau of Land Management, Salt Lake District Multiple Use Advisory Board Salt Flat Committee will tour the Bonneville Salt Flats and conduct a brief formal meeting on August 25 and 26, 1976. The tour will commence the 25th at 9:00 a.m. in the Salt Lake District Office, 2370 South 2300 West, Salt Lake City, Utah.

This Committee will offer advice and recommendations for the District's management of the Bonneville Salt Flats and will be a primary reviewing body for a management plan which will be developed in the coming year.

The meeting is open to the public, and will be conducted at 8:00 a.m. August 26 in the pit area of the Bonneville Salt Flats speedway. Interested persons can make oral presentations to the Board or file written statements; however, requests for oral presentations before this Board should be made to the official listed below at least two days prior to the meeting. The Chairman or Authorized Federal Official may limit public attendance to the extent that available facilities and time require limitation.

Further information concerning this meeting may be obtained from Rulon McRae, Acting District Manager, Bureau of Land Management, Salt Lake District, 2370 2300 West, Salt Lake City, Utah 84119; telephone number (801) 524-5348. Minutes of the meeting will be available for public inspection and copy 30 days after the meeting at the Salt Lake District Office.

Dated: July 9, 1976.

RULON G. MCRAE,
Acting District Manager.

[FR Doc.76-20452 Filed 7-14-76;8:45 am]

RIVERSIDE DISTRICT MULTIPLE USE ADVISORY BOARD

Meeting

Notice is hereby given that the Riverside District Multiple Use Advisory Board of the Bureau of Land Management will meet on August 13, 1976 at the Riverside District Office, and on August 14–15th to tour the East Mojave Planning Unit, as set out below:

The Riverside District Multiple Use Advisory Board will meet at 7:00 p.m. in the Conference Room of the Bureau of Land Management, Riverside District Office, 1695 Spruce Street, Riverside, California 92507. Items on the agenda include: A Charter Committee report on rechartering the Riverside District Advisory Board for 1977 and 1978, and a presentation by Bureau of Land Management California Desert Plan Staff on the resource inventory completed in the East Mojave Planning Unit located east of Baker, California between Interstate Freeway 15 and 40 to the California-Nevada border.

The Riverside District Advisory Board will tour the East Mojave Planning Unit by air leaving the Ontario, California Airport at 7:00 a.m. on August 14th. The plane will land at 10:00 a.m. and the tour of the East Mojave Planning Unit will continue on the ground to 6:00 p.m.

The Riverside District Advisory Board members will camp overnight at Caruthers Canyon. A briefing will be held by the Riverside District Manager on August 15th at 8:00 a.m. to inform the Riverside District Advisory Board on the Riverside District's Fiscal Year 1977 involvement in Bureau of Land Management programs.

The tour of the East Mojave Planning Unit will continue on the ground to 12:00 noon with a return flight concluding at the Ontario, California Airport at 2:00 p.m.

The meeting will be open to the public. Time will be available for a limited number of brief oral statements at two different points during the full board meeting on August 13, 1976; The first following the Charter Committee report and the second following the East Mojave Planning Unit presentation. These oral statements must be brief and must confine themselves to items on the agenda. Written statements or requests for time to make oral presentations can be made to the Riverside District Manager, Bureau of Land Management, 1695 Spruce Street, Riverside, California 92507.

The tour will also be open to the public. Since airplane space is limited, persons wishing to attend must make their own transportation arrangements to meet on the ground and must furnish their own meals.

Further information on the meeting and tour may be obtained by contacting DeLoris McKee, Public Information Officer at the address listed above or by telephone at (714) 787-1462. Minutes of the meeting will be available for public inspection 30 days after the meeting at the Bureau of Land Management Riverside District Office, 1695 Spruce Street, Riverside, California 92507.

Dated: July 9, 1976.

CARROLL K. CONN,
Acting District Manager.

[FR Doc.76-20453 Filed 7-14-76;8:45 am]

Fish and Wildlife Service

LOUISIANA

Application

JULY 9, 1976.

Notice is hereby given that under section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Exxon Company has applied for a 1¼" Kobeline and a 2½" test flowline right-of-way that will cross the following lands:

T.6 N., R.4 E.
Section 8

The pipeline will convey crude oil across 850 feet of the Catahoula National Wildlife Refuge, LaSalle Parish, Louisiana.

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

Interested persons desiring to express their views should do so within thirty (30) days and send their name and address to the Regional Director, U.S. Fish and Wildlife Service, 17 Executive Park Drive, NE., Atlanta, Georgia 30329.

KENNETH E. BLACK,
Regional Director,
U.S. Fish and Wildlife Service.

[FR Doc.76-20454 Filed 7-14-76;8:45 am]

National Park Service

DELAWARE WATER GAP NATIONAL RECREATION AREA

Availability of Alternatives/Assessment

Pursuant to its Planning Process guidelines, the National Park Service of the Department of the Interior has prepared an Alternatives/Assessment for Delaware Water Gap National Recreation Area.

The Alternatives/Assessment sets forth four alternatives futures for Delaware Water Gap National Recreation Area—deauthorization of the National Recreation Area, continuation of its operation at the present level, development and management to maximize active outdoor recreation and development and management to maximize preservation and use of natural and historical features. Two other alternatives, developed respectively by the Save the Delaware Coalition and the Appalachian Mountain Club are also available.

Comments are due by August 31, 1976.

Copies of the Alternatives/Assessment are available upon request from the Mid-Atlantic Regional Office, National Park Service, 143 S. Third Street, Philadelphia, Pennsylvania 19106 and from Delaware Water Gap National Recreation Area, Highway I–80, Columbia, New Jersey 07832. Copies are available for study at the above offices and at the following locations:

Pike County Public Library, Milford, Pennsylvania.
Port Jervis Free Library, Port Jervis, New York.
Sunshine Hall Free Library, Eldred, New York.
Monroe County Public Library, Stroudsburg, Pennsylvania.
East Stroudsburg State College, East Stroudsburg, Pennsylvania.
Sussex Couty Library, Newton, New Jersey.
Free Public Library, Hackettstown, New York.
Headquarters, Morristown National Historical Park between Morristown Avenue, East and Morris Avenue, West at Washington Place, Morristown, New York.
Federal Hall National Memorial, 26 Wall Street, New York, New York.

Dated July 1, 1976.

CHESTER L. BROOKS,
Regional Director,
Mid-Atlantic Region.

[FR Doc.76-20433 Filed 7-14-76;8:45 am]

Office of Hearings and Appeals

[Docket No. M 76-44]

BLACK HAWK COAL COMPANY, INC.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Black Hawk Coal Company, Inc., has filed a petition to modify the application of 30 CFR 77.1605(k) to its No. 1 Mine, Buchanan County, Virginia.

30 CFR 77.1605(k) provides:

Berms or guards shall be provided on the outer bank of elevated roadways.

The alternate method which Petitioner proposes to establish in lieu of the mandatory standard is as follows:

1. A daily inspection of all coal-hauling vehicles shall be made and any defects detected shall be corrected before the vehicle is put into service. A record of the inspection and repair on each vehicle shall be kept and maintained by a supervisory employee.

2. Roadway surfaces shall be kept free of debris, excessive water and snow and ice, and maintained as free as practicable of small ditches (washboard effects).

3. A traffic system should be put into use for these roads requiring that loaded vehicles have the right-of-way on the highwall side of roads regardless of their direction of travel.

4. Warning signs shall be posted designating curves, steep grades where trucks should shift to a lower gear, and where roadways are reduced to one-lane traffic. Stop signs shall be posted where one road intersects another, giving main haulage road traffic the right-of-way. Signs should also be posted designating passing points.

5. All equipment operators should be trained in the use of haulage equipment and the safety of vehicles on haulage roads.

6. All haulage vehicles shall have:
(a) Original manufacturers brakes.
(b) Engine or Jacobs brakes.
(c) Emergency (parking) braking system.

7. Adequate supplies of crushed stone or other suitable materials shall be stored at strategic locations along the haulage roads for use when the road surface becomes slippery.

8. A minimum width of 30 feet shall be provided and maintained along two-lane roads, and where widths of less than 30 feet are provided and maintained, the roads shall be designated as single-lane roads.

9. On roads that afford only one traffic lane ,a minimum width of 16 feet shall be maintained, with passing points provided at intervals of not more than 1,000 feet; if visibility is obscured by brush or other materials, passing points shall not be more than 500 feet apart.

10. Where abrupt drop-offs are present along the outer banks, super elevation shall be provided to cause the vehicles to gravitate towrd the highwall side of the road.

11. All rules of the road (traffic system) shall be posted on the bulletin boards throughout the mine area, and such rules of the road shall be made part of the training and retraining programs.

Petitioner further states that the alternate method oulined above will, at all times gurantee no less than the same measure of protection afforded the miners at the Petitioner's mine by the mandatory standard.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 16, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

JULY 8, 1976.

[FR Doc.76-20391 Filed 7-14-76;8:45 am]

[Docket No. M 76-309]

DONNA KAY COAL COMPANY, INC.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Donna Kay Coal Company, Inc., has filed a petition to modify the application of 30 CFR 75.1710 to its No. 5 Mine, Pike County, Kentucky, and its No. 8 Mine, Letcher County, Kentucky.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710–1 which in pertinent part provides:

* * * Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;

(4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;

(5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches; and

(6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. * * *

The substance of Petitioner's statement is as follows:

Petitioner feels that having canopies installed on its equipment is creating a hazard to the operators.

Petitioner's equipment consists of the following equipment:

No. 5 Mine
1 14 Joy Loader, height 36 inches.
2 Kersey Battery Tractors, height 36 inches.
1 35 L Jeffrey Cutter, height 30 inches.
1 Pauls Roof Bolter, height 30 inches.
No. 8 mine
2 Elkhorn Scoops, height 32 inches.
1 Pauls Roof Bolter, height 30 inches.

The No. 8 Mine is in the Elkhorn No. 3 Seam ranging from 36 to 40 inches in height. The No. 5 Mine is the Elkhorn Seam ranging from 40 to 42 inches in height. In these seams Petitioner is constantly running into ascending and decending grades, resulting in dips in the coalbed. By installing canopies on the equipment Petitioner is limiting the vision of the operators of this equipment, thereby creating a hazard to them as well as other employees in the mine.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 16, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

JULY 8, 1976.

[FR Doc.76-20392 Filed 7-14-76;8:45 am]

[Docket No. M 76-364]

DOUBLE A COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Double A Coal Company has filed a petition to modify the application of 30 CFR 75.1710 to its No. 128 Mine, Pikeville, Kentucky.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710–1 which in pertinent part provides:

* * * Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;

(4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;

(5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches; and

(6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. * * *

The substance of Petitioner's statement is as follows:

1. Petitioner feels that the installation of canopies on its equipment is creating a hazard to the equipment operator.

2. Petitioner's haulage equipment consists of two End Dump Buggies. The roof bolting machine is an Acme SPHRD–1.

3. The subject mine is in the Whitesburg seam and ranges from 36 to 38 inches in height. The coal seam has consistent ascending and descending grades creating dips in the coalbed. As a result of these dips, the canopies have to be installed in such a manner as to prevent the canopies from striking the roof and possibly destroying roof support. Also, the canopies only allow a 23-inch vertical operating compartment thus limiting the vision of the equipment operator and creating a hazard to them as well as the other employees in the mine.

4. Petitioner feels that since the equipment operators' vision is obstructed and the position required in order to be seated in the decks is awkward, that the installation of canopies could be a contributing factor in any accidents which may arise.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 16, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

JULY 8, 1976.

[FR Doc.76-20393 Filed 7-14-76;8:45 am]

[Docket No. M 76-347]

JOHNSON BROTHERS COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c), (1970), Johnson Brothers Coal Company has filed a petition to modify the application of 30 CFR 75.1710 to its No. 1 Mine, Virgie, Kentucky.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710–1 which in pertinent part provides:

* * * Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;

(4) On and after July 1, 1975, in coal mines having minig heights of 36 inches or more, but less than 48 inches;

(5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches; and

(6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. * * *

The substance of Petitioner's statement is as follows:

1. Petitioner feels that the installation of canopies on its equipment is creating a hazard to the equipment operator.

2. The haulage equipment consists of two Kersey Scoops, Model 16–S, and the roof bolting machine, an Acme D–100.

3. The No. 1 Mine is on the Elkhorn #2 seam and ranges from 36 to 44 inches in height. The coal seam has consistent ascending and descending grades creating dips in the coal bed. As a result of these dips, the canopies have to be installed in such a manner as to prevent them from striking the roof and possibly destroying roof support. Also, the canopies only allow a 23-inch vertical operating compartment thus limiting the vision of the equipment operators and creating a hazard to them as well as the other employees in the mine.

4. Petitioner feels that since the equipment operators' vision is obstructed and the position required in order to be seated in the decks is awkward, the installation of a canopy could be a contributing factor in any accidents which may arise.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 16, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: July 8, 1976.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

[FR Doc.76-20394 Filed 7-14-76;8:45 am]

[Docket No. M 76-297]

JUSTICE & MURPHY COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Justice & Murphy Coal Co. has filed a petition to modify the application of 30 CFR 75.1710 to its 2B Mine, Elkhorn City, Kentucky.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710-1 which in pertinent part provides:

* * * Except as provided in paragraph (f) if this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;

(4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;

(5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches; and

(6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. * * *

The substance of Petitioner's statement is as follows:

1. Petitioner's haulage equipment consists of 3 Mescher Motors, 1 14 BU Joy Loader and 1 Acme Roof Bolt Machine.

2. The subject mine is located in the Winfred Seam and the thickness of the seam is not consistent due to rolls in the bottom and small hills inside the mine. The seam thickness is from 50 to 58 inches.

3. It would be impossible to remove this haulage equipment to the outside without removing the canopies or placing the canopies at the lowest height in the mine. The equipment operators would be placed in danger due to the different heights of the coal. The canopies would scrape against the roof bolts and headers due to any number of reasons, especially spilled coal lost in haulage.

Any piece of canopied equipment in low coal will obstruct the vision of the operator of that piece of equipment to the point where he would be in danger and other workmen in the mine would be subject to injury from the moving equipment.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 16, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

JULY 8, 1976.

[FR Doc.76-20395 Filed 7-14-76;8:45 am]

[Docket No. M 76-304]

K. C. ROGERS COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), K. C. Rogers Coal Co. has filed a petition to modify the application of 30 CFR 75.1710 to its No. 12 Mine, Harold, Kentucky.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710-1 which in pertinent part provides:

* * * Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;

(4) On and atfer July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;

(5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches; and

(6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. * * *

The substance of Petitioner's statement is as follows:

1. Petitioner's small mining operation employs the use of a Paul's Repair Shop Roof Bolting machine.

2. The installation of a canopy on the foregoing machine obstructed the operator's vision and created a hazard.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 16, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

JULY 8, 1976.

[FR Doc.76-20396 Filed 7-14-76;8:45 am]

[Docket No. M 76-348]

O. C. COAL MINE

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), O. C. Coal Mine has filed a petition to modify the application of 30 CFR 75.1710 to its Mine No. 2, Gunnison, Colorado.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710-1 which in pertinent part provides:

* * * Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On an after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;

(4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;

(5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches; and

(6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. * * *

The substance of Petitioner's statement is as follows:

1. Petitioner seeks a waiver of the requirement that a cab or canopy be placed on its shortwall cutting machine.

2. The mining heights in the subject mine vary from 32 inches to 72 inches.

3. In order to afford the equipment operator protection, the cab or canopy would have to be 6 feet wide and 10 feet long. Petitioner believes that due to the structure of the control panel and the location of the methane monitor in the machine, it would be impractical to install a cab or canopy on its shortwall cutting machine.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 16, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 6432 Federal Building, Salt Lake City, Utah 84138. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

JULY 8, 1976.

[FR Doc.76-20397 Filed 7-14-76;8:45 am]

[Docket No. M 76-378]

PEERLESS EAGLE COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Peerless Eagle Coal Co. has filed a petition to modify the application of 30 CFR 75.1710 to its Nos. 1, 2A, 3 and 5 Mines, Nicholas County, West Virginia.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710–1 which in pertinent part provides:

* * * Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;

(4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;

(5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches; and

(6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. * * *

The substance of Petitioner's statement is as follows:

Petitioner feels that the application of 30 CFR 75.1710–1 to these mines will result in a diminution of safety to the operator of the equipment and also any other miner nearby, in the following mines:

Mine No. 1—total seam height 36 to 42 inches. The electric face equipment subject to the regulation in this mine consists of the following:

1. (1) Joy 11 RU Coal Cutter.
2. (1) S & S Una-A-Trac Scoop.

Mine 2A—total seam height 36 to 46 inches. The electric face equipment subject to the regulation in this mine consists of the following:

1. (2) Joy 11 RU Coal Cutters.
2. (2) S & S Una-A-Trac Scoops.
3. (2) Joy 14BU 10–11 AE Loaders.
4. (4) Galis 300 Roof Drills.
5. (4) Joy 18 SC Shuttle Cars.
6. (2) Joy RBD15 Converted Coal Drills.

Mine No. 3—total seam height 32 to 38 inches. The electric face equipment subject to the regulation in this mine consists of the following:

1. (1) Joy 11 RU Coal Cutter.
2. (1) Joy 14 BU 10–11 AE Loader.
3. (2) Joy 18 SC Shuttle Cars.
4. (2) Galis 300 Roof Drills.
5. (1) Joy RBD15 Converted Coal Drill.
6. (1) S & S Una-A-Trac Scoop.

Mine No. 5—total seam height 30 to 38 inches. The electric face equipment subject to the regulation in this mine consists of the following:

1. (1) Lee Norse 245 Continuous Miner.
2. (2) Joy 21 SC Shuttle Cars.
3. (1) S & S Una-A-Trac Scoop.
4. (1) Galis 300 Roof Drill.

If canopies were installed, operators will not have as good vision as they have without the cabs or canopies. They will tend to lean out of the cab or canopy and possibly be dragged off or fall off the equipment. The equipment operators will not be able to see their fellow miners and therefore could endanger them. The cabs or canopies will drag on check curtains or line curtains and cause improper ventilation. The canopies could tear down hanging trailing cables, possibly causing fires or burns to the miners. Canopies could shear off roof bolts or dislodge other roof supports endangering the operator and other miners.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 16, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Office of Hearings and Appeals.

JULY 8, 1976.

[FR Doc.76-20398 Filed 7-14-76;8:45 am]

[Docket No. M 76-253]

STAR COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Star Coal Co. has filed a petition to modify the application of 30 CFR 75.1710 of its No. 11 Mine, Ashcamp, Kentucky.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710–1 which in pertinent part provides:

* * * Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule

of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;

(4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;

(5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches; and

(6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. * * *

The substance of Petitioner's statement is as follows:

1. The equipment used in the mine consists of: one Long Airdox Loading Machine—188, one Paul's Repair Shop Roof Bolter, two Porter Battery Tractors, one S & S Battery Tractor, and one S & S Scoop. The coal height varies from 39 to 49 inches.

2. Petitioner has canopies for all of its equipment, but due to the height of the coal is unable to use them. The canopies cause the machines to hit the top and destroy the roof support. They also obstruct vision of the operator creating a hazard.

3. Petitioner's employees are refusing to operate this equipment simply because they cannot work under canopies in a cramped position and they are afraid they will either be injured or injure some of the other employees.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 16, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

JULY 8, 1976.

[FR Doc.76-20399 Filed 7-14-76;8:45 am]

[Docket No. M 76-333]

STARLIGHT MINING, INC.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Starlight Mining, Inc., has filed a petition to modify the application of 30 CFR 75.1710 to its No. 1 Mine, Majestic, Kentucky.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710-1 which in pertinent part provides:

* * * Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;

(4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;

(5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches; and

(6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. * * *

The substance of Petitioner's statement is as follows:

1. Petitioner feels that the installation of canopies on its equipment is creating a hazard to the equipment operator.

2. Petitioner's haulage equipment consist of a 6SC Shuttle Buggy approximately 37 inches in height, and a S & S 100 Tractor approximately 39 inches in height. The face equipment consists of a Acme D-1 roof bolting machine and a Joy 11-R-U Cutter.

3. The No. 1 Mine is in the Cedar Grove Seam and ranges from 45 to 47 inches in height. The coal seam has consistent ascending and descending grades creating dips in the coalbed. As a result of these dips, the canopies have to be installed in such a manner as to prevent the canopies from hitting against the roof and possibly destroying roof support. Also, the canopies only allow a 9- to 10-inch vertical operating compartment thus limiting the vision of the equipment operator and creating a hazard to them as well as the other employees in the mine.

4. Petitioner feels that since the equipment operator's vision is obstructed and the position required in order to be seated in the decks, is awkward, the installation of a canopy could be a contributing factor in any accidents which may arise.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 16, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

JULY 8, 1976.

[FR Doc.76-20400 Filed 7-14-76;8:45 am]

[Docket No. M 76-353]

WASSON COAL MINING CORPORATION

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) 1970), Wasson Coal Mining Corporation has filed a petition to modify the application of 30 CFR 77.502 to its Millersburg Mine No. 2, Chandler, Indiana.

30 CFR 77.502 provides:

Electric equipment shall be frequently examined, tested, and properly maintained by a qualified person to assure safe operating conditions. When a potential dangerous condition is found on electrical equipment, such equipment shall be removed from service until such condition is corrected. A record of such examinations shall be kept.

The substance of Petitioner's statement is as follows:

1. All of Petitioner's electrical systems are permanent installations that were installed by a state-licensed electrical contractor. These systems include 110 and 220 volts A.C. in the shop, 440 volt A.C. pump, diesel electric lighting circuit on the dragline, and 220 and 440 volt A.C. circuits (diesel-powered generator) for the rotor breaker and associated feeders and stackers. The installations, as far as the electrical contractor could determine, are in compliance with the regulations. All of the installation, except the rotor breaker and associated equipment, was inspected by a MESA electrical inspector and there are no outstanding electrical notices or orders except the notice written by MESA inspector Stanley R. Ozalas on March 11, 1975, and modified on May 13, 1975.

2. John Wasson, Superintendent and Safety Officer, has some electrical experience and is currently conducting the examination required by Section 77.502. All repair work other than that of the type that only requires a fuse to be changed is contracted out to a state-licensed contractor. The mine does not have enough work to warrant a full time electrician.

3. The following alternative method of achieving the result of Section 77.502 is proposed, which method will at all times

guarantee no less than the same measure of protection.

4. John Wasson will conduct and record the results of the monthly examinations required by Section 77.502.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 16, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID TORBETT,
Acting Director,
Office of Hearings and Appeals.

JULY 8, 1976.

[FR Doc.76-20401 Filed 7-14-76;8:45 am]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

MONTHLY SALES LIST (PERIOD JULY 1, 1976 THROUGH MAY 31, 1977)

CCC-Owned Commodities

NOTICE TO BUYERS

This Monthly Sales List for the period July 1, 1976 through May 31, 1977, hereinafter referred to as "the period", is issued pursuant to the policy of the Commodity Credit Corporation issued on October 12, 1954, and published in the FEDERAL REGISTER of October 16, 1954 (19 FR 6669), and amended on January 31, 1970 (35 FR 1273), and on June 3, 1970 (35 FR 107). This Monthly Sales List is effective with respect to Commodity Credit Corporation (CCC) commodity holdings which are available for sale, beginning at 2:30 p.m., e.d.t. on June 30, 1976. Sales price transitions between successive months will be made at 2:30 p.m. (Washington, D.C.), on the last CCC business day of each month unless otherwise specified.

This Monthly Sales List reflects sales policy for the beginning month of the period covered by the list. This Monthly Sales List also projects the beginning sales policy as far as possible into the balance of the period by setting forth prices that will prevail in subsequent months if the beginning sales policy remains unchanged. The inclusion of projected prices for subsequent months is intended to minimize the repetitive publication of price information and shall not be construed as an anual sales policy commitment by CCC. This Monthly Sales List will be amended in the FEDERAL REGISTER from time to time during the period to reflect intra-month and end-of-month changes.

This Monthly Sales List sets forth the commodities available for sale, information concerning financing, and the pricing basis on which sales will be made, and sources from which further information concerning matters described in this paragraph may be obtained. This list is issued for the purpose of public information and does not constitute an offer to sell by CCC or an invitation for offers to purchase from CCC.

1. GENERAL

(a) CCC will entertain offers from responsible buyers for the purchase of any commodity in this Monthly Sales List. Offers accepted by CCC will be subject to the terms and conditions prescribed by CCC. With certain exceptions such terms and conditions appear in published regulations and in pamphlets which are designated as announcements. The identity of such announcements are with certain exceptions, stated in this Monthly Sales List. The announcements may be obtained from the sources described herein.

(b) CCC reserves the right to refuse to consider an offer if CCC does not have adequate information of financial responsibility of the offeror to meet contract obligations of the type contemplated under the prospective contract. If a prospective offeror is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named to receive offers in the appropriate announcement or invitation prior to making an offer or communicate with such office to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an offer only on submission by offeror of a certificated or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offeror will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of a performance bond or other security acceptable to CCC. Interest at 9 percent will be charged for delinquent payments on dairy product sales and on consignment and track grain sales.

(c) The pricing provisions in the CCC Monthly Sales List in effect at time of sale shall be applicable to sales of all commodities. Grain sales are made on-track with immediate delivery; in-store for delivery as soon as possible: or FOB origin for delivery as soon as possible subject to availability of transportation. In the case of sales FOB buyer's conveyance, carrying charges for account of the buyer will accrue at the rate specified in the contract commencing 10 days after date of sale. Sales for delivery other than immediate or as soon as possible will be made only pursuant to terms specified in special provisions.

(d) Financial coverage for commodities purchased shall be furnished before delivery, in cash or by irrevocable letter of credit. Corn, oats, barley, grain sorghum, wheat or rye, as determined by CCC will be sold for unrestricted use for "Dealers' Certificates" issued under the livestock feed program. Grain delivered against such certificates will be sold at the applicable current market price.

(e) CCC reserves the right to determine the class, grade, quality, and available quantity of commodities listed for sale.

(f) Nonstorable commodities will be sold at not less than market price.

2. EXPORT COMMODITIES

On sales for export, the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions and have a person, principal or resident agent upon which service of judicial process may be had.

Prospective buyers for export should note that, generally sales to U.S. Government agencies, with minor exceptions, will constitute sales for domestic unrestricted use of the commodity.

CCC reserves the right, before making any sales, to define or limit export areas.

Exports to certain countries are regulated by the U.S. Department of Commerce. These restrictions also apply to any commodities purchased from CCC whether sold for restricted or unrestricted use. Countries and commodities are specifically listed in the U.S. Department of Commerce export control regulations. Additional information is available from the Bureau of International Commerce or from the field offices of the Department of Commerce.

In the case of export sales, the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchase from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Although a commodity may not be specifically listed for export sale, CCC reserves the right to make emergency sales of its stocks for export if unexpected trade opportunities develop or when the flow of commodities to ports is disrupted or impeded and the maintenance of U.S. exports is temporarily jeopardized. Specific offering terms, including the applicable export announcement to be used, will be provided interested parties through special sales announcements and by amendments to the CCC Monthly Sales List.

3. ODD LOT QUANTITIES

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered by the appropriate ASCS office promptly upon appearance and, therefore, generally they do not appear in the monthly sales list.

4. DEFINITIONS

The following terms as used in this monthly sales list shall have the following meanings unless otherwise specifically stated:

(a) "Market price" means market price as determined by CCC.

(b) "Transit value" means transit value as determined by CCC.

(c) "Sales for unrestricted use" and "unrestricted use sales" means sales which permit either domestic or export use.

(d) "Sales for export" and "export sales" mean sales which require export of a commodity.

(e) "Designated terminals" means the terminals which are listed in grain price support regulations.

(f) "Export market price" means a price as determined by CCC and generally reflects the price at which commodities are being sold for export.

5-10 (RESERVED)

11. WHEAT—UNRESTRICTED USE SALES (BULK-STORABLE—BASIS GRADE 1 IN-STORE

The minimum price is the market price but not less than the formula price.

(1) At designated terminals, the formula price for the predominant class of wheat is the 1976 county loan rate where stored plus the monthly markup shown in this section plus the transit value or 8 cents per bushel whichever is higher. Adjustments for other classes will be established when necessary by CCC.

(2) Outside of designated terminal markets, the formula price is the 1976 county loan rate where stored plus the monthly markup shown in this section plus transit value, if any.

(3) Loan differentials will be applied in determining the formula price of other qualities at all locations.

MONTHLY MARKUPS IN DOLLARS PER BUSHEL

1976:	
July	1.20½
August	1.20½
September	1.20½
October	1.23
November	1.25½
December	1.28
1977:	
January	1.30½
February	1.33
March	1.35½
April	1.38
May	1.40¼

12 (RESERVED)

13. CORN—UNRESTRICTED USE SALES (BULK-STORABLE—BASIS GRADE 2 YELLOW CORN 15.1-15.5 PERCENT MOISTURE—IN-STORE)

The minimum price will be the market price but not less than the formula price. The formula price is the county loan rate where stored plus the monthly markup shown in this section plus transit value, if any.

MONTHLY MARKUPS—CENTS PER BUSHEL

1976:	
July	71½
August	74
September	76½
October	63½
November	63½
December	63½
1977:	
January	63½
February	66
March	68½
April	71
May	73½

The 1975 county loan rate applies through September 1976 and the 1976 loan rate applies thereafter.

Loan differentials will be applied in determining the formula price of other grades or qualities.

14-16 (RESERVED)

17. GRAIN SORGHUM—UNRESTRICTED USE SALES (BULK-STORABLE—BASIS GRADE 2 OR BETTER IN-STORE)

The minimum price is the market price but not less than the formula price.

At designated terminals, the formula price is the county loan rate where stored plus the monthly markup shown in this section plus 14 cents per hundredweight or the transit value, whichever is higher.

Outside of designated terminals, the formula price is the county loan rate where stored plus the monthly markup shown in this section plus the transit value, if any. The 1975 county loan rate applies through September 1976 and the 1976 loan rate applies thereafter.

Loan differentials will be applied in determining the formula price of other grades and qualities.

MONTHLY MARKUPS—DOLLARS PER HUNDREDWEIGHT

1976:	
July	1.22½
August	1.27
September	1.31½
October	1.05½
November	1.05½
December	1.05½
1977:	
January	1.05½
February	1.10
March	1.14½
April	1.19
May	1.23½

18. (RESERVED)

19. BARLEY—UNRESTRICTED USE SALES (BULK-STORABLE—BASIS GRADE 2 IN-STORE)

The minimum price is the market price but not less than the formula price.

At designated terminals, the formula price is the 1976 county loan rate where stored plus the monthly markup shown in this section plus 8 cents per bushel or the transit value, whichever is higher.

Outside of designated terminals, the formula price is the 1976 county loan rate where stored plus the monthly markup shown in this section plus the transit value, if any.

Loan differentials will be applied in determining the formula price of various classes and qualities.

MONTHLY MARKUPS—CENTS PER BUSHEL

1976:	
July	52½
August	52½
September	52½
October	55
November	57½
December	60
1977:	
January	62½
February	65
March	67½
April	70
May	72½

20. (RESERVED)

21. OATS—UNRESTRICTED USE SALES (BULK-STORABLE—BASIS GRADE 3 IN-STORE)

The minimum price is the market price but not less than the formula price, which is the 1976 loan rate where stored plus the monthly markup shown in this section plus transit value, if any. Loan differentials will be applied in determining the formula price of other grades and qualities.

MONTHLY MARKUPS—CENTS PER BUSHEL

1976:	
July	33
August	33
September	33
October	35
November	37
December	39
1977:	
January	41
February	43
March	45
April	47
May	49

22. (RESERVED)

23. RYE—UNRESTRICTED USE SALES (BULK—STORABLE—BASIS GRADE 2 IN-STORE)

The minimum price is the market price but not less than the formula price.

At designated terminals, the formula price in the 1976 loan rate where stored plus the monthly markup shown in this section plus 8 cents per bushel or the transit value, whichever is higher. The formula price for rye stored outside of designated terminals is the 1976 base loan rate where stored plus the monthly markup shown in this section plus the transit value, if any. Loan differentials will be applied in determining the formula price of other qualities.

MONTHLY MARKUPS—CENTS PER BUSHEL

1976:	
July	52½
August	52½
September	52½
October	55
November	57½
December	60
1977:	
January	62½
February	65
March	67½
April	70
May	72½

24. (RESERVED)

25. RICE, ROUGH—UNRESTRICTED USE SALES (F.O.B. WAREHOUSE)

The minimum price is the market price but not less than the formula price. Basis of sale is f.o.b. warehouse as is, or at buyers option, basis outturn weights and grades. The formula price for July 1976 is the 1975 loan rate plus 5 percent plus 93 cents per hundredweight. The formula price for August 1976 and subsequent months is 115% of the 1976 target price plus the applicable monthly markup shown in this section.

MONTHLY MARKUPS—DOLLARS PER HUNDREDWEIGHT

1976:	
August	.40
September	.40
October	.40
November	.40
December	.48
1977:	
January	.56
February	.64
March	.72
April	.80
May	.88

26. (RESERVED)

27. NONFAT DRY MILK—UNRESTRICTED USE SALES

Market price, but not less than 65.5 cents per pound for U.S. Extra Grade spray process in 50 pound bags.

Sales are in carlots only in-store at storage location of products.

Sales are made under Announcement PV-DS-2

28.-35. (RESERVED)

36. SOYBEANS—UNRESTRICTED USE SALES (BULK—STORABLE—BASIS GRADE 1—IN-STORE)

The minimum price will be the market price but not less than the formula price. The formula price for September 1976 and subsequent months is the 1976 base loan rate where stored plus the monthly markup shown in this section plus transit value if any. Market discounts will be applied in determining the minimum price of lower grades.

MONTHLY MARKUPS—DOLLARS PER BUSHEL

1976:	
September	1.21
October	1.21
November	1.21
December	1.21
1977:	
January	1.24
February	1.27
March	1.30
April	1.33
May	1.36

37. COTTON, UPLAND—UNRESTRICTED USE SALES

The minimum price is the market price but not less than the formula price. The formula price is 43.70 cents per pound for July 1976 and 49.70 cents per pound for August 1976 and subsequent months basis Strict Low Middling one and one sixteenth inch cotton (micronaire 3.5 through 4.9) at average location plus the monthly markup shown in this section.

In determining the formula price for other qualities and locations, current market differentials will be applied for other qualities and loan program location differentials will be applied for other locations.

MONTHLY MARKUPS—POINTS PER POUND

1976:	
July	270
August	0
September	30
October	60
November	90
December	120
1977:	
January	150
February	180
March	210
April	240
May	270

Notwithstanding the foregoing, when the production of upland cotton is less than the estimated requirements for domestic use and for export for the marketing years, as determined by the Secretary of Agriculture, sales of a quantity of cotton equal to such difference ("shortfall") shall be made at current market prices as determined by CCC.

38. COTTON, EXTRA LONG STAPLE—UNRESTRICTED USE SALES

The minimum price is the market price but not less than the formula price. The formula price is 115 percent of the loan rate for each quality of such cotton plus the monthly markup shown in this section. The 1975 loan rate applies for July 1976 and the 1976 loan rate applies for August 1976 and subsequent months.

MONTHLY MARKUPS—POINTS PER POUND

1976:	
July	270
August	0
September	30
October	60
November	90
December	120
1977:	
January	150
February	180
March	210
April	240
May	270

Notwithstanding the foregoing, when the amount by which the production of extra long staple cotton is less than the estimated requirements for domestic use and for export for the marketing year, as determined by the Secretary of Agriculture, the formula price for sales against the shortfall is 115 percent of the 1976 loan rate for each quality of such cotton.

USDA Agricultural Stabilization and Conservation Service Offices: Feedgrains, wheat, rye and oilseeds are sold by the Commodity Office and Branch offices as listed below. Cotton, rice, dry edible beans, dairy products, honey tung oil and peanuts are sold only by the Commodity Office.

Sales Offices: Addresses, Telephone and sales areas

Prairie Village ASCS Commodity Office—2400 West 75th Street (P.O. Box 8377) Shawnee Mission, Kansas 66208: Telephone: Area Code 816, 926-6421.

Domestic and Export Sales—Alaska, Arizona, Colorado, Georgia, Hawaii, Iowa, Kansas, Missouri, Nebraska, Nevada, New Mexico, North Carolina, South Carolina, Tennessee, and Wyoming.

Branch Office—Chicago ASCS Branch Office, 536 South Clark Street, Room 219, Chicago, Illinois 60605, Telephone: Area Code 312, 353-6581.

Domestic and Export Sales—Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia.

Branch Office—Houston ASCS Branch Office, 2550 North Loop West, Suite 525, Houston, Texas 77018, P.O. Box 94175, Telephone: Area Code 713, 226-5871.

Domestic and Export Sales—Alabama, Arkansas, Florida, Louisiana, Mississippi, Oklahoma, and Texas.

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Bldg., Minneapolis, Minnesota 55415, Telephone: Area Code 612, 725-2051.

Domestic and Export Sales—Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

Branch Office—Portland ASCS Branch Office, Room 832, Federal Building, 1220 S.W. 3rd Avenue, Portland, Oregon 97204 Telephone—423-2715.

Domestic and Export Sales—California, Idaho, Oregon, Utah, and Washington.

(Sec. 4, 62 Stat. 1070, as amended (15 U.S.C. 714b); Sec. 407, 63 Stat. 1055, as amended (7 U.S.C. 1427)).

Signed at Washington, D.C. on July 8, 1976.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[FR Doc.76-20424 Filed 7-14-76;8:45 am]

Forest Service

NORTH CATAHOULA SOUTH WINN UNIT PLAN

Availability of Final Environmental Statement

Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the North Catahoula South Winn Unit Plan, Kisatchie National Forest, USDA-FS-R8(06)-FES (Adm.) 76-07.

The North Catahoula South Winn Unit contains 104,395 acres of National Forest land located in Grant and Winn Parishes, Louisiana. The major actions are harvesting timber products, development of wildlife and range facilities, development of recreation facilities for dispersed recreation and reconstruction of roads.

This final environmental statement was transmitted to CEQ July 7, 1976. Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Rm. 3230, 12th St. & Independence Ave., SW, Washington, D.C. 20250.
USDA, Forest Service, 1720 Peachtree Rd., NW, Rm. 804, Atlanta, Georgia 30309.
U.S. Forest Service,
Catahoula Ranger District,
P.O. Box 307,
Pollock, LA. 71467,
U.S. Forest Service,
Winn Ranger District,
P.O. Box 30,
Winnfield, LA. 71483.

A limited number of single copies are available upon request to Forest Supervisor, Kisatchie National Forest, 2500 Shreveport Highway, Pineville, Louisiana 71360.

Copies of the environmental statement have been sent to various Federal, state, and local agencies as outlined in the CEQ guidelines.

DAVID F. JOLLY,
Regional
Environmental Coordinator.

Dated: July 7, 1976.

[FR Doc.76-20378 Filed 7-14-76;8:45 am]

SOUTH LINDENBERG PENINSULA UNIT MANAGEMENT PLAN

Availability of Final Environmental Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the South Lindenberg Peninsula Unit Management Plan, USDA-FS-R10-FES(Adm) 76-02.

The environmental statement concerns a proposed land use plan for the management under principles of multiple use of approximately 64,600 acres of National Forest Land located on the South Lindenberg Peninsula of Kupreanof Island near Petersburg, Alaska.

This final environmental statement was transmitted to CEQ on July 2, 1976.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agricultural Building, Room 3231, 12th St. & Independence Ave., S.W., Washington, D.C. 20250.
USDA, Forest Service, Alaska Region, Federal Office Building, Juneau, Alaska 99802.
Forest Supervisor, Chatham Area, Tongass National Forest, Federal Building, Sitka, Alaska 99835.
Forest Supervisor, Stikine Area, Tongass National Forest, Federal Building, Petersburg, Alaska 99833.
Forest Supervisor, Ketchikan Area, Tongass National Forest, Federal Building, Room 313, Ketchikan, Alaska 99901.

A limited number of single copies are available upon request to Forest Supervisor, E. Allen Crozer, Stikine Area, Tongass National Forest, P.O. Box 309, Petersburg, Alaska 99833.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Dated: July 2, 1976.

JOHN A. SANDOR,
Regional Forester.

[FR Doc.76-20379 Filed 7-14-76;8:45 am]

Soil Conservation Service

TWENTYFIVE MILE STREAM WATERSHED PROJECT, MAINE

Availability of Final Environmental Impact Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental impact statement (EIS) for the Twentyfive Mile Stream Watershed project, Waldo County, Maine, USDA-SCS-EIS-WS-(ADM)-75-1(F)-ME.

The EIS concerns a plan for watershed protection and flood prevention. The planned works of improvement include conservation land treatment, supplemented by two water control structures and channel work. The channel work will involve intermittent clearing and snagging on 0.3 mile of existing channel and 1.8 miles of realignment and enlargement construction by excavation to provide improved water management. The 2.1 miles of work proposed will involve a stream with perennial flow.

The final EIS has been filed with the Council on Environmental Quality.

A limited supply of copies is available at the following location to fill single copy requests:

Soil Conservation Service, USDA Office Building, Orono, Maine 04473

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program—Public Law 83-566.)

Dated: July 8, 1976.

JOSEPH W. HAAS,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.76-20380 Filed 7-14-76;8:45 am]

DEPARTMENT OF COMMERCE

National Bureau of Standards

CENTER FOR BUILDING TECHNOLOGY ADVISORY COMMITTEE

Meeting

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. IV, 1974), notice is hereby given that the Center for Building Technology Advisory Committee will hold a meeting from 9 a.m. to 4 p.m. on Monday, August 2, 1976, in Lecture Room D, Building 101, at the National Bureau of Standards, Gaithersburg, Maryland.

The Committee was established in January 1973 to advise the Department of Commerce on matters relating to the Nation's needs in building research and technology. The Committee consists of 19 members, balanced on the basis of their knowledge in such building areas as products, materials and equipment; construction unions; construction contractors (general and specialized); the design professions; the home-building industry; owner-builders; finance; standards and codes; consumer interests; and State and local governments.

The Committee will review research activities at the National Bureau of Standards (NBS) related to fire safety in buildings. Topics may include technical bases for egress requirements in building codes, fire safety effects of energy conservation and security practices, and the fire loading characteristics of materials. Recommendations to NBS may be formulated in these areas and others such as research needs in toxicity of the combustion products of building materials and furnishings. In addition, the Committee has invited and anticipates receiving advice and other information in these regards from certain individuals who represent professional associations of fire chiefs and fire fighters.

The public will be permitted to attend, to file written statements, and, to the extent time permits, to present oral statements. Approximately 20 seats will be available for the public on a first-come, first-served basis.

Copies of the minutes will be available on request thirty (30) days after the meeting.

Inquiries may be addressed to the Committee Control Officer, Dr. Richard N. Wright, Director, Center for Building Technology, Building 226, Room B-260, National Bureau of Standards, Washington, D.C. 20234 (phone 301-921-3377).

Dated: July 12, 1976.

ERNEST AMBLER,
Acting Director.

[FR Doc.76-20511 Filed 7-14-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. 76N-0266; DESI 1096]

CERTAIN MINERALOCORTICOID PREPARATIONS CONTAINING DESOXYCORTICOSTERONE ACETATE, DESOXYCORTICOSTERONE PIVALATE, OR FLUDROCORTISONE ACETATE

Drugs for Human Use; Drug Efficacy Study Implementation; Followup Notice and Opportunity for Hearing

In a notice (DESI 1096; Docket No. FDC-D-242 (now Docket No. 76N-0266)) published in the FEDERAL REGISTER of October 15, 1970 (35 FR 16191), the Food and Drug Administration announced its conclusions that the drug products described below are (1) effective as partial replacement therapy for primary and secondary adrenocortical insufficiency in Addison's disease and for treatment of salt-losing adrenogenital syndrome; (2) possibly effective for use in radiation sickness; prevention or treatment of surgical and traumatic shock; severe burns; and grave surgical conditions; and (3) lacking substantial evidence of effectiveness for the treatment of acute pemphigus. The notice also offered an opportunity for a hearing concerning the indication concluded at that time to lack substantial evidence of effectiveness. No person has submitted any data in support of the possibly effective indications, and those indications are now reclassified as lacking substantial evidence of effectiveness. This notice offers an opportunity for a hearing concerning those indications and sets forth the conditions for marketing the drug products for the indications for which they continue to be regarded as effective. Persons who wish to request a hearing may do so on or before August 16, 1976.

The notice that follows does not pertain to the indication stated in the notice of October 15, 1970, to lack substantial evdence of effectiveness. No person requested a hearing concerning it, and it is no longer allowable in the labeling. Any such product labeled for that indication is subject to regulatory action.

1. NDA 0-843; Percorten Acetate in oil; and

2. NDA 5-151; Percorten Acetate Pellets; both containing desoxycorticosterone acetate, Ciba Pharmaceutical Co., Division Ciba-Geigy Corp., 556 Morris Ave., Summit, NJ 07901.

3. NDA 8-822; Percorten Pivalate Suspension; containing desoxycorticosterone pivalate; Ciba Pharmaceutical Co.

4. NDA 10-060; Florinef Acetate Tablets containing fludrocortisone acetate; E. R. Squibb & Sons, Inc., Georges Rd., New Brunswick, NJ 08903.

5. NDA 1-104; Doca Acetate in Oil containing desoxycorticosterone acetate; Organon, Inc., 375 Mount Pleasant Ave., West Orange, NJ 07052.

6. NDA 1-096; Cortate Solution in Oil; and

7. NDA 5-495; Cortate Pellets; both containing desoxycorticosterone acetate; formerly marketed by Schering Corp., Galloping Hill Rd., Kenilworth, NJ 07033.

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. An approved new drug application is a requirement for marketing such drug products.

In addition to the holder(s) of the new drug application(s) specifically named above, this notice applies to all persons who manufacture or distribute a drug product, not the subject of an approved new drug application, that is identical, related, or similar to a drug product named above, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice to determine whether it covers any drug product he manufactures or distributes. Any person may request an opinion of the applicability of this notice to a specific drug product he manufactures or distributes that may be identical, related, or similar to a drug product named in this notice by writing to the Food and Drug Administration, Bureau of Drugs, Division of Drug Labeling Compliance (HFD-

310), 5600 Fishers Lane, Rockville, MD 20852.

A. *Effectiveness classification.* The Food and Drug Administration has reviewed all available evidence and concludes that the drugs are effective for the indications listed in the labeling conditions below. The drugs now lack substantial evidence of effectiveness for the indications evaluated as possibly effective in the October 15, 1970 notice.

B. *Conditions for approval and marketing.* The Food and Drug Administration is prepared to approve abbreviated new drug applications and abbreviated supplements to previously approved new drug applications under conditions described herein.

1. *Form of drug.* a. Desoxycorticosterone acetate preparations are in sterile oleaginous solution or pellet form suitable for intramuscular injection or subcutaneous implantation.

b. Fluodrocortisone acetate preparations are in tablet form suitable for oral administration.

c. Desoxycorticosterone pivalate preparations are in sterile aqueous suspension form suitable for intramuscular administration.

2. *Labeling conditions.* a. The labels bear the statement, "Caution: Federal law prohibits dispensing without prescription."

b. The drug is labeled to comply with all requirements of the act and regulations, and the labeling bears adequate information for safe and effective use of the drug. The Indications are as follows:

As partial replacement therapy for primary and secondary adrenocortical insufficiency in Addison's disease and for treatment of salt-losing adrenogenital syndrome.

3. *Marketing status.* a. Marketing of such drug products that are now the subject of an approved of effective new drug application may be continued provided that, on or before (insert date 60 days after date of publication in the FEDERAL REGISTER, the holder of the application submits, if he has not previously done so, (i) a supplement for revised labeling as needed to be in accord with the labeling conditions described in this notice, and complete container labeling if current container labeling has not been submitted, and (ii) a supplement to provide updating information with respect to items 6 (components), 7 (composition), and 8 (methods, facilities, and controls) of new drug application form FD-356H (21 CFR 314.1(c)) to the extent required in abbreviated applications (21 CFR 314.1(f)).

b. Approval of an abbreviated new drug application (21 CFR 314.1(f)) must be obtained prior to marketing such product. Marketing prior to approval of a new drug application will subject such products, and those persons who caused the products to be marketed, to regulatory action.

C. *Notice of opportunity for hearing.* On the basis of all the data and information available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and 21 CFR 314.111 (a)(5), demonstrating the effectiveness of the drug(s) for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice.

Notice is given to the holder(s) of the new drug application(s), and to all other interested persons, that the Director of the Bureau of Drugs proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), withdrawing approval of the new drug application(s) and all amendments and supplements thereto providing for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice on the ground that new information before him with respect to the drug product(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug product(s) will have all the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling. An order withdrawing approval will not issue with respect to any application(s) supplemented, in accord with this notice, to delete the claim(s) lacking substantial evidence of effectiveness.

In addition to the ground for the proposed withdrawal of approval stated above, this notice of opportunity for hearing encompasses all issues relating to the legal status of the drug products subject to it (including identical, related, or similar drug products as defined in 21 CFR 310.6), e.g., any contention that any such product is not a new drug because it is generally recognized as safe and effective within the meaning of section 201(p) of the act or because it is exempt from part or all of the new drug provisions of the act pursuant to the exemption for products marketed prior to June 25, 1938, contained in section 201(p) of the act, or pursuant to section 107(c) of the Drug Amendments of 1962; or for any other reason.

In accordance with the provisions of section 505 of the act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Parts 310, 314), the applicant(s) and all other persons who manufacture or distribute a drug product which is identical, related, or similar to a drug product named above (21 CFR 310.6), are hereby given an opportunity for a hearing to show why approval of the new drug application(s) providing for the claim(s) involved should not be withdrawn and an opportunity to raise, for administrative determination, all issues relating to the legal status of a drug product named above and all identical, related, or similar drug products.

If an applicant or any person subject to this notice pursuant to 21 CFR 310.6 elects to avail himself of the opportunity for a hearing, he shall file (1) on or before August 16, 1976, a written notice of appearance and request for hearing, and (2) on or before September 13, 1976, the data, information, and analyses on which he relies to justify a hearing, as specified in 21 CFR 314.200. Any other interested person may also submit comments on this proposal to withdraw approval. The procedures and requirements governing this notice of opportunity for hearing, a notice of appearance and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of hearing, are contained in 21 CFR 314.200.

The failure of an applicant or any other person subject to this notice pursuant to 21 CFR 310.6 to file timely written appearance and request for hearing as required by 21 CFR 314.200 constitutes an election by such person not to avail himself of the opportunity for a hearing concerning the action proposed with respect to such drug product and a waiver of any contentions concerning the legal status of such drug product. Any such drug product labeled for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice may not thereafter lawfully be marketed, and the Food and Drug Administration will initiate appropriate regulatory action to remove such drug products from the market. Any new drug product marketed without an approved NDA is subject to regulatory action at any time.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application, or when a request for hearing is not made in the required format or with the required analyses, the Commissioner will enter summary judgment against the person(s) who requests the hearing, making findings and conclusions, denying a hearing.

All submissions pursuant to this notice of opportunity for hearing shall be filed in quintuplicate. Such submissions, except for data and information prohibited from public disclosure pursuant to 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk (address given below) during working hours, Monday through Friday.

Communications forwarded in reponse to this notice should be identified with the reference number DESI 1096, directed to the attention of the appropriate office named below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852.

Supplements (identify with NDA number): Division of Metabolic and Endocrine Drug Products (HFD-130), Rm. 14B-03, Bureau of Drugs.

Original abbreviated new drug applications (identify as such): Division of

Generic Drug Monographs (HFD–530), Rm. 16–72, Bureau of Drugs.

Requests for Hearing (identify with Docket number appearing in the heading of this notice): Hearing Clerk, Food and Drug Administration (HFC–20), Rm. 4–65.

Requests for the report of the National Academy of Sciences—National Research Council: Data Preparation Branch (HFD–614), Rm. 8B–09, Division of Drug Information Resources, Bureau of Drugs.

Other Communications regarding this notice: Drug Efficacy Study Implementation Project Manager (HFD–101), Rm. 14B–45, Bureau of Drugs.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050–1053, as amended (21 U.S.C. 352, 355)) and under the authority delegated to the Director of the Bureau of Drugs (21 CFR 5.31) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)).

Dated: July 7, 1976.

J. RICHARD CROUT,
Director, Bureau of Drugs.

[FR Doc.76–24020 Filed 7–14–76;8:45 am]

[Docket No. 76N–0247; Desi 10520]

PHENAZOCINE HYDROBROMIDE INJECTION

Drugs for Human Use; Drug Efficacy Study Implementation; Followup Notice and Opportunity for Hearing

In a notice (DESI 10520) published in the FEDERAL REGISTER of August 19, 1971 (36 FR 16128), the Food and Drug Administration announced its conclusion that the drug product described below is (1) effective for the relief of pain, for pre-operative medication, for support of anesthesia, for obstetrical analgesia, and for relief of anxiety in patients with dyspnea; and (2) possibly effective for relief of postoperative emergence excitement. The manufacturer of the drug deleted the possibly effective indication from the labeling of the drug. No person has submitted any data in support of that indication, and it is now reclassified as lacking substantial evidence of effectiveness. This notice offers an opportunity for a hearing concerning that indication and sets forth the conditions for marketing the drug for the indications for which it continues to be regarded as effective. Persons who wish to request a hearing may do so on or before August 16, 1976.

NDA 12–080; Prinadol Injection containing phenazocine hydrobromide; Smith Kline & French Laboratories, Division of SmithKline Corp., 1500 Spring Garden St., Philadelphia, PA. 19101.

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. An approved new drug application is a requirement for marketing such drug product.

In addition to the holder of the new drug application specifically named above, this notice applies to all persons who manufacture or distribute a drug product, not the subject of an approved new drug application, that is identical, related, or similar to a drug product named above, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice to determine whether it covers any drug product he manufactures or distributes. Any person may request an opinion of the applicability of this notice to a special drug product he manufactures or distributes that may be identical, related, or similar to a drug product named in this notice by writing to the Food and Drug Administration, Bureau of Drugs, Division of Drug Labeling Compliance (HFD–310), 5600 Fishers Lane, Rockville, MD 20852.

A. *Effectiveness classification.* The Food and Drug Administration has reviewed all available evidence and concludes that the drug is effective for the indications listed in the labeling conditions below. The drug now lacks substantial evidence of effectiveness for the indication evaluated as possibly effective in the notice of August 19, 1971.

B. *Conditions for approval and marketing.* The Food and Drug Administration is prepared to approve abbreviated new drug applications and abbreviated supplements to previously approved new drug applications under conditions described herein.

1. *Form of drug.* The drug is in sterile aqueous solution form suitable for parenteral administration.

2. *Labeling conditions.* a. The label bears the statement, "Caution: Federal law prohibits dispensing without prescription."

b. The drug is labeled to comply with all requirements of the act and regulations, and the labeling bears adequate information for safe and effective use of the drug. The Indications are as follows:

For the relief of moderate-to-severe pain, for preoperative medication, for support of anesthesia, for obstetrical analgesia, and for relief of anxiety in patients with dyspnea associated with acute left ventricular failure and pulmonary edema.

3. *Marketing status.* a. Marketing of such drug product that is now the subject of an approved or effective new drug application may be continued provided that, on or before (insert date 50 days after date of publication in the FEDERAL REGISTER), the holder of the application submits, if he has not previously done so, (i) a supplement for revised labeling as needed to be in accord with the labeling conditions described in this notice, and complete container labeling if current container labeling has not been submitted, and (ii) a supplement to provide updating information with respect to items 6 (components), 7 (composition), and 8 (methods, facilities, and controls) of new drug application from FD–356H (21 CFR 314.1(c)) to the extent required in abbreviated applications (21 CFR 314.1(f)).

b. Approval of an abbreviated new drug application (21 CFR 314.1(f)) must be obtained prior to marketing such product. Marketing prior to approval of a new drug application will subject such products, and those persons who caused the products to be marketed, to regulatory action.

C. *Notice of opportunity for hearing.* On the basis of all the data and information available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and 21 CFR 314.111(a)(5), demonstrating the effectiveness of the drug(s) for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice.

Notice is given to the holder(s) of the new drug application(s), and to all other interested persons, that the Director of the Bureau of Drugs proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), withdrawing approval of the new drug application(s) and all amendments and supplements thereto providing for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice on the ground that new information before him with respect to the drug product(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug product(s) will have all the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling. An order withdrawing approval will not issue with respect to any application(s) supplemented, in accord with this notice, to delete the claim(s) lacking substantial evidence of effectiveness.

In addition to the ground for the proposed withdrawal of approval stated above, this notice of opportunity for hearing encompasses all issues relating to the legal status of the drug products subject to it (including identical, related, or similar drug products as defined in 21 CFR 310.6), e.g., any contention that any such product is not a new drug because it is generally recognized as safe and effective within the meaning of section 201(p) of the act or because it is exempt from part or all of the new drug provisions of the act pursuant to the exemption for products marketed prior to June 25, 1938, contained in section 201(p) of the act, or pursuant to section 107(c) of the Drug Amendments of 1962; or for any other reason.

In accordance with the provisions of section 505 of the act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Parts 310, 314), the applicant(s) and all other persons who manufacture or distribute a drug product which is identical, related, or similar to a drug product named above (21 CFR 310.6), are hereby given an opportunity for a hearing to show why approval of the new drug application(s) providing for the

claim(s) involved should not be withdrawn and an opportunity to raise, for administrative determination, all issues relating to the legal status of a drug product named above and all identical, related, or similar drug products.

If an applicant or any person subject to this notice pursuant to 21 CFR 310.6 elects to avail himself of the opportunity for a hearing, he shall file (1) on or before August 16, 1976, a written notice of appearance and request for hearing, and (2) on or before September 13, 1976, the data, information, and analyses on which he relies to justify a hearing, as specified in 21 CFR 314.200. Any other interested person may also submit comments on this proposal to withdraw approval. The procedures and requirements governing this notice of opportunity for hearing, a notice of appearance and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of hearing, are contained in 21 CFR 314.200.

The failure of an applicant or any other person subject to this notice pursuant to 21 CFR 310.6 to file timely written appearance and request for hearing as required by 21 CFR 314.200 constitutes an election by such person not to avail himself of the opportunity for a hearing concerning the action proposed with respect to such drug product and a waiver of any contentions concerning the legal status of such drug product. Any such drug product labeled for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice may not thereafter lawfully be marketed, and the Food and Drug Administration will initiate appropriate regulatory action to remove such drug products from the market. Any new drug product marketed without an approved NDA is subject to regulatory action at any time.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application, or when a request for hearing is not made in the required format or with the required analyses, the Commissioner will enter summary judgment against the person(s) who requests the hearing, making findings and conclusions, denying a hearing.

All submissions pursuant to this notice of opportunity for hearing shall be filed in quintuplicate. Such submissions, except for data and information prohibited from public disclosure pursuant to 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk (address given below) during working hours, Monday through Friday.

Communications forwarded in response to this notice should be identified with the reference number DESI 10520, directed to the attention of the appropriate office named below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Supplements (identify with NDA number): Division of Neuropharmacological Drug Products (HFD–120), Rm. 10B–34, Bureau of Drugs.

Original abbreviated new drug applications (identify as such): Division of Generic Drug Monographs (HFD–530), Bureau of Drugs.

Request for Hearing (identify with Docket number appearing in the heading of this notice): Hearing Clerk, Food and Drug Administration (HFC–20), Rm. 4–65.

Request for the report of the National Academy of Sciences—National Research Council: Data Preparation (HFD–614), Division of Drug Information Resources, Bureau of Drugs.

Other communications regarding this notice: Drug Efficacy Study Implementation Project Manager (HFD–101), Bureau of Drugs.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050–1053, as amended (21 U.S.C. 352, 355)) and under the authority delegated to the Director of the Bureau of Drugs (21 CFR 5.31).

Dated: July 7, 1976.

J. RICHARD CROUT,
Director, Bureau of Drugs.

[FR Doc.76–20421 Filed 7–14–76;8:45 am]

[Docket No. 76N–0264; DESI 5070]

Drugs for Human Use; Drug Efficacy Study Implementation; Followup Notice and Opportunity for Hearing

NAPHAZOLINE HYDROCHLORIDE

In a notice (DESI 5070) published in the FEDERAL REGISTER of October 21, 1970 (35 FR 16430), the Food and Drug Administration announced its conclusions that the drug product described below is effective as a topical ocular vasoconstrictor. The drug product was also classified as less than effective (probably effective and possibly effective) for certain other indications. In response to that notice the less-than-effective indications were deleted from the labeling of the drug product. No person has submitted any data in support of the less-than-effective indications, and they are now reclassified as lacking substantial evidence of effectiveness. This notice offers an opportunity for hearing concerning those indications and states the conditions for marketing such drug for the indication that continues to be classified as effective. Persons who wish to request a hearing may do so on or before August 16, 1976.

NDA 5–070; Privine Hydrochloride Ophthalmic Solution containing naphazoline hydrochloride 0.1%; Ciba Pharmaceutical Co., Division Ciba-Geigy Corp., 556 Morris Ave., Summit, NJ 07901.

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. An approved new drug application is a requirement for marketing such drug products.

In addition to the holder(s) of the new drug application(s) specifically named above, this notice applies to all persons who manufacture or distribute a drug product, not the subject of an approved new drug application, that is identical, related, or similar to a drug product named above, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice to determine whether it covers any drug product he manufactures or distributes. Any person may request an opinion of the applicability of this notice to a specific drug product he manufactures or distributes that may be identical, related, or similar to a drug product named in this notice by writing to the Food and Drug Administration, Bureau of Drugs, Division of Drug Labeling Compliance (HFD–310), 5600 Fishers Lane, Rockville, MD 20852.

A. *Effectiveness classification.* The Food and Drug Administration has reviewed all available evidence and concludes that the drug is effective for the indication listed in the labeling conditions below and lacks substantial evidence of effectiveness for all its other labeled indications.

B. *Conditions for approval and marketing.* The Food and Drug Administration is prepared to approve abbreviated new drug applications and abbreviated supplements to previously approved new drug applications under conditions described herein.

1. *Form of drug.* The drug is in sterile isotonic solution form suitable for ophthalmic administration.

2. *Labeling conditions.* a. The label bears the statement, "Caution: Federal law prohibits dispensing without prescription."

b. The drug is labeled to comply with all requirements of the act and regulations, and the labeling bears adequate information for safe and effective use of the drug. The Indication is as follows:

FOR USE AS A TOPICAL OCULAR VASOCONSTRICTOR

3. *Marketing status.* a. Marketing of such drug products that are now the subject of an approved or effective new drug application may be continued provided that, on or before (insert date 60 days after date of publication in the FEDERAL REGISTER), the holder of the application submits if he has not previously done so, (i) a supplement for revised labeling as needed to be in accord with the labeling conditions described in this notice, and complete container labeling if current container labeling has not been submitted, and (ii) a supplement to provide updating information with respect to items 6 (components), 7 (composition), and 8 (methods, facilities, and controls) of new drug application form FD–356H (21 CFR 314.1(c)) to the extent required in abbreviated applications (21 CFR 314.1(f)).

b. Approval of an abbreviated new drug application (21 CFR 314.1(f)) must

be obtained prior to marketing such product. Marketing prior to approval of a new drug application will subject such products, and those persons who caused the products to be marketed, to regulatory action.

C. *Notice of opportunity for hearing.* On the basis of all the data and information available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and 21 CFR 314.111 (a)(5), demonstrating the effectiveness of the drug(s) for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice.

Notice is given to the holder(s) of the new drug application(s), and to all other interested persons, that the Director of the Bureau of Drugs proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), withdrawing approval of the new drug application(s) and all amendments and supplements thereto providing for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice on the ground that new information before him with respect to the drug product(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug product(s) will have all the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling. An order withdrawing approval will not issue with respect to any application(s) supplemented, in accord with this notice, to delete the claims(s) lacking substantial evidence of effectiveness.

In addition to the ground for the proposed withdrawal of approval stated above, this notice of opportunity for hearing encompasses all issues relating to the legal status of the drug products subject to it (including identical, related, or similar drug products as defined in 21 CFR 310.6), e.g., any contention that any such product is not a new drug because it is generally recognized as safe and effective within the meaning of section 201(p) of the act or because it is exempt from part or all of the new drug provisions of the act pursuant to the exemption for products marketed prior to June 25, 1938, contained in section 201 (p) of the act, or pursuant to section 107 (c) of the Drug Amendments of 1962; or for any other reason.

In accordance with the provisions of section 505 of the act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Parts 310, 314), the applicant(s) and all other persons who manufacture or distribute a drug product which is identical, related, or similar to a drug product named above (21 CFR 310.6), are hereby given an opportunity for a hearing to show why approval of the new drug application(s) providing for the claim(s) involved should not be withdrawn and an opportunity to raise, for administrative determination, all issues relating to the legal status of a drug product named above and all identical, related, or similar drug products.

If an applicant or any person subject to this notice pursuant to 21 CFR 310.6 elects to avail himself of the opportunity for a hearing, he shall file (1) on or before August 16, 1976, a written notice of appearance and request for hearing, and (2) on or before September 13, 1976, the data, information, and analyses on which he relies to justify a hearing, as specified in 21 CFR 314.200. Any other interested person may also submit comments on this proposal to withdraw approval. The procedures and requirements governing this notice of opportunity for hearing, a notice of appearance and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of hearing, are contained in 21 CFR 314.200.

The failure of an applicant or any other person subject to this notice pursuant to 21 CFR 310.6 to file timely written appearance and request for hearing as required by 21 CFR 314.200 constitutes an election by such person not to avail himself of the opportunity for a hearing concerning the action proposed with respect to such drug product and a waiver of any contentions concerning the legal status of such drug product. Any such drug product labeled for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice may not thereafter lawfully be marketed, and the Food and Drug Administration will initiate appropriate regulatory action to remove such drug products from the market. Any new drug product marketed without an approved NDA is subject to regulatory action at any time.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application, or when a request for hearing is not made in the required format or with the required analyses, the Commissioner will enter summary judgment against the person(s) who requests the hearing, making findings and conclusions, denying a hearing.

All submissions pursuant to this notice of opportunity for hearing shall be filed in quintuplicate. Such submissions, except for data and information prohibited from public disclosure pursuant to 21 U.S.C. 331(j) of 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk (address given below) during working hours, Monday through Friday.

Communications forwarded in response to this notice should be identified with the reference number DESI 5070, directed to the attention of the appropriate office named below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Supplements (identify with NDA number): Division of Anti-Infective Drug Products (HFD-140), Rm. 12B-45, Bureau of Drugs.

Original abbreviated new drug applications (identify as such): Division of Generic Drug Monographs (HFD-530), Rm. 16-72, Bureau of Drugs.

Requests for Hearing (identify with Docket number appearing in the heading of this notice): Hearing Clerk, Food and Drug Administration (HFC-20), Rm. 4-65.

Other communications regarding this notice: Drug Efficacy Study Implementation Project Manager (HFD-101), Rm. 14B-45, Bureau of Drugs.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-1053, as amended (21 U.S.C. 352, 355)) and under the authority delegated to the Director of the Bureau of Drugs (21 CFR 5.31) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)).

Dated: July 7, 1976.

J. RICHARD CROUT,
Director, Bureau of Drugs.

[FR Doc.76-20422 Filed 7-14-76;8:45 am]

National Institutes of Health

PUBLIC ADVISORY COMMITTEES

Renewals

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776), the National Institutes of Health announces the renewal by the Secretary, HEW, with the concurrence of the Office of Management and Budget Committee Management Secretariat, of the following committees:

Committee	*Termination date*
Allergy and Immunology Research Committee.	June 30, 1977.
Behavioral Sciences Research Contract Review Committee.	May 31, 1978.
Board of Scientific Counselors, National Institute of Dental Research.	May 31, 1978.
Board of Scientific Counselors, National Institute of Neurological and Communicative Disorders and Stroke.	May 31, 1978.
Cardiovascular and Renal Study Section.	June 30, 1978.
Communicative Disorders Review Committee.	May 31, 1978.
Contraceptive Development Contract Review Committee.	May 31, 1978.
Contraceptive Evaluation Research Contract Review Committee.	May 31, 1978.
Dental Caries Program Advisory Committee.	May 31, 1978.
Dental Research Institutes and Special Programs Advisory Committee.	May 31, 1978.
Epidemiology and Disease Control Study Section.	June 30, 1978.
Epilepsy Advisory Committee.	May 31, 1978.

Committee	Termination Date
Experimental Therapeutics Study Section	June 30, 1978.
General Medicine B Study Section	June 30, 1978.
Infectious Disease Committee	June 30, 1977.
National Advisory Allergy and Infectious Diseases Council	June 30, 1977.
Neurological Disorders Program-Project A Review Committee	May 31, 1978.
Neurological Disorders Program-Project B Review Committee	May 31, 1978.
Neurological Diseases and Stroke Science Information Program Advisory Committee	May 31, 1978.
Periodontal Diseases Advisory Committee	May 31, 1978.
Primate Research Centers Advisory Committee	May 31, 1978.
Transplantation and Immunology Committee	June 30, 1977.
Visual Sciences B Study Section	June 30, 1978.

Authority for these committees will expire on the dates indicated unless the Secretary formally determines that continuance is in the public interest.

Dated: July 1, 1976.

DONALD S. FREDRICKSON,
Director,
National Institutes of Health.

[FR Doc.76-20466 Filed 7-14-76;8:45 am]

Office of Education

NATIONAL ADVISORY COUNCIL ON VOCATIONAL EDUCATION

Cancelled Meeting

Notice of Public Meeting of the National Advisory Council on Vocational Education.

Notice is hereby given, pursuant to PL 92-463, that the next meeting of the National Advisory Council on Vocational Education which was to have been held on July 26, 27 and 28, 1976 in Minneapolis, Minnesota and which was announced in the FEDERAL REGISTER, June 28, 1976 on page 26602 is cancelled.

Signed at Washington, D.C., on July 12, 1976.

REGINALD PETTY,
Executive Director.

[FR Doc. 76-20418 Filed 7-14-76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales Registration

[Docket No. N-76-568]

ORCHID LAND ESTATES AND ORCHID ISLAND ESTATES

Proceedings and Opportunity for Hearing

In the matter of Orchid Land Estates, d/b/a Orchid Island Estates, OILSR No. 0-0329-14-9, Land Sales Enforcement Division File No. 76-92-IS.

Notice is hereby given that: On April 12, 1976, the Department of Housing and Urban Development, Office of Interstate Land Sales Registration, attempted to serve upon Joseph Y. Sotomura, President, JYS Corporation, 1285 Kapiolani Boulevard, Honolulu, Hawaii, a notice of proceedings and opportunity for hearing by certified mail and service of process was not possible since the addressee could not be located. Accordingly, pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1), the notice of proceedings and opportunity for hearing is being issued as follows:

I. The Secretary in administering the Interstate Land Sales Full Disclosure Act of 1968, 15 U.S.C. 1701, et seq., and its Regulations finds her public files discloses that:

A. JYS Corporation, Joseph Y. Sotomura, President, its other officers and agents, hereinafter known as the Respondent, have filed a Statement of Record for Orchid Land Estates located in Keaau, District of Puna, County and State of Hawaii, which became effective on June 17, 1969, and is still in effect.

B. JYS Corporation is a Limited Partnership duly organized under the laws of the State of Hawaii.

C. Joseph Y. Sotomura is President of the Limited Partnership.

D. The Respondent's mailing address is 1285 Kapiolani Boulevard, Honolulu, Hawaii.

II. The Office of Interstate Land Sales Registration (OILSR) from its records or from other sources has obtained information which tends to show, and it so alleges that the Statement of Record and Property Report of the subdivision captioned above includes untrue statements of material fact or omits to state material facts required to be stated therein or necessary to make statements therein not misleading to wit:

1. Failure to file the revised first page of the Property Report and revised form of contract in the form and with the language as prescribed by Regulations, 24 CFR 1710.110, Part B, 2, 4, 5, and 6 and 24 CFR 1710.105, Part VI, or 24 CFR 1710.120 Section IIB, as amended, to disclose and conform to the amendments made in the Interstate Land Sales Full Disclosure Act (15 U.S.C. 1710 et seq.) by subsection 812(c)(1) of the Housing and Community Development Act of 1974 (Pub. L. 93-383) which subsection became effective October 21, 1974.

2. Failure to amend the filing in compliance with the Rules and Regulations of the Office of Interstate Land Sales Registration which became effective on December 1, 1973, 24 CFR Part 1710 et seq., as required by the effective date provision thereof.

III. In view of the allegations contained in Part II above, the Secretary will provide an opportunity for a public hearing to determine:

A. Whether the allegations set forth in Part II are true and in connection therewith to afford Respondent an opportunity to establish any defenses to such allegation; and

B. What, if any, remedial action is appropriate in the public interest and for the protection of purchasers pursuant to the Interstate Land Sales Full Disclosure Act.

IV. If the Respondent desires a hearing, he shall file a request for hearing accompanied by an answer within fifteen days after service of this notice of proceedings. Respondent is hereby notified that if he fails to file a response pursuant to 24 CFR 1720.140 and 1720.145 within 15 days after service of this notice of proceedings, Respondent shall be deemed in default, and the proceedings shall be determined against him, the allegations of which shall be determined to be true, and an order shall remain in effect until the Statement of Record and Property Report have been amended in accordance therewith, and thereupon the order shall cease to be effective.

V. Any request for hearing, answer, motion, amendment to pleadings, offer of settlement or correspondence forwarded during the pendency of this proceeding shall be filed with the General Counsel's Clerk for Administrative Proceedings, Room 10150, HUD Building, 451 Seventh Street, SW., Washington, D.C. 20410. All such papers shall clearly identify the type of matter and the docket number as set forth in this notice of proceedings.

VI. *It is hereby ordered,* That upon request of the Respondent a public hearing for the purpose of taking evidence on the questions set forth in Part III hereof be held before Administrative Law Judge James W. Mast or other Administrative Judge as may be designated, in Room 7146, HUD Building, 451 Seventh Street, SW., Washington, D.C. 20410, at 10:00 a.m. on the 30th day after receipt of the answer or at such other time as the Secretary or her designee may fix by further order.

This notice of proceedings shall be served upon the Respondent pursuant to 24 CFR 1720.440 and/or 44 U.S.C. 1508.

Issued at Washington, D.C. July 8, 1976.

ALAN J. KAPPELER,
Acting Interstate
Land Sales Administrator.

[FR Doc.76-20430 Filed 7-14-76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

FLIGHT INFORMATION ADVISORY COMMITTEE

Renewal

Notice is hereby given that the Flight Information Advisory Committee is being renewed. The Air Traffic Service is sponsor of the Committee which consists of representatives from the Federal Aviation Administration, Department of Defense, civil aviation organizations, and Government and civil producers of flight information products. The Committee advises the Federal Aviation Administration relative to the discharge of the Administrator's statutory responsibilities

in the field of flight information materials (aeronautical charts and flight information publications and services); recommends rules concerning the use of flight information materials during operations in FAA-administered airspace; recommends standards of content and currency which should be met by flight information materials for use in that airspace; and assists in the FAA development and evaluation of new or redesigned flight information materials, including desirable optimum standardization. The function of the Committee is solely advisory and action taken with respect to matters upon which the Committee advises or recommends shall be at the discretion of the Administrator.

The Secretary of Transportation has determined that the continuation of the Flight Information Advisory Committee is necessary in the public interest in connection with the performance of duties imposed on the Federal Aviation Administration by law. Meetings of the Committee will be open to the public.

Issued in Washington, D.C., on June 28, 1976.

CHARLES V. HANNAN,
Chairman, Flight Information Advisory Committee.

[FR Doc.76-20120 Filed 7-14-76;8:45 am]

AIR TRAFFIC PROCEDURES ADVISORY COMMITTEE

Meeting

NOTE.—This document was published at 41 FR 28857 in the issue of Tuesday, July 13, 1976; however, the location of the meeting was stated incorrectly. The document is published in full below with the correct location.

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I) notice is hereby given of a meeting of the Federal Aviation Administration Air Traffic Procedures Advisory Committee to be held July 28 through July 30, 1976, from 9 a.m. e.d.t. to 4 p.m. daily, in conference rooms 5 A and B at FAA Headquarters, 800 Independence Avenue, SW., Washington, D.C.

The agenda for this meeting is as follows: A continuation of the Committee's review of present air traffic control procedures and practices for standardization, clarification, and upgrading of terminology and procedures.

Attendance is open to the interested public but limited to the space available. With the approval of the Chairman, members of the public may present oral statements at the meeting. Persons wishing to attend and persons wishing to present oral statements should notify, not later than the day before the meeting, and information may be obtained from, Mr. Franklin L. Cunningham, Executive Director, Air Traffic Procedures Advisory Committee, Air Traffic Service, AAT-300, 800 Independence Ave., SW., Washington, D.C. 20591, telephone (202) 426-3725.

Any member of the public may present a written statement to the Committee at any time.

Issued in Washington, D.C., on July 2, 1976.

FRANKLIN L. CUNNINGHAM,
Executive Director, ATPAC.

[FR Doc.76-20432 Filed 7-12-76;12:23 am]

CIVIL AERONAUTICS BOARD

DELTA AIR LINES, INC.

Proposed Approval

Application of Delta Air Lines, Inc. et al. for approval or exemption of control and interlocking relationships pursuant to sections 408 and 409 of the Federal Aviation Act, Docket 29169.

Notice is hereby given, pursuant to the statutory requirements of section 408(b) of the Federal Aviation Act of 1958, as amended, that the Civil Aeronautics Board intends to issue the attached order. Interested persons are hereby afforded until July 22, 1976 within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., July 12, 1976.

PHYLLIS T. KAYLOR,
Acting Secretary.

[Docket 29169]

DELTA AIR LINES, INC., ET AL., CONTROL AND INTERLOCKING RELATIONSHIPS

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

Application of Delta Air Lines, Inc., M. Olin Galloway, Jason R. Archambeau, and Susan Q. Downer for approval of the acquisition of control pursuant to section 408 of the Act or for exemption under section 416(b), and for approval of interlocking relationships pursuant to section 409 thereof.

ORDER OF APPROVAL

By joint application filed April 22, 1976,[1] Delta Air Lines, Inc. (Delta), Mr. M. Olin Galloway, Mr. Jason R. Archambeau, and Ms. Susan Q. Downer request that the Board approve without hearing, pursuant to the third proviso of section 408(b) of the Federal Aviation Act of 1958, as amended (the Act), the purchase by Delta of Storer Leasing, Inc. (Leasing), as contemplated by the stock purchase agreement between Delta and Storer Broadcasting Company (Storer), dated April 15, 1976; that, in the alternative, the Board grant an exemption pursuant to section 416(b) of the Act permitting the acquisition of Leasing by Delta; that the Board grant with respect to such purchase and sale such additional approval as may be required by orders 72-5-73 and 72-11-131;[2] and that the Board approve, pursuant to section 509 of the Act and Part 251 of the Economic Regulations, the interlocking relationships resulting from the holding by the above-named individuals of positions as officers and directors of Leasing, as described more fully below.

Storer is engaged primarily in commercial radio and television broadcasting. Leasing is a wholly owned subsidiary of Storer that is engaged solely in selling and leasing aircraft and engines. Leasing was originally established by Storer in 1965 to finance the acquisition of aircraft, engines, and spare parts and to lease the same to Northeast Airlines, Inc. (Northeast), which at that time was substantially owned by Storer.[3] In August 1972, Northeast was merged into Delta and all of the aircraft, engine and spare parts leases between Northeast and Leasing were assumed by Delta.[4] In 1973, Delta purchased from Leasing all of such spare parts.[5] As a result of such lease assumptions, Delta is presently the lessee of all of Leasing's 11 aircraft (consisting of 5 Boeing 727-100 and 6 Boeing 727-200 aircraft) and 18 spare engines. The leases covering such aircraft and spare engines terminate between 1978 and 1981, with Delta having the option to purchase at fair market value the aircraft and engines at the time of the terminations of the leases covering such items.

By late 1975 Storer had divested itself of nearly all of its investments in the airline industry. In an effort to complete its divestiture of airline-related businesses, Storer retained Lehman Brothers, Incorporated (Lehman Brothers), to assist in conducting initial negotiations in connection with the proposed sale of Leasing. After a thorough evaluation of Leasing and after Lehman Brothers approached Delta as a potential purchaser of Leasing, subsequent negotiations resulted on April 15, 1976, in a stock purchase agreement between Delta and Storer. Under the terms of that agreement, Delta, subject to prior Board approval, would purchase from Storer all

[1] An amended application was filed by the parties on June 4, 1976, to reflect additional information and to clarify previous statements.

[2] By order 72-5-73, Apr. 24, 1972, the Board approved the merger of Delta and Northeast Airlines, Inc., subject, *inter alia*, to the condition that subsequent transactions between Storer and Delta, or Leasing and Delta, could not aggregate, in either instance, more than $100,000 in any calendar year without prior Board approval. This condition was reiterated in order 72-11-131, Nov. 30, 1972.

[3] By order E-22998, Dec. 15, 1965, the Board approved control and interlocking relationships arising from the activation of Leasing by Storer and granted Northeast an exemption permitting it to lease aircraft from Leasing.

[4] Order 72-5-73.

[5] This transaction was approved by order 73-7-153, July 30, 1973.

the outstanding stock of Leasing (25,000 shares).[6]

It is contemplated that immediately after closing, the present officers and directors of Leasing will be replaced by the individual applicants.[7] At the present time Mr. Galloway is vice president-comptroller of Delta. He owns 550 shares of Delta common stock and has no other aviation interests. Mr. Archambeau and Ms. Downer are both staff attorneys with Delta. Mr. Archambeau's aviation interests are limited to his employment with Delta and his holdings of 50 shares of Delta common stock. Ms. Downer's only business association is her employment with Delta. None of the individual applicants are members of Delta's board of directors. It is anticipated that Leasing will be liquidated within approximately 30 to 60 days after the date of its acquisition by Delta. At that time the terms of the officers and directors will expire and the interlocking relationships resulting therefrom will cease to exist.

In support of the application, the parties state that the proposed acquisition of Leasing is the result of arm's-length negotiations following an independent analysis and assessment by Delta which determined that the proposed sale was a sound economic investment. According to the applicants, no persons other than Storer, Leasing, Delta, and two creditors of Leasing[8] will be affected by the proposed transaction. They assert that Delta is presently the lessee of substantially all of the tangible assets of Leasing under leases which place nearly all of the duties and obligations of ownership of the aircraft and spare engines on Delta, and that Delta has the option to purchase all of such assets at their fair market value at the time of termination of the leaseholds. The parties contend that Delta has the right and power to remain in possession and control of all such assets of Leasing for the entire balance of their life, and that, as a result, the acquisition will not jeopardize any other carrier, affect the control of Delta, or restrain competition.

No objections to this application or requests for a hearing have been received.

Upon consideration of the foregoing, it is concluded that Delta is an air carrier and that Leasing is a person engaged in a phase of aeronautics both within the meaning of section 408 of the Act; that the acquisition of the stock of Leasing by Delta is subject to section 408(a)(6) thereof; and that the interlocking relationships involving the individual applicants are or may be subject to section 409 of the Act.[9]

Further, the Board concludes that the acquisition of Leasing by Delta does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly and thereby tend to restrain competition, nor does it appear to jeopardize another air carrier not a party thereto. The proposed acquisition of Leasing by Delta appears to be basically an arm's-length transaction that will enable Delta to become the title holder of all the aircraft and spare engines of Leasing, which Delta, under the terms of existing leases, would in any event be able to acquire in the future. Furthermore, no person disclosing a substantial interest in this proceeding is currently requesting a hearing, and it is concluded that the public interest does not require a hearing. The Board has approved similar transactions in the past,[10] and we find, therefore, that the instant transaction will not be inconsistent with the public interest or that the requirements of section 408 will not be otherwise unfulfilled.

Based on the foregoing, the Board concludes that it should approve, without hearing under the third proviso of section 408(b) of the Act, the acquisition of control of Leasing by Delta. The Board's concern in this proceeding is limited to those transactions heretofore considered. Therefore, any further request for relief by the applicants will be dismissed.

Accordingly, *it is ordered*, That: 1. The acquisition of control of Storer Leasing, Inc., by Delta Air Lines, Inc., be and it hereby is approved pursuant to section 408(b) of the Act;

2. Jurisdiction in this proceeding is retained for the purpose of amending or revoking the approvals granted herein, with or without hearing, as may be required in the public interest; and

3. Except to the extent granted herein, all other requests in docket 29169 be and they hereby are dismissed.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

Acting Secretary.

[FR Doc.76-20482 Filed 7-14-76;8:45 am]

[6] According to the amended application, the purchase price will be $30,000,000, plus Delta's assumption of the outstanding balance of notes payable by Storer to The Boeing Company of approximately $4 million at the date of closing. At that time, long term obligations of Leasing to Storer will be canceled, and accrued taxes will be assumed by Storer.

[7] The officers and directors of Leasing will be as follows:

M. Olin Galloway, President and Chairman of the Board.

Jason R. Archambeau, Vice President and Director.

Susan Q. Downer, Secretary, Treasurer, and Director.

[8] The two creditors are lien holders of Leasing who have consented to a release of their lien on certain assets of Leasing at the close of the acquisition.

[9] Insofar as the acquisition of Leasing creates interlocking relationships within the scope of sec. 409 of the Act, such relationships, to the extent that they may exist, appear to fall within the exemption from and approval under sec. 409 provided by secs. 287.3 and 287.4 of the Board's Economic Regulations.

[10] Zantop Air Transport, Inc., Howard W. Zantop, *et. al.*, Control and Interlocking Relationships, order E 19810, July 15, 1963.

COMMISSION ON FINE ARTS

PROJECTS REGARDING WASHINGTON, D.C.

Meeting

JULY 8, 1976.

The Commission of Fine Arts will meet in open session on Wednesday, July 28, 1976, at 10:00 a.m. in the Commission offices at 708 Jackson Place NW., Washington, D.C. 20006 to discuss various projects affecting the appearance of Washington, D.C.

Inquiries regarding the agenda and requests to submit written or oral statements should be directed to Charles H. Atherton, Secretary, Commission of Fine Arts, at the above address.

Signed,

CHARLES H. ATHERTON,
Secretary.

[FR Doc.76-20449 Filed 7-14-76;8:45 am]

COMMISSION ON FEDERAL PAPERWORK

PUBLIC MEETING

Notice is hereby given of the sixth regular meeting of the Commission on Federal Paperwork to be held in Room S-407, the U.S. Capitol, on July 30, 1976, at 9 a.m.

The public meeting will commence at 9 a.m. and continue until approximately 12:30 p.m. If necessary to complete its business, the Commission will reconvene at 2 p.m. At its meeting the Commission will review progress on approved projects, review staff proposals for future projects, and review proposed Commission positions on specific paperwork problems. If the Commission should decide to consider matters relating solely to its internal personnel and budget practices as authorized by 5 U.S.C. 552(b)(2) or to examine personnel and similar files, disclosure of which would constitute an unwarranted invasion of privacy within the meaning of 5 U.S.C. 552(b)(6), the meeting will be closed to the public.

Anyone wishing to attend the open portion of the meeting is invited. For further details contact the Commission on Federal Paperwork, Room 200, 1111 20th Street, NW., Washington, D.C. 20582, telephone (202) 254-6920.

FRANK HORTON,
Chairman.

[FR Doc.76-20483 Filed 7-14-76;8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

LOS ALAMOS SCIENTIFIC LABORATORY

Preparation of Environmental Impact Statement

Notice is hereby given that, in accordance with the National Environmental Policy Act, the Energy Research and Development Administration (ERDA) is commencing the preparation of a draft environmental statement on its operations at the Los Alamos Scientific Lab-

oratory (LASL) site at Los Alamos, Los Alamos County, New Mexico. In January 1943, a wartime laboratory was established at Los Alamos for nuclear weapons research. The Laboratory efforts have been expanded subsequently to incorporate many programs to develop peaceful sources of energy. Major research areas and their individual programs are: (1) National security: weapons development, nuclear materials security and recovery, laser fusion, and laser isotope separation; (2) energy programs: reactor safety, civilian reactors, advanced reactors, space nuclear systems, magnetic fusion research, and applied energy technology including geothermal and solar; (3) biomedical, environmental, and safety; biomedical and environmental research, waste management, and operational safety; and (4) physical research: nuclear sciences, materials sciences, and molecular sciences.

The current cumulative impact on the environment of the operation of the various facilities will be assessed as well as the anticipated future impact of continuing the operations at the site. When completed, the draft statement will be circulated for review to Federal, State, and local agencies and interested public organizations and individuals. The comments received on the draft statement will be considered in the preparation of the final statement which will provide environmental input into ERDA decisions affecting the future operations at the LASL site.

Copies of documents to be utilized in the preparation of this draft environmental statement will be available for inspection by contacting Lamar Johnson at the Environmental Studies Group Office at the LASL Occupational Health Laboratory, Building SM–184, Room 157, Los Alamos, New Mexico 87544.

A bibliography of the documents will be available at the ERDA public document rooms at:

ERDA Headquarters, 20 Massachusetts Avenue, NW., Washington, D.C.
Albuquerque Operations Office, Kirtland Air Force Base East, Albuquerque, New Mexico.
Chicago Operations Office, 9800 South Cass Avenue, Argonne, Illinois.
Idaho Operations Office, 550 Second Street, Idaho Falls, Idaho.
Oak Ridge Operations Office, Federal Building, Oak Ridge, Tennessee.
Nevada Operations Office, 2753 South Highland Drive, Las Vegas, Nevada.
Richland Operations Office, Federal Building, Richland, Washington.
San Francisco Operations Office, 1333 Broadway, Oakland, California.
Savannah River Operations Office, Savannah River Plant, Aiken, South Carolina.

All interested agencies, organizations, or persons desiring to submit comments or suggestions for consideration in connection with the preparation of the draft environmental statement should submit them to W. H. Pennington, Director, Office of NEPA Coordination, Mail Station E–201, U.S. Energy Research and Development Administration, Washington, D.C. 20545, telephone (301) 353–4241, on or before August 30, 1976. Those desiring a copy of the draft environmental statement when it is issued should notify Mr. Pennington.

Dated at Germantown, Maryland, this 12th day of July 1976.

For the Energy Research and Development Administration.

JAMES L. LIVERMAN,
Assistant Administrator for Environment and Safety.

[FR Doc.76–20468 Filed 7–14–76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 583–5; PF41]

PESTICIDE PROGRAMS

Filing of Pesticide Petition

E. I. Du Pont De Nemours & Co., Wilmington DE 19898, has submitted a petition (PP 6F1810) to the Environmental Protection Agency which proposes that 40 CFR 180.294 be amended by establishing a tolerance of 25 parts per million for combined residues of the fungicide benomyl [methyl 1-(butylcarbamoyl)-2-benzimidazolecarbamate] and its metabolities containing the benzimidazole moiety (calculated as benomyl) in or on the raw agricultural commodity lettuce (head). The proposed analytical method for determining residues is by cation exchange liquid chromatography. Notice of this submission is given pursuant to the provisions of section 408(d)(1) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on this petition to the Federal Register Section, Technical Services Division (WH–569, Office of Pesticide Programs, Environmental Protection Agency, Rm. 401, East Tower, 401 M St. SW, Washington DC 20460. Three copies of the comments should be submitted to facilitate the work of the Agency and of others interested in inspecting them. Inquiries concerning this petition may be directed to Product Manager (PM) 22, Registration Division (WH–567), Office of Pesticide Programs, at the above address, or by telephone at 202/426–2454. Written comments should bear a notation indicating the petition number. Comments may be made at any time while a petition is pending before the Agency. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

Dated: July 8, 1976.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.76–20502 Filed 7–14–76;8:45 am]

[FRL 583–6; OPP–42017A]

VIRGINIA

Approval of State Plan for Certification of Commercial and Private Applicators of Restricted Use Pesticides

Section 4(a)(2) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136), and the implementing regulations of 40 CFR Part 171 require each State desiring to certify applicators to submit a plan for its certification programs. Any State certification program under this section shall be maintained in accordance with the State Plan approved under this section.

On April 23, 1976, notice was published in the FEDERAL REGISTER (40 FR 17015) of the intent of the Regional Administrator, EPA Region III, to approve the Virginia State Plan for Certification of Commercial and Private Applicators of Restricted Use Pesticides (Virginia State Plan). Complete copies of the Virginia State Plan were made available for public inspection at the Agency's Region III office in Philadelphia, Pennsylvania, at the office of the Virginia Department of Agriculture and Commerce, Richmond, Virginia, and at the Agency's Technical Service Division, Federal Register Section, Office of Pesticide Programs, EPA Headquarters, Washington, D.C.

There were no comments received concerning the State Plan during the 30 day comment period.

The Virginia State Plan will remain available for public inspection at the Office for Pesticide, Paint and Hazardous Substances Section, Virginia Department of Agriculture and Commerce, 203 N. Governor Street, Richmond, Virginia 23219.

It has been determined that the Virginia State Plan satisfies the requirements of section 4(a)(2) of the amended FIFRA and of 40 CFR Part 171. Accordingly, the Virginia State Plan is approved.

Effective date: Pursuant to Section 4(d) of the Administrative Procedure Act, 5 U.S.C. 553(d), the Agency finds that there is good cause for providing that the approval granted herein to the Virginia State Plan shall be effective immediately. Neither the Virginia State Plan itself nor this Agency's approval of the Plan creates any direct or immediate obligations on pesticide applicators or other persons in the Commonwealth of Virginia. Delays in starting the work necessary to implement the Plan, such as may be occasioned by providing some later effective date for this approval, are inconsistent with the public interest. Accordingly, this approval shall become effective immediately.

Dated: June 14, 1976.

DANIEL J. SNYDER, III,
Regional Administrator, Region III.

[FR Doc.76–20503 Filed 7–14–76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. I–247]

INTERNATIONAL AND SATELLITE RADIO APPLICATIONS ACCEPTED FOR FILING

Common Carrier Services Information

JULY 6, 1976.

The applications listed herein have been found, upon initial review, to be

acceptable for filing. The Commission reserves the right to return any of these applications if, upon further examination, it is determined they are defective and not in conformance with the Commission's Rules and Regulations or its policies. Final action will not be taken on any of these applications earlier than 31 days following the date of this notice. Section 309(d)(1).

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

SATELLITE COMMUNICATIONS SERVICES

398–DSE–F–76 American Television and Communications Corp. Charlestown, West Virginia. For authority to construct, own and operate a domestic communications satellite Receiver-Only Earth station at this location. Lat. 38°17'16". Long. 81°36'03". Rec. freq: 3700–4200 MHz. Emission 36000F9. Using a 10 meter antenna.

399–DSE–P/L–76 Teleprompter Corporation, Danbury, Conn. For authority to construct and operate a domestic communications satellite. Receiver-Only Earth station at this location. Lat. 41°21'47". Long. 73°26'38". Rec. freq.: 3700–4200 GHz. Emission 36000F9. Using a 10 meter antenna.

400–DSE–P/L–76. Jonesboro Cable TV, Inc. Jonesboro, Arkansas. For authority to construct, now and operate a domestic communications satellite Receive-Only Earth station at this location. Lat. 35°48'15". Long. 90°45'16". Rec. freq.: 3700–4200 MHz. Emission 36000F9. Using a 10 meter antenna.

401–DSE–P–76 American Cablevision of Carolina, Inc. Savannah, Georgia. For authority to construct, own and operate a domestic communications satellite Receive-Only earth station at this location. Lat. 31°59'05". Long. 81°04'45". Rec. freq: 3700–4200 MHz. Emission 36000F9. Using a 10 meter antenna.

402–DSE–P/L–76 Cox Cable Communications, Inc. Roanoke, Virginia. For authority to construct, own and operate a domestic communications satellite Receive-Only earth station at this location. Lat. 37°16'15". Long. 79°58'21". Rec. freq: 3700–4200 MHz. Emission 36000F9. Using a 10 meter antenna.

387–DSE–ML–76 Micro-Cable Communications Corp. d/b/a Valley Telecasting Co. Yuma, Arizona. Modification of license to permit the licensee to lease to a communications common carrier an existing channel at the earth station that is not needed for present use by the licensee.

403–DSE–ML–76 Teleprompter Corporation Tacoma, Washington. Modification of license to permit the licensee to lease to a communications common carrier an existing channel at the earth station that is not needed for present use by the licensee.

Informative: Pursuant to Article 9A of the International Radio Regulations (Geneva, 1976), the United States has received the information required for the Advance Publication of the plans of the Administration of Canada to construct and operate the TELESAT B–1 satellite network. This satellite is intended to replace the present ANIK 2 satellite at 109° West Longitude and will operate in the 3700–4200 MHz, 5925–6425 MHz, 11.7–12.2 GHz and 14.0–14.5 GHz bands. If the United States is of the opinion that unacceptable interference may be caused to its existing or planned space radiocommunications services by the TELESAT B–1 satellite, it must furnish the Administration of Canada with any such comments by August 9, 1976.

Copies of the information furnished to the United States concerning this satellite are available for public inspection during regular business hours in Room 537 of the Commission's Offices at 1919 M Street N.W., Washington, D.C.

[FR Doc.76–20417 Filed 7–14–76;8:45 am]

[FCC 76–618]

1977 COMPOSITE WEEK DATES FOR AM AND FM LICENSEES

Program Log Analysis

JULY 2, 1976.

The following dates will constitute the composite week for use in the preparation of (1) program log analysis submitted with renewal applications for AM and FM station licenses which have expiration dates in calendar year 1977 and (2) assignment of license and transfer of control applications for AM and FM stations which are filed in calendar year 1977.

Sunday, June 13, 1976
Monday, August 4, 1975
Tuesday, January 20, 1976
Wednesday, April 14, 1976
Thursday, October 30, 1975
Friday, November 21, 1975
Saturday, March 6, 1976

COMPOSITE WEEK FOR USE BY COMMERCIAL TELEVISION LICENSEES AND PERMITTEES

Commercial television licensees and permittees with license expiration dates of February 1 and April 1, 1977 will use, in answering Questions 4, 10 and 11 of revised Section IV–B of FCC Form 303, the composite week dates previously used in preparing the 1976 Annual Programming Report. Stations whose licenses expire on June 1 and thereafter during calendar year 1977 will use a composite week that will be issued in November, 1976. The composite week dates to be used in the preparation of the 1977 Annual Programming Report (FCC Form 303–A), required to be filed February 1, 1977 will also be issued in November, 1976.

Action by the Commission June 29, 1976. Commissioners Wiley (Chairman), Lee, Reid, Hooks, Quello, Washburn and Robinson.

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

[FR Doc.76–20416 Filed 7–14–76;8:45 am]

[Docket Nos. 20611, 20612; File No. BRH–1402, BPH–9229; FCC 76R–193]

UNITED BROADCASTING CO. ET AL.

Memorandum Opinion and Order; Enlarging Issues

Adopted June 30, 1976.
Released July 13, 1976.

In re Applications of UNITED BROADCASTING COMPANY (KBAY) San Jose, California, For Renewal of License; PUBLIC COMMUNICATORS, INC. San Jose, California, For Construction Permit.

1. By Order, 40 FR 51501, published November 5, 1975, the Chief of the Broadcast Bureau designated the above-captioned mutually exclusive applications for hearing on a standard comparative issue. Now before the Review Board is a petition to enlarge and particularize the issues for hearing, filed November 21, 1975, by Public Communicators, Inc. (PCI) seeking the addition of numerous issues against United Broadcasting Company (United).[1]

BASIC QUALIFICATIONS ISSUES[2]

2. *Fairness Doctrine (Issue No. 1).* Predicating its first request for an issue on the fairness doctrine requirement that a licensee has an affirmative responsibility to provide a reasonable amount of time for the presentation of programs

[1] Also before the Board are the following related pleadings: (a) statement explaining delay in delivery of petition to enlarge, filed November 21, 1975, by PCI; (b) opposition, filed January 16, 1976, by United; (c) comments, filed January 16, 1976, by the Broadcast Bureau; (d) reply, filed February 26, 1976, by PCI; (e) motion for leave to file late reply to (b) and (c) filed February 26, 1976, by PCI; (f) motion to strike (d), filed March 9, 1976, by United; (g) comments to (f), filed March 18, 1976, by the Broadcast Bureau; (h) request for authority to file affidavit, filed March 9, 1976, by United; (i) opposition to (h), filed March 18, 1976, by the Broadcast Bureau; (j) reply to (g) and (i), filed March 30, 1976, by United; (k) motion for request to file affidavit, filed May 27, 1976, by United; (l) comments on (k), filed June 8, 1976, by the Broadcast Bureau; and (m) comments to (k), filed June 18, 1976, by PCI. The Review Board will grant PCI's motion for leave to file late reply; the delay was short, no prejudice accrued to any of the parties, and the Order extending the relevant filing date to February 18, 1976 was apparently never released by the Commission. The Board will also grant United's motion to strike to the extent that it challenges new matter contained in the reply pleading, including certain monitoring data which was mailed to United on March 22, 1976, and never served on the Broadcast Bureau. See *Gilbert Broadcasting Corp.*, 56 FCC 2d 184, 185 n.5, 35 RR 2d 441, 443 n.5 (Rev. Bd. 1975); *Industrial Business Corporation*, 40 FCC 2d 69, 26 RR 2d 1447 (Rev. Bd. 1973). The Board does not believe, however, that PCI's entire reply pleading should be rejected for an improper notice of appearance as requested by United. A motion filed by PCI is currently pending before the presiding Judge in which certain members of PCI are delegated to act as its representatives and we agree with the Broadcast Bureau that it would be premature for the Board to strike PCI's reply before the Judge has had an opportunity to act on the motion. Because we have not considered the new material proffered in PCI's reply, there is no necessity to consider United's affidavit accompanying its March 9, 1976 request for authority to file affidavit, and United's request therefore will be denied. Additionally, United's motion for request to file affidavit, filed May 27, 1976, will not be accepted since United has not established good cause for its acceptance.

[2] We note that, rather than seeking issues which are limited, PCI, which is without assistance of legal counsel, has requested a number of issues which are omnibus in nature and difficult to characterize. The Board has attempted to interpret the requests as presented, however, and, as a result, the discussion of some of the requested issues may, in part, appear to reflect some discontinuity.

devoted to the discussion and consideration of public issues, petitioner alleges that United failed to present a reasonable amount of "issue-oriented informational" programming on local and national issues, that it (United) did not publicize its available informational programs, and that it failed to present any "issue-oriented" spot messages and source-initiated communications.[3] Specifically, petitioner bases its allegations of insufficient programming on the percentages given for news and public affairs in United's 1971 and 1974 renewal applications[4] and on five days of monitoring of United's programming over its KBAY–FM facility.[5] Petitioner claims that only forty-seven percent of KBAY's news stories are "issue-oriented"; that national news served almost exclusively as the source of supply for issue-oriented news; that the size of KBAY's news staff—one announcer-news person who edits the wire services without local news-seeking sources—indicates lack of interest in "informational programming"; that only two program-length public affairs programs were presented during the monitoring period, both of which were nationally syndicated; and that under threat of PCI's scrutiny, United relogged the program "Community Spectrum" which had previously been represented as a local public affairs program. With regard to the remaining allegations concerning further deficiencies in publicity, spot messages, and source-initiated communications, petitioner also relies on the affidavit of Al Calame who avers that he recorded the programming on KBAY between the hours of 6:00 a.m., and midnight from June 26 through July 2, 1974, and that at no time during that period did United publicize upcoming public affairs programs, present "issue-oriented" spot messages—apart from anti-smoking public service announcements—or broadcast guest editorials or rebuttals to the allegedly bland and non-issue-oriented station editorials aired by KBAY.

3. In opposition, United submits a programming category breakdown of other San Jose and Santa Clara FM stations, in which KBAY's percentages of time devoted to programming of news and public affairs during 1971–74 are alleged to be typical of stations in those markets.[6] United further points out that PCI has not appended the monitoring data from which the petitioner derives its percentages of "issue-oriented" news programming and that, in any event, United cannot evaluate the accuracy of those percentages since it does not know the methods used by PCI in calculating those figures. With regard to the allegations that KBAY did not broadcast rebuttals to station editorials, United argues that Calame's affidavit should carry little weight since he only monitored the station for one week and the monitoring was not conducted for the entire broadcast day.[7] Additionally, United submits the affidavits of its program director and one of its principals, as well as correspondence between the station and its listeners, to show that the station did solicit replies to its editorials and has, in fact, broadcast replies. The Broadcast Bureau opposes addition of the issue.

4. We believe that the matter presented to us warrants three issues directed to the licensee's past operation of Station KBAY. First, there is a substantial question of whether KBAY broadcast a reasonable amount of public affairs programming in a manner responsive to the community's needs and interests. See *Radio Marion, Inc.*, 52 FCC 2d 1229, 33 RR 2d 182 (1975). KBAY's public affairs programming during the 1971–1974 license period is so insubstantial, in terms of time and scheduling, as to raise an issue of whether it was responsive to community needs. Thus, analysis of the licensee's 1971–1974 program logs for the composite week and its list of typical and illustrative programs broadcast during that license term reveals that United broadcast only 101 minutes of public affairs programs and that it put these programs on at times which appear to be of low audience potential. The only full length programs, "Washington Window" and "The UN Week," not only would not appears to be addressed to any local problems, but were also presented between 6:30 and 7:30 a.m., Sunday,[8] and the remaining fifty-six minutes of public affairs programs, consisting of locally produced editorials, were carried during "graveyard" hours (between 1:01 a.m. and 5:30 a.m.). This requires further examination. See *KSAY Broadcasting Co.*, 47 FCC 2d 584, 30 RR 2d 936 (1974); *New Mexico Broadcasting Co.*, par. 18, 54 FCC 2d 126, 34 RR 2d 501 (1975). While KBAY's news programming may be relevant to this examination, we note that sole reliance on news to meet community problems is not acceptable. *Primer on Ascertainment of Community Problems by Broadcast Applicants*, Q. and A. 33, 27 FCC 2d 650, 21 RR 2d 1507 (1971).

5. An issue is also required to determine whether KBAY complied during the license term with the Commission's long standing requirement, embodied in Section 315 of the Act, 47 U.S.C. 315, that a station devote a reasonable amount of time to discussion of conflicting views on controversial issues of public importance. See *Report on Editorializing*, 13 FCC 1243 (1949); *Fairness Report*, 48 FCC 2d 1, 9, 30 RR 2d 1261, 1276 (1974); *Red Lion Broadcasting Co., Inc.* v. *F.C.C.*, 395 U.S. 367 (1969). This requirement is related to, but nevertheless distinct from, the licensee's broader duty to cover public affairs. In this case, because of the paucity of public affairs generally, the absence of a local news staff, and the licensee's failure to furnish any information with respect to its coverage of controversial issues of public importance, there is no indication that any cognizable amount of time was devoted to this area of required station operation. *Cf. In re Complaint of Representative Patsy Mink*, FCC 76–529, released June 16, 1976.

6. Finally, it is our view that an issue is required to examine the apparent substantial discrepancy between KBAY's promise of public affairs programming in its 1971 renewal application and its 1971–1974 performance. The proposal was for 2 hours and 45 minutes of public affairs programming per week.[9] Of this amount, only one hour and 41 minutes was actually carried, so far as we can tell, and two proposed programs which might well have been of particular local interest, "State Capital Report" and "San Jose Yesterday and Today," were dropped from the schedule, as were certain "Guestitorials." As noted above, the station was left with public affairs programs relegated to hours of low audience potential. Such substantial deviation from a proposal in an important area of station operation, made without explanation or reasonable substitution, clearly must be pursued in the hearing.

7. *Trafficking (Issue No. II)*. Petitioner's next request for an issue[10] is based upon an agreement of sale and a rescission thereof, filed by United with the Commission, revealing that its stockholders had entered into and subsequently cancelled an agreement to sell all their stock in Stations KEEN and KBAY to Affiliated Productions, Inc. (API).[11] Specifically, petitioner relates that United agreed on October 6, 1975 to sell

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[3] Although petitioner does not clearly define its terms, "source-initiated" spots appear to refer to what is customarily known as free speech or access spots, which are initiated by members of the public.

[4] The figures are .88% news and .95% public affairs for 1971 and 2.81% news and 1.17% public affairs for 1974.

[5] Although petitioner makes reference to an appendix of monitored broadcast data on news programming, no supporting data was attached to the petition.

[6] United contends that only the 1971–74 license period is relevant, citing *Comparative Hearings on Renewal Applicants*, 22 FCC 2d 424, 427, 18 RR 2d 1901, 1906 (1970), reversed on other grounds, *Citizens Communications Center* v. *F.C.C.*, 145 U.S. App. D.C 32, 447 F.2d 1201, 22 RR 2d 2001 (1975).

[7] United points out that KBAY is on the air twenty-four hours a day, Calame's affidavit reflects that he only monitored the station from 6:00 a.m. to midnight.

[8] This is not to say that these programs might not have satisfied some local needs, but rather that a question is raised whether such programming is responsive to local needs. See *Federal Broadcasting System, Inc.*, FCC 76–391 —— FCC 2d ——, released May 12, 1976.

[9] The proposed programs were:
5:30–5:35 a.m. Mon.–Sat.; "State Capitol Report," 35 minutes.
7:00–7:05 a.m. Sun. 1:01–1:03 a.m.; 4:01–4:03 a.m. daily and 5:01–5:03 a.m., daily "Editorials," 42 minutes.
2:01–2:03 a.m.; 5:30–5:32 a.m. daily "Guestitorials," 28 minutes.
6:00–6:30 a.m., Sun. "Washington Window," 30 minutes.
6:30–6:45 a.m., Sun. "The UN Week," 15 minutes.
7:15–7:30 a.m., Sun. "San Jose Yesterday and Today," 15 minutes.

[10] The requested issue reads as follows:
To determine whether the incumbents seek renewal of this license with the intention of selling it.

[11] In addition to Station KBAY, United is the licensee of Station KEEN.

KEEN and KBAY to API; [12] that the *Boston Globe* reported the agreement on on October 24, 1975; and that after disclosure the agreement was cancelled (October 31, 1975).[13] Petitioner contends that the attempt to retain the station license for KBAY by filing an application for renewal while simultaneously covertly negotiating to sell it to API constitutes trafficking in public property, reveals a lack of candor unbefitting a public trustee, and smacks of misrepresentation of such a nature as to preclude renewal of the license. As a somewhat related matter, petitioner questions United's programming commitments, arguing that the licensee has made commitments on paper in the belief that it will not be saddled with them for long. Both United and the Broadcast Bureau oppose adding the issue.

8. The request for an issue will be denied. Trafficking may be found when a licensee or its principals acquire and/or operate a station for the primary purpose of selling it for a profit rather than for serving the public interest. *Harriman Broadcasting Co. (WXXL)*, 9 FCC 2d 731, 10 RR 2d 981 (1967). Factors to be considered in determining whether an issue is warranted include intention, profit, and time. PCI's allegations, however, fail to raise a question with respect to each of the requisite elements. In short, rather than make a showing that there was intent on the part of United to acquire and operate KBAY for profitable resale of that United would indeed have profitted if it had sold the station to API, petitioner simply alleges that United entered into and subsequently cancelled an agreement to sell KBAY—which, significantly, it has operated since 1963—while its renewal application for that station was pending. Although the question of trafficking can in many instances be determined only circumstantially, the Board cannot conclude, given the deficiency of facts alleged in this case, that petitioner has raised a substantial question of trafficking. *Cf. Phil D. Jackson*, 33 FCC 2d 928, 23 RR 2d 1023 (Rev. Bd. 1972). PCI's allegations, standing alone, are also insufficient to support lack of candor or non-disclosure issues, since United timely notified the Commission of the transactions.[14] With respect to petitioner's allegations concerning United's program commitments, the Board agrees with United and the Broadcast Bureau that no inquiry is warranted; the allegations are not only conjectural (and therefore fail to comport with Section 1.229(c) of the Commission's Rules), but PCI has failed again to detail how such allegations, even if proven, would be probative of its trafficking request.

9. *Community Ascertainment (Issue No. III)*. In support of its requested issue [15] petitioner contends that improvements in KBAY's programming proposals have resulted from pressure applied by it (petitioner) and the Committee for Open Media (COM). As evidence of this, petitioner points to a 1974 meeting attended by George Snell, station manager of KBAY, in which Phillip Jacklin, one of PCI's directors and formerly head of COM, warned that COM would file petitions to deny against those stations whose public affairs, public service, and news programming were "below par." In addition, petitioner submits an affidavit of Jacklin describing a conversation he had with John McKay, a former employee of KBAY; according to Jacklin, McKay declared that the KBAY station manager had told him that the station was making programming changes until the challenge by PCI was over. Petitioner further contends that United's poor record on news and public affairs prior to the 1974 proposals demonstrates that the station had no special interest in serving the community before its license was threatened. To buttress this contention, petitioner points out that the 1974 programming proposal reveals that the time to be devoted to news tripled and public affairs more than doubled since 1971 and that free speech messages are now a regular feature of KBAY's programming proposals. Finally, petitioner submits the affidavits of its president, David O. McNeil, and one of its directors, Mary Jo Foote, in which affiants aver that McKay told them he was sure that KBAY's program director never before heard the word "ascertainment" and, that in any event, KBAY's ascertainment of community needs had no effect on that station's programming.

10. In opposition, United submits an affidavit of George L. Snell, who states that it is his responsibility to evaluate the results of the licensee's ascertainment efforts, and that the increase in the percentages of time devoted to public affairs and news was based on the licensee's ascertainment of community needs and on considerations of serving the public interest. The percentage increases, Snell further avers, were not based on pressure from PCI or any other organization. United also points out that the percentage increases were filed with the renewal application in August 1974, three months before PCI filed its mutually exclusive application. The Bureau also opposes addition of the issue.

11. The Review Board will not add petitioner's requested issue. As correctly noted by opponents, petitioner's allegations regarding the motives of United for upgrading KBAY's programming proposal are based upon conjecture and hearsay and thus fail to comport with the support requirements of Section 1.229(c) of the Commission's Rules. With regard to the hearsay allegations that United's ascertainment efforts had no effect on KBAY's programming, the Board agrees with the Bureau that no inquiry is warranted since petitioner has neither alleged nor substantiated that United's ascertainment showing is deficient under the guidelines of the Commission's *Primer on Ascertainment of Community Problems by Broadcast Applicants, supra.*

12. *Conduct of United and its Employees (Issue No. IV)*. Petitioner seeks the addition of an issue to determine whether the conduct of United and its employees reveals an indifference to the needs of the community and insensitivity to people unlike themselves. In support thereof, petitioner alleges that the station managers of KBAY and KEEN are "racists and bigots and that United, either through negligence or ill intent, failed on no less than three occasions to provide its KBAY public file or parts thereof, *i.e.*, the 1974 license application composite week, for inspection during regular business hours. Specifically, with respect to the allegation that United's station managers are "racists and bigots," petitioner submits the affidavits of six of its board members, five of whom simply restate information that a former employee of KBAY named McKay allegedly told them about KBAY's station manager and United's minority employees. The sixth affiant, Richard Cantu, avers that he overheard the station manager for KEEN, United's FM station, refer to a black athlete as "that nigger." Moreover, petitioner contends that Hugh Johnson, a black, has filed a "license challenge" against United for alleged discrimination [16] and that United's 1971 and 1974 license applications reveal no programs of special interest to members of the minority communities. With regard to the allegation that United's public file was not available at all times for public inspection during regular business hours,[17] petitioner submits the affidavits of Cantu; Mary Jo Foote, a board member; and Al Calame, a PCI associate. Petitioner asserts, and Cantu's blanket affidavit attests to the truth of the statement in the petition, that on September 4, 1974, Cantu was told after

[12] United filed its renewal application on July 31, 1974.

[13] Petitioner argues that United reported the transactions to the Commission in an "untimely" motion to amend filed November 6, 1975.

[14] Section 1.613 provides that contracts relating to ownership or control must be reported to the Commission within 30 days of execution thereof.

[15] The requested issue reads as follows:

To determine whether the incumbent upgraded its programming and ascertainment and ended its long indifference to community needs only upon learning of our intentions.

[16] United's application for Station KBAY reflects that Johnson filed a class action suit against a number of area stations and their program directors, including its FM station KEEN and its manager, Len Smith, alleging racial discrimination. Johnson also filed a petition to deny against the renewal application of KEEN; however, the allegations supporting the latter filing were rejected by the Commission. *KLIV, Inc.*, 54 FCC 2d 554, 34 RR 2d 775 (1975).

[17] The allegation more appropriately relates to a request for a Rule 1.526 issue. Section 1.526 of the Commission's Rules require, *inter alia*, a broadcast license to maintain a station file and make it available for public inspection at any time during regular business hours.

he requested to see the file that it was locked up and that only George Snell had the key. Snell arrived more than one hour later, petitioner adds, and made the file available to Cantu, who thereupon found that the 1974 application composite week log was missing. Similarly, Foote's affidavit reflects that the composite week log was missing from the application on September 18, 1974.[18] Finally, Calame avers in his affidavit that he was not permitted to inspect KBAY's station file on November 6, 1974, even though he waited at the KEEN office, where the KBAY public file is located, for more than one hour. According to Calame, an office secretary tried unsuccessfully to find George Snell to obtain the file after the request; subsequently, a second employee appeared and apologized because no one present knew exactly where or what the file was. Calame states that the employee told him that only three people knew the location of the file and that at least one of them was usually around. Calame states further that the employee said Snell would be arriving shortly if he cared to wait; he maintains that he waited over an hour and then left without seeing the file. The Bureau, while opposing addition of an issue relating to allegations of racial discrimination, supports addition of a Rule 1.526 issue (public file issue) on a comparative basis.

13. United submits with its opposition the affidavit of George Snell in which he acknowledges that the composite week logs were not in the public file; Snell, however, avers that the original logs had been sent to the Commission in United's application and that it took some time to get copies made and the original returned. Additionally, United submits the affidavit of Vivian Cooper in which she avers that she talked with Calame and asked if he could possibly return later that day or another time when one of the men would be there who could better assist him.

14. The Review Board will not add an issue based upon the allegations of racial discrimination or bigotry. As an initial matter, we must caution the petitioner that "mere expression of opinion or belief by a broadcast applicant or its principals is not a proper matter for Commission inquiry." *RKO General, Inc.*, 42 FCC 2d 469, 479, 28 RR 2d 289, 301 (Rev. Bd. 1973). Rather, the relevant question for Commission inquiry is whether an applicant is likely to give a "fair break" to those who may not share its views. *WBNX Broadcasting Co., Inc.*, 12 FCC 837, 4 RR 242 (1948). As a consequence, only evidence of past conduct, not mere expression of belief, is relevant in such an inquiry. *WBNX Broadcasting Co., Inc., supra.* Here, petitioner's allegations in this regard are either predicated upon hearsay, which fails to meet with the support requirements of Section 1.229(c) of the Commission's Rules, or they relate to an opinion allegedly expressed by a principal of United rather than to questionable past conduct. In either case, such allegations are clearly not sufficient to warrant addition of an issue.[19] Similarly, an issue predicated on petitioner's allegation that United's application reveals no minority-oriented programming is unwarranted on two separate grounds; as noted by the Broadcast Bureau, United's application does include programming proposals directed towards the needs of the minority members of the community (*i.e.*, "Community Focus," an interview program hosted by a black attorney relating to minority interests), and, in any event, the Commission has held that the views of minorities can be served by programs of general concern, *WPTR, Inc.*, —— FCC 2d ——, 36 RR 2d 87 (1976). We will not add an issue with respect to the pending suit by Johnson (see note 20, *supra*) since petitioner has made no showing of specific allegations of fact detailing the conduct underlying the suit. *Cf. CBS, Inc.*, 52 FCC 2d 421, —— RR 2d —— (Rev. Bd. 1975). We will, however, in the absence of such allegations, impose a condition on any grant to United pending the outcome of the suit since the subject matter of the pending litigation involves discrimination or conduct, which may directly bear on an applicant's ability to operate a broadcast station in the public interest. *Cf. Post-Newsweek Stations, Florida, Inc. (WPLG–TV)*, 49 FCC 2d 280, 31 RR 2d 1010 (Rev. Bd. 1974). Finally, the Board will add a comparative public file issue since United does not dispute petitioner's allegation that the composite week log was absent for nearly a month, and because it has provided no explanation as to why a copy of the log was not made when the original was sent to the Commission with the renewal application. Since, however, there is no showing of intentional misconduct on the part of United or prejudice to PCI, the issue will be added on a comparative basis only. See *Kennebec Western Broadcasting Co.*, 51 FCC 2d 1154, 33 RR 2d 343 (Rev. Bd. 1975).

15. *Fairness Doctrine (Issue No. V).* Petitioner submits affidavits of Jacklin and Calame, and an unsworn letter by Calame, in support of its allegations that United has demonstrated bias in its programming on Station KBAY regarding politics, religion, and nuclear power. Specifically, Jacklin's affidavit reflects that the affiant was told by former KBAY employee McKay that McKay had angrily refused a request from Snell to read a press release distributed by a Republican candidate for Lieutenant Governor regarding a dedication; petitioner contends that the special mentioning of a political candidate favored by Snell was news management. With regard to KBAY's religious programming, Calame avers in his affidavit that his monitoring of the station on Sunday, June 30, 1974, revealed that all of the religious programs broadcast that day represented conservative protestant or fundamentalist points of view; petitioner argues that such programming clearly ignores the religious diversity of the community. Finally, the unsworn letter of Calame concerning a one-minute commercial message about the environmental effects of nuclear power is submitted to demonstrate that KBAY failed to balance a series of commercials presented by the Pacific Gas & Electric Company (PG&E) until United was pressured by a San Francisco citizens group. Attached to Calame's letter is a reply from Snell maintaining that the fairness doctrine does not apply to the commercial message; petitioner argues that this letter indicates that KBAY initially had no intention of presenting the various sides of this issue.[20]

16. In opposition, United argues that petitioner has neither alleged nor substantiated that KBAY's broadcasting was not balanced. On the contrary, United asserts, PCI in fact concedes that the nuclear power issue was balanced by alleging that, "[U]util pressured by a San Francisco citizen's group, KBAY failed to balance a series of PG&E commercials. . . ." United also argues that the allegations concerning a political candidate in Jacklin's affidavit are based on hearsay. Nonetheless, submitting a copy of the news release in question and an affidavit by Snell, United contends that the news release concerned the dedication by the Lieutenant Governor of a large mural which depicts 200 years of history in the Santa Clara Valley, a legitimate item of local news rather than an endorsement of any political candidate. Attached to United's opposition is a newspaper article taken from the *San Jose News* about the mural to show that the item was indeed newsworthy. Finally, United contends that petitioner made no showing that religious programming represents a controversial issue of public importance.

17. The Board will not add an issue to determine whether United has complied with the fairness and political endorsement provisions of the rules. First, PCI's request for a political editorializing issue[21] must be rejected as procedurally

[18] Also attached to the petition is an unsworn exhibit purporting to show that Cantu informed the Commission by letter dated September 27, 1974 that the composite week log had been missing from September 4, 1974, until September 23, 1974. The exhibit further reflects that, based upon the omission of the logs, Cantu requested an extension of the deadline for filing applications beyond the November 1, 1974 deadline. There is no showing, however, that the letter was actually sent, and PCI filed its application on the original deadline, November 1, 1974.

[19] See *Jimmie H. Howell*, 46 FCC 2d 1150 n.2, 30 RR 2d 365, 366 n.2 (Rev. Bd. 1974); *RKO General, Inc., supra.*

[20] The reply also states that Calame was welcome to come in and record a "free speech message" on this or any other subject.

[21] Sections 73.123, 73.300, and 73.679 of the Commission's Rules. Section 73.300(c) provides, *inter alia*, that when an FM broadcast licensee editorially endorses a legally qualified candidate for public office, that licensee must transmit to the opponents of the candidate endorsed notification of the date of the editorial, a tape or script of the editorial, and an offer of a reasonable opportunity to respond.

defective since it is based solely upon a hearsay affidavit. Nevertheless, turning to the merits of the request, we note that PCI has failed to raise a question as to whether the news release was actually an endorsement of a political candidate. Moreover, our reading of the release reveals that the emphasis of the story was upon the completion and dedication of the mural and not upon the candidacy of the Lieutenant Governor. Although some advantage may have accrued to a particular candidacy by the reporting of the event, the Board will not specify an issue where, as here, there is no indication that a clear-cut endorsement of a candidate is involved. *Cf. Stephen M. Slavin*, FCC 73-931, 28 RR 2d 459. Second, with regard to United's religious programming, the Board notes that, as a general proposition, the fairness doctrine does not apply to the broadcast of church services, devotions, prayers, and religious music *per se* (*Davey Johnson* v. *Station KHEP*, 54 FCC 2d 923, 34 RR 2d 939 (1975)), unless there has been a clear presentation of one side of a controversial issue of public importance. *Davey Johnson, supra*. Here, petitioner's request for an issue must be rejected since the petitioner has not indicated what, if any, controversial issues of public importance were presented in connection with religious broadcasting on KBAY, let alone whether contrasting points of view on these issues were presented in the licensee's overall programming. Finally, petitioner's allegations regarding nuclear power advertisements are insufficient to add an issue, even assuming that the fairness doctrine is applicable to those commercial messages. Fairness doctrine complaints are required to (a) specify the particular broadcasts in which the controversial issue was presented, (b) state the position advocated in such broadcasts, and (c) set forth reasonable grounds for concluding that the licensee in his overall programming has not attempted to present opposing views on the issue. See *Federation of Citizens Association—DC*, 21 FCC 2d 12, 17 RR 2d 1113 (1969). Thus, the initial burden of coming forward with some allegations showing a basis for the complaint is on the complaining party. See *Rust Communications Group, Inc.*, 57 FCC 2d 873, 36 RR 2d 47 (Rev. Bd. 1976). Here, however, petitioner's request must be denied since the petitioner has not set forth grounds for concluding that the licensee failed to broadcast contrasting views on the nuclear power issue in its overall programming; in fact, the contrary is indicated because the licensee afforded PCI associate Calame an opportunity to present his viewpoints over the KBAY facility on this subject.[23]

[23] Petitioner's contention, in its reply, that KBAY's offer of free broadcast time to Calame was inadequate since Calame is not on an equal footing with the sponsors of the pro-nuclear commercials is rejected. The Commission will not ordinarily interfere with the licensee's exercise of discretion in choosing spokesmen for each point of view since to do so would draw the Commission into the role of deciding who should be allowed on the air.

COMPARATIVE ISSUES

18. *Reinvestment of Profit (Issues No. I)*. Contending that it is a non-profit corporation whose sole purpose is to serve the community, petitioner requests an issue, based on United's alleged minimal service, to determine whether there are significant differences between the applicants with respect to the percentage of profits which will be reinvested in the service of the public. The Board is of the view that PCI's request does not comport with the specificity requirements of Rule 1.229 (c); PCI has not only failed to advance specific factual allegations which would tend to indicate that there would be a maternal disparity between the amounts the two applicants would reinvest, but, significantly, it has also failed to demonstrate how reinvestment of profits would result in superior programming. Accordingly, in the absence of a strong showing that a reinvestment criterion would be a material comparative factor, an issue will not be added.

19. *Comparative Programming (Issue Nos. II, III, IV, VIII, and X)*. In support of its request to add a comparative programming issue, [24] petitioner contends that its proposed programming is superior to that of United's in a number of categories listed by the Commission in the 1960 Statement on Programming Policy;[25] that it will present its public affairs programming at diverse times to make it conveniently available for listeners and will use on-air promotions to build audiences for such programming unlike United, which allegedly broadcasts four of its seven hours of public affairs programmig between the hours of midnight and 6:00 a.m.; that, unlike United, it will utilize to a large degree (*i.e.*, three to four minutes per hour) a short-message format to give problem-oriented people the same kind of access to the listening audience as that typically enjoyed by advertisers; that it will emphasize local news and public affairs programming, employing a large network of volunteers to seek out representative views and voices on local issues in contrast to United which proposes to use only three people to accomplish its proposal to serve as a local outlet; and that, in contrast to United, it will provide access to the broadcast media in which the ideas and feelings of nearly all will receive effective expression over the public airwaves.

20. To justify addition of a comparative programming issue, a proponent must demonstrate that differences in proposed program plans go beyond ordinary differences in judgment and show a superior devotion to public service for which there is a demonstrated community need. *Chapman Radio and Television Co.*, 7 FCC 2d 213, 9 RR 2d 635 (1967). Here, although the differences in the amount of time are not substantial [26] and petitioner has made no attempt to relate its alleged superiorities in content, access, and local programming to the ascertained needs and interests of the community it proposes to serve, we do believe that petitioner has made a *prima facie* showing that there are significant differences in the scheduling of public affairs programming by the respective applicants. Petitioner survey of ascertained community needs points up a lack of communication between residents and local government, resulting primarily from a failure in information dissemination on the part of public agencies; a lack of information in the community about available social services such as health care, welfare, legal aid, social security, and child care; and a failure on the part of the media to address the civic and political issues of the day and to do its part in service to community education. To meet these problems and needs, as well as other needs and problems as-

[24] Issues II, III, IV, VIII, and X will be considered collectively since each relates, in essence, to a comparative programming issue. The requested issues are as follows:

To determine whether there are significant differences between the applicants with respect to their commitments to the 14 elements of good programming set forth in the 1960 Statement of Programming Policy.

To determine whether there are significant differences between the applicants with respect to the accessibility of informational programming.

To determine whether there are significant differences between the applicants with respect to the use of source-initiated communications which provide leaders and citizens with access to the community.

To determine whether there are significant differences between the applicants with respect to the extent to which their proposals will make the station "a local outlet," an outlet for local voices and local news.

To determine whether there are significant differences between the applicants with respect to the extent to which their proposals would achieve a diffusion of control of issue-oriented broadcast messages and contribute to "a fair and equitable distribution of radio service." FCA 307(b).

[25] *Report and Statement of Policy Re: Commission En Banc Programming Inquiry*, FCC 60-970, 20 RR 1901, 1913. (Hereinafter referred to as *Programming Policy*.) The categories are as follows: (1) opportunity for local self-expression; (2) the development and use of local talent; (3) programs for children; (4) religious programs; (5) educational programs; (6) public affairs programs; (7) editorialization by licensees; (8) political broadcasts; (9) agricultural programs; (10) news programs; (11) weather and market reports; (12) sports programs; (13) service to minority groups; and (14) entertainment programming. Petitioner maintains, inter alia, that it would offer local self-expression for youth and women; cross-cultural non-sexist children's programming; wide variety of religious and philosophical viewpoints; and educational programs including consumer reports, health shows, and legal rights.

[26] A comparison of the respective programming proposals reflects the following:

PCI—6.12% news; 8.3% public affairs; and 3.15% all other programming exclusive of entertainment and sports. PCI intends to devote 65% of news program time to regional and local news.

United—5.92% news; 6.01% public affairs; and 3.2% all other programming exclusive of entertainment and sports. United intends to devote 45% of news program time to regional and local news.

certained, petitioner proposes to present the primary portion of its public affairs programming during hours when it believes the listening audience will best be able to hear such programming. In addition, it intends to publicize its public affairs programming throughout the day in order to inform listeners when such programming will be available. In contrast, half of the fourteen public affairs programs proposed or currently aired by United,[36] including three that are locally produced and purportedly relate to local ascertained neeeds, are or will be presented between 3:30–4:00 a.m. and four other public affairs programs will simply consist of brief two minute vignettes. Although petitioner has not specifically shown that its proposed scheduling is responsive to its ascertainment survey, it must be presumed that during the hours United proposes to broadcast most of its public affairs programming the station will have less opportunity of serving the needs of its community of license since, as common sense dictates, it will have a substantially smaller and less varied listening audience. Based on the facts above, we believe that a substantial question has been raised as to whether petitioner has shown an unusual attention to local community matters for which there is a demonstrated community need. Accordingly, an issue will be added.

21. *Comparative Knowledge of Needs, Comparative Representation of Community, and Diversity of Ownership (Issue Nos. VI, VII and IX).* Petitioner next requests the Board to add issues to determine whether there are significant differences between the applicants concerning their knowledge of the needs and problems of the community, the extent that they are representative of the community to be served, and the extent that they would increase diversity of broadcast ownership in the Bay Area. Petitioner argues in support of the assertion that it has superior knowledge of the needs of the community because its board members represent diverse segments of the community, *i.e.*, women, low-income, and non-white who are involved in community problem-solving and who conducted PCI's ascertainment survey, whereas KBAY's ownership is composed of three affluent white males who do not belong to organizations involved in community problem-solving and whose precise participation in KBAY's ascertainment is unclear. Additionally, petitioner relies upon PCI's board members' comparatively more diverse residence, income, racial and sexual composition, and occupations to demonstrate that it is more representative of the community to be served. Finally, petitioner contends that it can be more sensitive to the needs of women and minorities because of the board members' sexual, racial, and economic composition and because the members represent different occupational pursuits and unusual amounts of education in liberal arts and the social sciences. The Review Board will not add any of the requested issues since, as correctly noted by the Broadcast Bureau, attributes of participating owners such as residence, civic participation, and racial and sexual composition are criteria relevant under the designated standard comparative issue. *Policy Statement on Comparative Broadcast Hearings*, 1 FCC 2d 393, 5 RR 2d 1901 (1965); *TV 9, Inc. v. F.C.C.*, 161 U.S. App. D.C. 349, 495 F.2d 929, 28 RR 2d 1115 (1973). Moreover, petitioner may urge to the presiding Judge that other criteria be considered under the best practicable service criterion. Finally, to the extent that petitioner's initial requested issue (*i.e.*, comparison of the applicant's knowledge of the needs of the community), relates to a comparative efforts issue, no inquiry is warranted since petitioner has failed to allege significant disparities between the efforts of the applicants or significant community needs its efforts have ascertained that the interviews of United have not. See *CBS, Inc.*, 49 FCC 2d 743, 31 RR 2d 1467 (Rev. Bd. 1974).

23. *Affirmative Action (Issue No. XI).* Petitioner requests an issue to determine whether there are significant differences between the applicants with respect to their affirmative action commitments and the likelihood that such commitments will be successfully implemented. In support of the request, petitioner alleges that United upgraded its hiring of minorities as a result of pressure brought on it by PCI and Community Coalition for Media Change; that KBAY has no Chicano employees although Chicanos purportedly represent 17% of the area population; that KBAY misrepresented a Mexican national as some kind of ingineer although in fact he is engaged in janitorial work at night;[37] that there are no women in management positions; that United does not have any active training or recruitment programs for women and minorities; that Hugh Johnson filed a suit against KEEN (see note 16, *supra*); and that United did not file comments in response to the Commission's proposed equal employment opportunity guidelines.

23. The Review Board will grant petitioner's request for an issue. As an initial matter, the Board has considered petitioner's request as one relating to United's basic qualifications since we are of the view that an applicant's compliance with the Commission's equal employment rules is a basic rather than a comparative factor. Sections 73.125, 73.301, 73.599, 73.680, and 73.793 of the Commission's Rules, all of which read identically, prohibit discrimination in employment based on race, color, religion, national origin, or sex and require a licensee to take affirmative action to recruit, employ, and promote qualified members of minority groups. In the instant case, KBAY's 1975 annual employment report, submitted by petitioner, reveals that the station presently does not employ any Chicanos even though Chicanos overwhelmingly make up the largest group of minority population in San Jose (in which Chicanos comprise 21.8% and the entire minority population 28.2% of the entire population) and Santa Clara County (in which Chicanos comprise 17.5% and the entire minority population 23.2% of the entire population). While there is no requirement that employment of members of a minority group reflect the proportion of that group's number in the population, the Commission and courts recognize that statistics showing a highly disproportionate percentage of minority to non-minority employees may constitute evidence of discriminatory practices. See *Employment Policies and Practices—Florida*, 44 FCC 2d 735, 29 RR 2d 285 (1974). In our view, the failure here to employ any members of a significant minority group population presents an even more compelling basis for inquiry into a licensee's employment practices. The crucial question to be resolved is whether the licensee has made reasonable and good faith efforts to recruit and hire minority members. If it has been unable to hire such individuals, no sanctions will be imposed. However, since no explanation was given by United as to why KBAY does not employ any Chicanos, we believe that a question has been raised as to whether United is complying with the Commission's EEO requirements.[38] Accordingly, an appropriate issue will be added.

24. *Training of Community People (Issue No. XII).* Petitioner requests an issue to determine whether there will be significant differences between the applicants with respect to the proposed use and training of people in the community as volunteers in the operation of the station. PCI argues that its comprehensive

[36] As reflected in the amendment to the application filed June 16, 1975.

[37] The misrepresentation allegation is based on Jacklin's affidavit which related what he had been told by John McKay.

[38] The Board finds petitioner's other allegations non-persuasive as a basis for an issue. First, petitioner's allegations regarding upgrading and misrepresentation are based upon conjecture and hearsay, respectively, and therefore must be rejected as procedurally deficient. Second, to the extent that PCI's request is based on United's failure to file comments in response to the Commission's proposed equal employment opportunity guidelines, it must also be rejected; although the Commission actively seeks comments from interested parties in its rule-making proceedings, there is no requirement that any individual applicant or licensee must file comments in that type of proceeding. Third, since this proceeding is conditioned upon the outcome of the Johnson suit, there is no further need to deal with PCI's allegations in this regard again. Finally, petitioner's allegation that United does not have any training or recruitment programs appears to be in error since the KEEN application, which is incorporated by reference to the KBAY application, sets forth an affirmative action program and, in any event, the implementation of that program can be examined under the issue specified herein.

volunteer program will be integrated with its affirmative action training program, whereas United will employ no more than four people for local news, access, and public issues.

25. The Review Board will not add the requested issue. Although the Board is not aware of any precedent which indicates that the training of community residents as volunteers for a radio station is or is not a valid criterion in a comparative hearing, it is our view that whatever public interest benefits that might result therefrom would necessarily be reflected in the applicant's programming and, consequently, any programming differences could be explored, upon an appropriate showing, under a comparative programming issue. But see paragraph 20, *supra*. To the extent that the request relates to a staffing issue, we agree with the Bureau that petitioner has not made a sufficient showing to warrant an evidentiary inquiry. See *Brookhaven Broadcasting Co., Inc.*, 50 FCC 2d 703, 32 RR 2d 861 (Rev. Bd. 1975).

26. *Comparative Innovation of Proposal (Issue No. XIII)*. Petitioner's final request is for an issue to determine whether sufficient differences exist between the applicants with respect to the innovative nature of their proposals and the likelihood that their proposals will herald a larger and more effective use of radio in the public interest. The Review Board will not specify the requested issue. The allegations (*i.e.*, short format message, reinvestment of profits, use of vounteers, and integrated and representative board of directors), have already been addressed under the previously discussed issues individually, and the Board perceives no new or additional basis for adding issues merely because the allegations are considered collectively.

27. Accordingly, it is ordered, That the motion for leave to file late reply, filed February 26, 1976, by Public Communicators, Inc., is granted; and

28. It is further ordered, That the motion to strike, filed March 9, 1976, by United Broadcasting Company is granted to the extent indicated herein, and is denied in all other respects; and

29. It is further ordered, That the request for authority to file affidavit, filed March 9, 1976, by United Broadcasting Company is denied; and the affidavit attached thereto is dismissed; and

30. It is further ordered, That the motion for request to file affidavit, filed May 27, 1976, by United Broadcasting Company is denied; and the affidavit attached thereto is dismissed; and

31. It is further ordered, That the petition to enlarge and particularize the issues for hearing, filed November 21, 1975, by Public Communicators, Inc., is granted to the extent indicated herein, and is denied in all other respects; and the issues in this proceeding are enlarged to include the following issues:

(1) To determine whether United Broadcasting Company (KBAY) adequately served the community's needs with respect to public affairs programming in the 1971–1974 license term.

(2) To determine whether United Broadcasting Company (KBAY) has devoted a reasonable amount of its broadcast time to the presentation of conflicting viewpoints on controversial issues of public importance during the past license term, 1971–1974.

(3) To determine whether United Broadcasting Company's public affairs programming of Station KBAY reasonably conformed during the 1971–1974 license term to its proposal as set forth in its 1971 renewal application.

(4) To determine whether United Broadcasting Company provided equal employment opportunity at Station KBAY to Spanish-surnamed persons.

(5) To determine, in light of the evidence adduced under the above issues, whether United Broadcasting Company has the requisite qualifications to be a Commission licensee.

(6) To determine whether United Broadcasting Company has failed to comply with the provisions of Section 1.526 of the Commission's Rules, and, if so, to determine the effect thereof on its comparative qualifications to be a Commission licensee.

(7) To determine on a comparative basis whether there are significant differences between the applicants with respect to the scheduling of public affairs programs; and, if so, whether such differences demonstrate superior devotion to community service.

32. It is further ordered, That the burden of proceeding with the introduction of evidence with respect to issue (2) above SHALL BE on Public Communicators, Inc.; and that the burden of proceeding with the introduction of evidence with respect to issues (1), (3), (4), and (5) above and the burden of proof with respect to issues (1), (2), (3), (4), and (5) above SHALL BE on United Broadcasting Company;

33. It is further ordered, That a grant of the application for renewal of United Broadcasting Company's license to operate Station KBAY–FM shall be without any prejudice to whatever action, if any, the Commission may deem appropriate upon conclusion of the proceedings in *Johnson* v. *KLOK, KEEN, KLIV, KSJO and RXRX* (C–73–2138 SC) now pending in U.S. District Court for the Northern District of California; and that said licensee shall immediately notify the Commission of the final disposition of the case.

FEDERAL COMMUNICATIONS COMMISSION,[29]
VINCENT J. MULLINS,
Secretary.

[FR Doc.76–20415 Filed 7–14–76;8:45 am]

FEDERAL MARITIME COMMISSION

SCANDINAVIA BALTIC/U.S. NORTH ATLANTIC WESTBOUND MERCHANTS FREIGHT CONFERENCE

Petition Filed

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to Section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 813a).

Interested parties may inspect a copy of the current contract form and of the petition, reflecting the changes proposed to be made in the language of said contract, at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126 or at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments with reference to the proposed changes and the petition, including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573, on or before August 4, 1976. Any person desiring a hearing on the proposed modification of the contract form and/or the approved contract system shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the petition (as indicated hereinafter), and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Howard A. Levy, Esquire, Suite 727, 17 Battery Place, New York, New York 10004.

Agreement No. 9982 D.R.–1, among the members of the above-named conference, amends the basic contract to add Finland to the geographic scope which presently covers Denmark, Norway and Sweden.

By order of the Federal Maritime Commission.

Dated: July 12, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76–20481 Filed 7–14–76;8:45 am]

FEDERAL POWER COMMISSION

[Docket Nos. G–2896, *et al.*]

CERTIFICATES, ABANDONMENT OF SERVICE AND PETITIONS TO AMEND CERTIFICATES [1]

Applications

JULY 7, 1976.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments

[29] Statements of Board Member Kessler dissenting with respect to addition of EED Issue with Statement, and Board Member Ohlbaum concurring and dissenting in part with statement, file as part of original.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

which are on file with the Commission and open to public inspection.[2]

Any person desirng to be heard or to make any protest with reference to said applications should on or before July 26, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecesary for Applicants to appear or to be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per 1,000 ft³	Pressure base
G-2896 D 6-18-76	Atlantic Richfield Co., P.O. Box 2819, Dallas, Tex. 75221.	Panhandle Eastern Pipe Line Co., A. J. Donelson B No. 1, Panhandle West Field, Moore County, Tex.	Depleted	
G-12868 C 6-21-76	Amoco Production Co., Security Life Bldg., Denver, Colo. 80202.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	[1] [2] 42.81664	14.65
G-19568 (G-19568) E 6-14-76	Coastal States Gas Producing Co. (successor to Fredrick W. Mueller et al.), 5 Greenway Plaza East, Houston, Tex. 77046.	Coastal States Gas Producing Co., Cologne Field, Victoria County, Tex.	[2] 12.045	14.65
CI65-555 D 6-16-76	King Resources Co., P.O. Box 9698, South Denver Station, Denver, Colo. 80209.	Arkansas Louisiana Gas Co., Cleary-Wilson No. 1 Well, sec. 28-T19N-R9W, Kingfisher County, Okla.	(9)	
CI74-528 C 6-21-76 [5]	Exxon Corp., P.O. Box 2180, Houston, Tex. 77001.	El Paso Natural Gas Co., Sand Hills Field, Crane County, Tex.	[2] [3] 62.43	14.65
CI75-612 C 6-16-76	Chevron Oil Co., Western Division, P.O. Box 599, Denver, Colo. 80201.	Mountain Fuel Supply Co., Spearhead Area, Converse County, Wyo.	[2] 72.6401	15.025
CI76-610 B 6-9-76	Coastal States Gas Producing Co. (operator) et al.	Coastal States Gas Producing Co., Alfred Field, Jim Wells County, Tex.	Depleted	
CI76-611 B 6-9-76	Coastal States Gas Producing Co.	United Gas Pipeline Co., Rosenberg Field, Fort Bend County, Tex.	Depleted	
CI76-612 B 6-9-76	do	do	Depleted	
CI76-613 E 6-14-76 [5]	Exxon Corp. (successor to Amoco Production Co.), P.O. Box 2180, Houston, Tex. 77001.	Columbia Gas Transmission Corp., Lake Sand Field, Iberia Parish, La.	[7] 60.04	15.025
CI76-615 B 6-11-76	Robert G. Shaw, 1409 Rosedown, Longview, Tex. 75221.	Transcontinental Gas Pipe Line Corp., Oakville Field, Live Oak County, Tex.	Wells plugged and abandoned	
CI76-617 B 6-14-76	T. C. Meador, P.O. Box 599, Eldorado, Tex. 76936.	CRA, Inc., Velrex Field, Scheicher County, Tex.	Wells plugged and abandoned	
CI76-619 A 6-18-76	Mobil Oil Corp., 3 Greenway Plaza East, Suite 800, Houston, Tex. 77046.	Michigan Wisconsin Pipe Line Co., Cree Flowers Field, Roberts County, Tex.	[2] [3] 31.7187 [2] [3] 55.9109	14.65 14.65
CI76-637 A 6-18-76	Cities Service Oil Co., P.O. Box 300, Tulsa, Okla. 74102.	Tennessee Gas Pipeline Co., Grand Isle Block 48 (W/2), offshore Louisana.	[2] [3] $1.75	15.025
CI76-637 6-11-76 [10]	Coastal States Gas Producing Co.	South Texas Natural Gas Gathering Co., Penitas Field, Hidalgo County, Tex.	19.353774	14.65
CI76-621 B 6-21-76	Bradco Oil & Gas Co., 1200 Southwest Tower, Houston, Tex. 77002.	C. B. Gas Gathering, Inc., Lottie Field, Pointe Coupee Parish, La.	Wells plugged and abandoned.	
CI76-622 (CS72-162) F 6-21-76	Gulf Oil Corp. (successor to Nafco Oil & Gas, Inc.), P.O. Box 2100, Houston, Tex. 77001.	Arkansas Louisiana Gas Co., Carthage Field, Panola County, Tex.	11.88950	14.65
CI76-623 B 6-18-76	Sun Oil Co., P.O. Box 20, Dallas, Tex. 75221.	Transcontinental Gas Pipe Line Corp., Karon et al. fields, Live Oak County, Tex.	Leases terminated or have been canceled.	
CI76-624 B 6-18-76	Sun Oil Co	South Texas Natural Gas Gathering Co., Shepherd Field, Hidalgo County, Tex.	Depleted	
CI76-625 6-21-76 [11]	American Petrofina Co. of Texas, P.O. Box 2159, Dallas, Tex. 75221.	United Gas Pipe Line Co., Agua Dulce Field, Nueces County, Tex.	25	14.65
CI76-626 B 6-21-76	Chevron Oil Co., Western Division.	Various fields, Lea County, N. Mex.	Well reclassified	
CI76-627 6-21-76 [12]	South Louisiana Production Co., Inc., P.O. Box 52088, Lafayette, La. 70501.	United Gas Pipe Line Co., Allen Parish, La.	$1.05	15.025
CI76-628 A 6-21-76	Shell Oil Co., P.O. Box 2099, Houston, Tex. 77001.	Michigan Wisconsin Pipeline Co., Eugene Island Block 192 (Block 188 Field), offshore Louisiana.	[2] [3] 56.68103	15.025

Docket No. and date filed	Applicant	Purchaser and location	Price per 1,000 ft³	Pressure base
CI76-629..... A 6-21-76	Continental Oil Co., P.O. Box 2197, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., West Cameron Block 66, offshore Louisiana.	[26] 53.041401	15.025
CI71-714..... D 6-14-76 [16]	Pan Eastern Exploration Co., P.O. Box 1642, Houston, Tex. 77001.	Panhandle Eastern Pipe Line Co., Camrick Field, Beaver County, Okla.	[14] 28.1782 [15] 61.0037	14.65 14.65
CI76-618..... (G-18214) F 6-16-76	Gill-Mac, Inc. (successor to Rivers Corp.), Route 2, Box 259, Nowata, Okla. 74048.	Cities Services Gas Co., Eureka Field, Grant County, Okla.	13.0	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

[1] Includes a base price of 40.0¢ and 2.2¢ price adjustment for British thermal unit content gas and 0.617¢ tax reimbursement.
[2] Subject to upward and downward British thermal unit adjustment.
[3] Subject to downward British thermal adjustment unit.
[4] The pressure on the well will no longer produce into the line unless expensive compression facilities are installed.
[5] Applicant agrees to accept a permanent certificate covering the subject sale conditioned in accordance with the Commission's opinion No. 699-H.
[6] Includes 5.03¢ British thermal unit adjustment and 1.49¢ gathering.
[7] Includes 0.30¢ upward British thermal unit adjustment, plus 0.51¢ gathering.
[8] Pertains to Helmerick & Payne, R. D. Mills No. 1 Unit Well.
[9] Pertains to Hanley, R. D. Mills Unit Well.
[10] Applicant is filing to cover its interest previously covered by a sale by a small producer.
[11] Applicant proposes to continue service presently being made under small producer certificate of seller, Logue & Patterson, et al.
[12] Limited-term application.
[13] Includes 3.12945¢ upward British thermal unit adjustment.
[14] For old gas.
[15] For gas after Jan. 1, 1973.
[16] Acreage assigned to Phillip F. Beeler effective Mar. 11, 1976.

[FR Doc.76-20271 Filed 7-14-76;8:45 am]

[Docket No. E-9562]

CENTRAL MAINE POWER CO.

Application

JULY 8, 1976.

Take notice that on June 24, 1976, Central Main Power Company filed an application with the Federal Power Commission in Docket No. E-9562. That application, filed pursuant to Executive Order No. 10485, dated September 3, 1953, and the Commission's Regulations thereunder, seeks permission to operate and maintain certain electric transmission facilities at the international border between the United States and Canada.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 20, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commssion and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20471 Filed 7-14-76;8:45 am]

[Project No. 785]

CONSUMERS POWER CO.

Application for Amendment of Major License for Constructed Project

JULY 8, 1976

Public notice is hereby given that an application was filed on July 30, 1975, and supplemented on March 29, 1976, under the Federal Power Act, 16 U.S.C. 791a et seq., by Consumers Power Company (Correspondence to: Mr. R.C. Youngdahl, Executive Vice President, Consumers Power Company, 212 West Michigan Avenue, Jackson, Michigan 49201) for amendment of the major license for the Calkins Bridge Project, FPC No. 785, located on the Kalamazoo River near the City of Allegan, in Allegan County, Michigan.

Among the project works now licensed as parts of Project No. 785 are a step-up substation located to the east of the hydroelectric plant, an 11-pole, 4800 V tie line from the hydro plant to the east substation, and a 24 kV transmission line, which formerly connected the east substation to the Allegan treatment substation.

Applicant has requested that the Commission amend the license for Project No. 785 to remove the two power lines and the east substation from the license. According to the application, the east substation has been replaced by a new substation located adjacent to the hydro plant, which also eliminates the usefulness of the 4800 V tie line. Applicant proposes to upgrade the 24 kV transmission line, and to operate it as a part of the distribution system serving the City of Allegan.

The application is on file with the Commission and is available for public inspection.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 30, 1976, file with the Federal Power Commission, 825 North Capitol Street, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1975). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to the proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and conferred upon the Federal Power Commission by sections 308 and 309 of the Federal Power Act, 16 U.S.C. 825g and 825h, and the Commission's rules of practice and procedure, specifically § 1.32(b), 18 CFR 1.32(b) (1975), a hearing before the Commission may be held on this application without further notice if no issue of substance is raised by any request to be heard, protest, or petition filed subsequent to this notice within the time required herein. Applicant has requested that the shortened procedure of § 1.32 (b) be used. If an issue of substance is so raised, further notice of hearing will be given.

Under the shortened procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing before the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20473 Filed 7-14-76;8:45 am]

[Docket No. ER76-755]

GULF STATES UTILITIES CO.

Filing

JULY 8, 1976.

Take notice that on June 18, 1976, the Gulf States Utilities Company tendered for filing FPC Rate Schedule No. 104, providing for electric service to the Cajun Electric Power Cooperative, Inc., at an additional metering point, namely, Chalkley. The stated initial capacity is 10 MW, while the specified capacity is 17.5 MW pursuant to the terms of this agreement. The company requested an effective date of June 1, 1976.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and pro-

cedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 16, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this tender are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20472 Filed 7-14-76;8:45 am]

MICHIGAN CONSOLIDATED GAS CO.

[Docket No. CP76-343]

Amendment to Application

JULY 8, 1976.

Take notice that on June 11, 1976, Michigan Consolidated Gas Company—Interstate Storage Division (Consolidated), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP76-343 an amendment to its application filed in said docket pursuant to section 7(c) of the Natural Gas Act, by which amendment Applicant increases the volumes of natural gas proposed to be stored for Panhandle Eastern Pipe Line Company (Panhandle) up to 12,000,000 Mcf and proposes to store all of such volumes on a firm basis, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

The application in this processing requested authorization for Consolidated to store natural gas for Panhandle during the 1976-77 storage season. It is stated that the amount of gas originally proposed to be stored, including gas retained in storage from the previous season, would be 6,200,000 Mcf on a firm basis and 2,713,200 Mcf on a best-efforts basis.

Consolidated states that in order to provide additional storage service needed by Panhandle's customers, Consolidated and Panhandle have entered into an amendment to the gas storage agreement which increases the maximum volume of gas to be stored to 12,000,000 Mcf and provides that all volumes of gas would be stored on a firm basis. The amendment does not provide for the construction of any new facilities or for any additional charges, it is stated.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before July 27, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules. Persons having heretofore in this proceeding need not do so again.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20476 Filed 7-14-76;8:45 am]

[Docket Nos. RP72-149 (PGA76-10)]

MISSISSIPPI RIVER TRANSMISSION CORP.

Proposed Change in Rates

JULY 1, 1976.

Take notice that Mississippi River Transmission Corporation (Mississippi) on May 28, 1976 submitted six (6) copies of Forty-Second Revised Sheet No. 3A to its FPC Gas Tariff, First Revised Volume No. 1, to become effective July 1, 1976.

Mississippi states that the instant tariff sheet was submitted pursuant to its purchased gas cost adjustment clause (PGA) provisions to track rate change filings of United Gas Pipe Line Company (United) and Natural Gas Pipeline Company of America (Natural). Both United and Natural submitted rate change filings pursuant to the PGA provisions of their tariffs to become effective July 1, 1976.

Mississippi submitted schedules containing computations supporting the rate changes to be effective July 1, 1976. Mississippi states that copies of its filing were served on Mississippi's jurisdictional customers and the State Commissions of Arkansas, Illinois and Missouri.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before June 30, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20467 Filed 7-14-76;8:45 am]

[Docket No. RP76-115]

NORTHWEST PIPELINE CORP.

Proposed Changes in FPC Gas Tariff

JULY 8, 1976.

Take notice that Northwest Pipeline Corporation ("Northwest") on July 1, 1976, tendered for filing proposed changes in its FPC Gas Tariff, Volume No. 1. The proposed changes would increase revenues from jurisdictional sales and service by $22,266,065 annually based on the 12 month period ending March 31, 1976 as adjusted.

Northwest filed two tariff sheets designated as proposed Fourteenth Revised Sheet No. 10 and Alternate Fourteenth Revised Sheet No. 10. The alternate sheet shows the impact of an increase in special overriding royalty cost to which Northwest is exposed. Northwest requests that it be allowed to amend its rate filing to recover these increased costs if the liability is established during the course of the rate proceeding.

Northwest asserts that the principal reason for the increase in rates is that the jurisdictional revenues at present rates are inadequate to meet the cost of service and provide a fair rate of return. It is further asserted that among the factors contributing to the need for the increase are:

(a) Cost associated with the Clay Basin Storage Project;

(b) Increased payroll and related costs;

(c) Increase in rate of return to compensate for higher cost of capital;

(d) Other increases in operation and maintenance expenses and taxes.

Northwest claims that the fair rate of return is 10.47 percent, which would provide a return of 15.50 percent to the common equity portion of the rate base.

Northwest states that copies of the filing were served upon the Company's jurisdictional customers and affected state regulatory agencies.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 23, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20474 Filed 7-14-76;8:45 am]

[Docket No. ER76-772]

PACIFIC POWER & LIGHT CO.

Rate Filing

JULY 8, 1976.

Take notice that Pacific Power & Light Company (Pacific) on July 1, 1976, tendered for filing Service Schedule PPL-1 which provides for sale of nonfirm energy to utilities which are parties to the Intercompany Pool Agreement(Revised), dated September 1, 1973, and designated Pacific's Rate Schedule FPC No. 116. Pacific states that Service Schedule PPL-RR2 is Pacific's FPC Tariff, Origi-

nal Volume No. 2, under which all parties to the Agreement are qualified purchasers, and is filed as a separate service schedule only to comply with the requirements of the Agreement. Pacific requests that this rate schedule be made effective 30 days after filing.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 20, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20479 Filed 7-14-76;8:45 am]

[Docket Nos. RI76-117-RI76-119]

SUN OIL CO. AND ANADARKO PRODUCTION CO.

Order Setting Date for Hearing, Consolidating Petitions and Granting Intervention

JULY 9, 1976.

On February 2, 1976, and March 26, 1976, Sun Oil Company (Sun) and Anadarko Production Company (Anadarko), respectively, filed petitions for special relief from the rate established in § 2.56 (a)(1) [1] of the Commission's general policy and interpretations. Sun requested a base rate of 174.56 cents per Mcf at 15.025 psia with 4 percent annual escalations for the sale of natural gas from its 46.66 percent working interest in production from West Cameron Block 639 Field, Offshore Louisiana. By amended petition filed June 9, 1976, Sun requested a rate of 169 cents/Mcf which price reflects some of the actual costs incurred and the deletion of a previously projected well. Anadarko requested a base rate of 174.58 cents per Mcf at 15.025 psia with 4 percent annual escalations for the sale of its 12.5 percent working interest in the same production.

Both Sun and Anadarko originally agreed to sell to Trunkline Gas Company (Trunkline) at 43.86¢/Mcf [2] under contracts dated April 18, 1973, and July 19, 1973, respectively, on file as Sun's FPC Gas Rate Schedule No. 517 and Anadarko's FPC Gas Rate Schedule No. 203. Sun and Anadarko request the higher rates pursuant to amendments to the above contracts dated January 23, 1976, and March 5, 1976, respectively. Trunkline filed an untimely petition to intervene in Docket No. RI76-119 on April 22, 1976.[3]

Sun and Anadarko allege that the total costs associated with West Cameron Block 639 exceed the rate established in § 2.56a(a)(1) and petition for special relief pursuant to § 2.56a(g)(2) which refers to relief available in cases where the wells are located in water depths greater than 250 feet. Sun and Anadarko both state that these sales will be made from wells located in a water depth of 365 feet.

The Commission finds: (1) The public convenience warrants the consolidation of Docket Nos. RI76-117 and 76-119.

(2) It is in the public interest that the petitions for special relief filed by Sun and Anadarko in Docket Nos. RI76-117 and 76-119 be set for hearing.

(3) Good cause exists to permit the intervention of Trunkline Gas Company.

The Commission orders: (A) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, 7, 14, and 16 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Chapter 1), a public hearing shall be held in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C., 20426, to determine the lawfulness of Sun's and Anadarko's proposed rate increases.

(B) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)) shall preside at the hearing in this proceeding, with authority to establish and change all procedural dates, and to rule on all motions (with the sole exceptions of petitions to intervene, motions to consolidate and sever, and motions to dismiss, as provided for in the rules of practice and procedure).

(C) Sun and Anadarko and any intervenor supporting the foregoing shall file their direct testimony and evidence on or before August 17, 1976. All testimony and evidence shall be served upon the Presiding Administrative Law Judge, the Commission Staff, and all parties to this proceeding.

(D) The Presiding Administrative Law Judge shall preside at a pre-hearing conference to be held on September 9, 1976, at 9:30 a.m. e.d.t., in a hearing room at the address noted in Ordering Paragraph (A).

(E) Trunkline is permitted to intervene in the above-entitled proceeding, subject to the rules and regulations of the Commission; *Provided, however,* That its participation shall be limited to matters affecting asserted rights and interests specifically set forth in its petition for leave to intervene; and *Provided, further,* That the admission of Trunkline in the manner provided shall not be construed as recognition by the Commission that Trunkline might be aggrieved because of any order or orders entered in this proceeding and that Trunkline agrees to accept the record as it now stands.

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

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20475 Filed 7-14-76;8:45 am]

[Docket Nos. CP68-146 and RP67-22; CI68-621]

TENNESSEE GAS PIPELINE CO. AND TENNECO OIL CO.

Petition for Relief From Annual Reporting Requirement

JULY 8, 1976.

Take notice that on June 10, 1976, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), and Tenneco Oil Company (Tenneco), P.O. Box 2511, Houston, Texas 77001, filed in Docket Nos. CP68-146, RP67-22, and CI68-621 a petition pursuant to § 1.7 of the Commission's rules of practice and procedure (18 CFR 1.7) and Section V of the appendix to the Settlement Agreement between Petitioners and Staff executed in Docket Nos. CP68-146 and CI68-621 and approved by order issued July 30, 1969, for relief from the annual reporting requirements imposed by the Commission order issued July 30, 1969 (43 FPC 292), as amended May 1, 1970 (43 FPC 681), and November 26, 1974 (52 FPC ____), all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Petitioners state that in conjunction with granting approval for the transfer of certain properties from Tenneco to Tennessee, the order of July 30, 1969, as amended, requires Petitioners to submit certain specified annual production cost data by August 1 of each succeeding calendar year. Petitioners state further that Section V of the appendix to the settlement agreement approved by said order provides that

> * * * at any time subsequent to June 30, 1969, Tenneco Oil or Tennessee may file a motion or petition requesting, for good cause shown, to be relieved of the obligation to furnish thereafter some or all of the data called for.

On December 10, 1975, in Docket No. RM75-24, Order No. 543 was issued promulgating FPC Form No. 64. Petitioners assert that the data to be reported by them on Form No. 64 by June 11, 1976, and by March 31 in subsequent years are substantially the same as the data required to be submitted pursuant to the orders in the subject dockets. Petitioners therefore submit that the production

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[1] Opinion No. 699-H, Docket No. R-389-B (Issued December 4, 1974).

[2] Opinion No. 693-B (Issued September 27, 1974). Certificates providing for a lower rate of 35¢/Mcf were conditionally accepted after the issuance of Opinion No. 693 on May 6, 1974. Prior to action on Petitioners' applications for rehearing, the Commission issued Opinion No. 699 under which the higher rate was permitted.

[3] Notice of Sun's petition was issued on February 23, 1976, and appeared in the FEDERAL REGISTER on February 27, 1976, at 41 FR 8543. Notice of Sun's amended petition was issued on June 18, 1976. Notice of Anadarko's petition was issued on April 6, 1976, and appeared on April 13, 1976, at 41 FR 15447.

cost reports filed pursuant to the order of July 30, 1969, as amended, have fully served their purpose and that the promulgation of Form No. 64 has rendered duplicative, burdensome, and unnecessary any future filings of the reports called for in that order and that good cause exists for the elimination of such filing requirement in its entirety.

Any person desiring to be heard or to make any protest with reference to said petition should on or before July 26, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20480 Filed 7-14-76;8:45 am]

[Docket No. RP74-41]

TEXAS EASTERN TRANSMISSION CORP.

Proposed Changes in FPC Gas Tariff

JULY 8, 1976.

Take notice that Texas Eastern Transmission Corporation on June 14, 1976 tendered for filing proposed changes in its FPC Gas Tariff, Fourth Revised Volume No. 1, the following sheets:

Substitute Twentieth Revised Sheet No. 14
Substitute Twentieth Revised Sheet No. 14A
Subsittute Twentieth Revised Sheet No. 14B
Substitute Twentieth Revised Sheet No. 14C
Substitute Twentieth Revised Sheet No. 14D
Substitute Revised Twentieth Revised Sheet No. 14
Substitute Revised Twentieth Revised Sheet No. 14A
Substitute Revised Twentieth Revised Sheet No. 14B
Substitute Revised Twentieth Revised Sheet No. 14C
Substitute Revised Twentieth Revised Sheet No. 14D

Texas Eastern is reducing its rates due to repayment of advanced payments for gas pursuant to Article V of the Stipulation and Agreement under Docket No. RP74-41. The above tariff sheets are companion to and are proposed to become effective on the same date as Texas Eastern's filing of May 17, 1976 (Purchased Gas Costs Adjustment and DCA Commodity Surcharge). This filing was inadvertently delayed and does not comply with the thirty day filing requirement under the above mentioned Stipulation and Agreement, therefore Texas Eastern requests waiver of all applnicable rules and regulations to permit the effective date of these tariff sheets to be in accordance with the Commission's determination of the effectiveness of the tariff sheets filed on May 17, 1976, i.e. July 1, 1976 and July 2, 1976.

Copies of the filing were served on the company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 20, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspecton.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 76-20477 Filed 7-14-76; 8:45 am]

[Docket No. RP75-73]

TEXAS EASTERN TRANSMISSION CORP.

Proposed Changes in FPC Gas Tariff

JULY 8, 1976.

Take notice that Texas Eastern Transmission Corporation on June 17, 1976 tendered for filing proposed changes in its FPC Gas Tariff, Fourth Revised Volume No. 1, the following sheets:

Twenty-first Revised Sheet No. 14
Twenty-first Revised Sheet No. 14A
Twenty-first Revised Sheet No. 14B
Twenty-first Revised Sheet No. 14C
Twenty-first Revised Sheet No. 14D

These sheets are issued pursuant to the purchased gas cost adjustment provision contained in Section 23 of the General Terms and Conditions of Texas Eastern's FPC Gas Tariff, Fourth Revised Volume No. 1. The change in Texas Eastern rates proposed by this filing reflects changes in the cost of gas purchased from two of Texas Eastern's pipeline suppliers, Southern Natural Gas Company and Texas Gas Transmission Corporation. The proposed effective date of the above tariff sheets is August 1, 1976.

Copies of the filing were served upon the company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426 in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before July 20, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-20478 Filed 7-14-76;8:45 am]

NATIONAL COMMISSION ON SUPPLIES AND SHORTAGES

ADVISORY COMMITTEE ON NATIONAL GROWTH POLICY PROCESSES

Meeting

Notice is hereby given, pursuant to Section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. section 10 (a), that the Advisory Committee on National Growth Policy Processes to the National Commission on Supplies and Shortages will conduct a public meeting on July 30, 1976, in Room 2010 of the New Executive Office Building located at 17th & H Street NW., Washington, D.C. The meeting will begin at 9:30 A.M.

The objectives and scope of activities of the Advisory Committee on National Growth Policy Processes is "* * * to develop recommendations as to the establishment of a policy-making process and structure within the Executive and Legislative branches of the Federal Government as a means to integrate the study of supplies and shortages of resources and commodities into the total problem of balanced national growth and development, and a system for coordinating these efforts with appropriate multi-state, regional and state governmental jurisdictions."

The summarized agenda for the meeting is as follows:

1. Reports by the Chairman and the Executive Director.

2. Resolve outstanding issues relating to recommendations for improving the comprehensive policy-making process and structure within the Executive Branch.

3. Resolve outstanding issues relating to recommendations regarding the establishment of an independent public policy board (EDB).

4. Resolve outstanding issues relating to recommendations on improvements in the Federal policy-making process and structure relating to state and local governmental jurisdiction coordination and decision-sharing.

5. Presentation of issues and proposals being examined by the Materials and Commodity Policy-Making Study Group.

In the event the Committee does not complete its consideration of the items on the agenda on July 30, 1976, the meeting may be continued on the following day or until the agenda is completed.

The meeting is open to the public. The Chairman of the Committee will conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public that wishes to file a written statement with the Committee should mail a copy of the statement to the Advisory Committee on National Growth Policy Processes, 1750 K Street NW., 8th Floor, Washington, D.C. 20006, at least five days before the meeting. Members of the public that wish to make oral statements should inform Katherine Soaper, telephone (202) 254-6836, at least five days before the meeting, and reasonable provisions will be made for their appearance on the agenda.

The Advisory Committee is maintaining a list of persons interested in the operations of the Committee and will mail notice of its meetings to those persons. Interested persons may have their names placed on this list by writing James E. Thornton, Executive Director, The Advisory Committee on National Growth Policy Processes, 1750 K Street NW., 8th Floor, Washington, D.C. 20006.

Dated: July 12, 1976.

ARNOLD A. SALTZMAN,
Chairman, The Advisory Committee on National Growth Policy Processes.

[FR Doc.76-20510 Filed 7-14-76;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SPECIAL PROJECTS ADVISORY PANEL

Meeting

Pursuant to section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a closed meeting of the Special Projects Advisory Panel to the National Endowment for the Arts will be held on August 6, 1976 from 9:00 a.m.-5:30 p.m. at the St. Paul Council of Arts and Sciences, 30 East 10th St., St. Paul, Minnesota.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975, this meeting, which involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552 (b), (4), (5), and (6)) will not be open to the public.

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

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

[FR Doc. 76-20455 Filed 7-14-76;8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

[N-AR 76-29]

ACCIDENT REPORT; SAFETY RECOMMENDATIONS AND RESPONSES

Availability and Receipt

Railroad accident report. The derailment of an Amtrak locomotive unit and 11 cars near Pulaski, Tennessee, last October 1 has been investigated by the National Transportation Safety Board. The accident occurred on the tracks of the Louisville and Nashville Railroad Company. The Board's report, No. NTSB-RAR-76-6, released July 5, indicates that the probable cause of the accident was the overturning of the outside rail in a 3°8' curve by high lateral forces induced by the six-wheel truck of the SDP-40-F locomotive; these forces exceeded the capability of the track which met current Federal Railroad Administration standards. The speed of the locomotive, although not greater than the speed allowable for Class 4 track, was too great to be sustained by the track, according to the Board.

As a result of the investigation of this accident, the Safety Board also on June 5 issued to FRA three Class II (priority followup) recommendations, Nos. R-76-20 through R-76-22. The Board recommended that FRA (1) review the Federal Track Safety Standards to determine if their current requirements are adequate for the safe accommodation of the six-wheel truck locomotives; (2) require that rail passenger equipment be fitted with roof hatches so that passengers can escape through the ceiling of a car which is lying on its side; and (3) require that Amtrak, or the railroad operating an Amtrak train, disseminate information to emergency units along the route on emergency entry techniques and on where emergency equipment within the car is located.

Aviation safety recommendation letter. A Class I recomendation, asking urgent followup action, was forwarded to the Federal Aviation Administration on July 6. The Safety Board issued the recommendation, No. A-76-90, following the third incident involving in-flight separation of an air conditioning compartment access door on a DC-10 aircraft. The incident which prompted the subject recommendation letter occurred June 12, 1976, as an American Airlines DC-10 took off from Detroit Metropolitan Wayne County Airport en route to San Francisco.

In order to prevent further in-flight separations of air conditioning compartment access doors, with the attendant hazards of ground personnel injury and of serious damage to an engine resulting from the engine's ingestion of the door, the Safety Board recommended that FAA examine the guidance provided in the McDonnell Douglas "All Operators Letters" and "Service Bulletins" pertaining to the DC-10 air conditioning compartment access doors, and consolidate their pertinent provisions into an airworthiness directive, which should, in addition, require a one-time inspection of the rigging of these doors.

Letters in response to safety board recommendations. Recently received by the Board are letters from the following addressees of earlier recommendations:

Department of Housing and Urban Development. Letter of June 28 comments on recommendation P-76-12 concerning use of natural gas vapor detection instruments for installation in strategic locations in apartment and commercial buildings. (41 FR 17974, April 29, 1976.) HUD has found that the use of such instruments is technically possible but would not be practical at this time, stating:

> Available instruments that would provide the desired protection are of a sensitive laboratory type, requiring continual monitoring for calibration and a rigid maintenance program strictly adhered to. Such instruments are expensive and the cost to instrument a typical apartment or commercial building would be prohibitive.

National Highway Traffic Safety Administration. Letter of June 22 concerns recommendations H-76-12 and H-76-13, issued June 9, 1975, following investigation of four Washington, D.C., Metropolitan Area Transit Authority bus fires. (40 FR 25861, June 19, 1975.) The recommendations asked that NHTSA (1) develop a separate requirement applicable to the interior materials of all vehicle types in accident-induced attitudes which provides sufficient time for occupant evacuation before the creation of a lethal environment resulting from fire, and (2) expand Motor Vehicle Safety Standard No. 302 testing procedures to include a vertical burn test of all vehicle interior materials and to establish an acceptable vertical flame spread index similar to that prescribed by the Federal Aviation Administration in 14 CFR 25.853.

The NHTSA letter notes that the Administrator met June 18, 1975, with the Safety Board Chairman with reference to these recommendations; no written comments were provided. Attached to the June 22 letter are copies of a March 24, 1976, letter to NHTSA from Representative Bill Gradison of Ohio, and NHTSA's reply of April 5, concerning these recommendations. In the letter to Mr. Gradison, NHTSA states that it has no evidence that Standard No. 302, which addresses flammability of interior vehicle materials, has been unsatisfactory; the standard, which specifies a burn rate of 4 inches per minute or less, is a minimum standard. With reference to the FAA vertical burn test cited by the Board, NHTSA states, "Such a rigorous test would rule out a great many materials and would result in significant cost increases without commensurate increases in benefits." NHTSA notes that burn injuries and deaths from incineration are almost wholly attributable to fires with fuel involvement. In these cases, according to NHTSA, the burn rates or mode of testing of interior materials is of little practical significance. NHTSA states,

> Although this standard was engineered primarily for the passenger car environment, it also covers trucks and buses. We can produce no justification for amending or upgrading this standard. Our studies indicate that a passenger bus can be evacuated in 5 minutes or less, and under certain controlled conditions, a full bus can be evacuated in less than 1 minute.

NHTSA comments that the letter to Mr. Gradison is "completely responsive" to the recommendations and "reflects the conclusions outlined in the previously mentioned briefing." NHTSA con-

cludes, "We do not consider action on these recommendations appropriate at this time and consider this action closed."

Mid-America pipeline system (MAP CO). Letter of June 15 from the Tulsa, Oklahoma, company is in response to recommendations P–76–22 through P–76–25, issued June 14, as a result of Board investigation of the liquefied petroleum gas pipeline rupture near Whitharral, Texas, last February 25. (41 FR 26079, June 24, 1976.) MAPCO states, re P–76–22, that all leak records since 1960 have been examined for seam failures. With the exception of four near Moberly, Missouri, all seam failures occurred in J&L (Jones and Laughlin Steel Corporation) pipe. A copy of the metallurgical report covering these leaks is attached to the letter. Re P–76–23, MAPCO is currently in the process of testing additional J&L pipe and will have this testing completed during 1976. Other than the J&L split seams, MAPCO has not experienced longitudinal seam defects of any consequence in other manufacturer's pipe. Since the one known internal inspection company does not have an 8" device that can detect weld flaws, recommendation P–76–24 cannot be implemented at present, according to MAPCO. Re P–76–25, MAP CO's water retest experience indicates that the first break in J&L pipe has occurred at 1700 psig and that pressure reversals of 10 percent can be expected. MAPCO therefore feels that the J&L pipe can be safely operated at 80 percent of this experienced minimum test break pressure or 1360 psig.

MAPCO states:

> Summing up, we commenced extensive retesting in April 1976. Our retest experience indicates that our J&L pipe is subject to long longitudinal weld seam ruptures, a high failure frequency, and failure pressures well below minimum yield strength. Other pipe manufacturers have not shown the long rupture tendencies, nor the frequency of failure, and failure pressures have been well above 2000 psig. The program that we have underway will provide, when completed, a pipeline meeting your recommendations.

A map of the MAPCO system accompanies the letter.

Safety board letters in reply to recommendation response letters. The Board has recenty replied to safety recommendation response letters from the following addressees:

Amtrak, re recommendations R–72–27, R–75–4, and R–75–5. Board letter of June 28 is in reply to Amtrak letter of May 6 (41 FR 21714, May 27, 1976). The Board appreciates the steps taken by Amtrak in eliminating injury-producing features in its cars in response to recommendations R–72–27 and R–75–5. Re R–75–4, although the described window design features that permit easy removal are responsive, to be full responsive to the recommendation such windows should be installed in older equipment when they are renovated. The existence of such windows in cars, means for identifying them, and knowledge on the part of Amtrak and rescue personnel of removal procedures need to be assured, according to the Board.

Recreational vehicle industry association (RVIA), re recommendations H–76–8 through H–76–10. Board letter of June 22, replying to RVIA's letter of May 17 41 FR 23488, June 3, 1976), indicates that revision of National Fire Protection Association (NFPA) standard 501/ ANSIA119 as proposed by RVIA will provide the protection to users as sought by recommendation H–76–8, and the Board will await word of the action taken on the RVIA proposal at the fall meeting of NFPA. The Board also wishes to be informed of the results of RVIA's 30-mph, fixed-barrier crash tests to determine compliance with the fuel system integrity test, and asks for copies of the recommendations as they are submitted to the NFPA for consideration. Further, the Board expressed interest in RVIA's coming safety campaign as it appears in the media to emphasize the value of the use of seatbelts by occupants of motor homes, and requests a summary of this public relations program and the information that is to be placed in the owners manuals.

Transcontinental Gas Pipe Line Corporation (TRANSCO), re recommendations P–75–9 through P–75–11. Board letter of July 1, replying to TRANSCO's letter of May 24 (41 FR 23487, June 10, 1976), indicates that TRANSCO has responded affirmatively to these recommendations.

The accident report and the safety recommendation letters are available to the general public; single copies may be obtained without charge. Copies of the letters responding to safety recommendations and Safety Board replies may be obtained at a cost of $4.00 for service and 10¢ per page for reproduction. All requests must be in writing, identified by report or recommendation number and date of publication of this FEDERAL REGISTER notice. Address inquiries to: Publications Unit, National Transportation Safety Board, Washington, D.C. 20594.

Multiple copies of the accident reports may be purchased by mail from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

(Secs. 304(a)(2) and 307 of the Independent Safety Board Act of 1974 (Pub. L. 93–633, 88 Stat. 2169, 2172 (49 U.S.C. 1903, 1906)).)

MARGARET L. FISHER,
Federal Register Liaison Officer.

JULY 12, 1976.

[FR Doc.76–20470 Filed 7–14–76;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–254 and 50–265]

COMMONWEALTH EDISON CO.

Issuance of Amendments to Facility Operating Licenses

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment Nos. 28 and 26 to Facility Operating License Nos DPR–29 and DPR–30, respectively, issued to Commonwealth Edison Company which revised Technical Specifications for operation of the Quad Cities Station, Units 1 and 2, located in Rock Island County, Illinois. The amendments are effective as of the date of issuance.

The amendments permit changes in the collection sites and sampling frequency for the environmental monitoring program.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments is not required since the amendments do not involve significant hazards considerations.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) environmental statements, negative declarations or environmental impact appraisals need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated September 17, 1975, and (2) Amendment Nos. 28 and 26 to License Nos. DPR–29 and DPR–30. 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 Moline Public Library, 504 17th Street, Moline, Illinois.

A copy of items (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 1st day of July 1976.

For the Nuclear Regulatory Commission,

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch 2, Division of Operating Reactors.

[FR Doc.20103 Filed 7–14–76;8:45 am]

[Docket No. 50–334]

DUQUESNE LIGHT CO., ET AL.

Issuance of Amendment to Facility Operating License

Notice is hereby given that, pursuant to an Initial Decision by the Atomic Safety and Licensing Board dated July 1, 1976, the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 4 to Facility Operating License No. DPR–66, issued to Duquesne Light Company, Ohio Edison Company, and Pennsylvania Power Company for the Beaver Valley Power Station, Unit No. 1, located in Beaver County, Pennsylvania. The amendment authorizes full power operation of the facility at a steady state reactor core full power level of 2652 megawatts thermal, in accordance with the provisions of the amended license and the Technical Specifications, as revised. Previously, the facility had

been restricted to thirty-five percent of the steady state reactor core power level for the purpose of start-up testing, including synchronization of the turbine-generator, and "hot" licensing training of the reactor operators. The amendment is effective on the date of issuance.

The Initial Decision is subject to review by an Atomic Safety and Licensing Appeal Board prior to its becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the initial Decision may be reviewed by the Commission.

The application, including its amendments, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR Section 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with the issuance of this amendment.

For further details with respect to this action, see (1) the Initial Decision dated July 1, 1976, and (2) Amendment No. 4 to License No. DPR-66. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Beaver Valley Memorial Library, 100 College Avenue, Beaver, Pennsylvania.

A copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Project Management.

Dated at Bethesda, Maryland, this 2d day of July 1976.

For the Nuclear Regulatory Commission,

JOHN F. STOLZ,
Chief, Light Water Reactors Branch No. 1, Division of Project Management.

[FR Doc.76-20114 Filed 7-14-76;8:45 am]

[Docket No. 50-309]

MAINE YANKEE ATOMIC POWER CO.

Issuance of Amendment to Facility Operating License and Negative Declaration

The Nuclear Regulatory Commission (the Commission) has issued Amendment No. 21 to Facility Operating License No. DPR-36 issued to Maine Yankee Atomic Power Company (the licensee) which revised Technical Specifications for operation of the Maine Yankee Atomic Power Station, located in Lincoln County, Maine. The amendment is effective as of its date of issuance.

The amendment authorizes changes in the plant cooling-water thermal limits. The new limits are consistent with the licensee's National Pollution Discharge Elimination System (NPDES) Permit and reflect an appraisal of the recently installed diffuser in the facility's circulating water system.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has prepared an environmental impact appraisal for the revised Technical Specifications and has concluded that an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to the action other than that which has already been predicted and described in the Commission's Final Environmental Statement for the facility published in July 1972, and that a negative declaration to this effect is appropriate.

For further details with respect to this action, see (1) the application for amendment dated August 15, 1975, as supplemented March 25, 1976. (2) Amendment No. 21 to License No. DPR-36, and (3) the Commission's Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W. Washington, D.C. and at the Wiscasset Public Library Association, High Strut, Wiscasset, Maine. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 24th day of June 1976.

For the Nuclear Regulatory Commission,

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Operating Reactors.

[FR Doc.76-20104 Filed 7-14-76;8:45 am]

[Docket No. 50-220]

NIAGARA MOHAWK POWER CORP.

Issuance of Facility License Amendment

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 11 to Facility Operating License No. DPR-63 to Niagara Mohawk Power Corporation (the licensee) which revised Technical Specifications for operation of the Nine Mile Point Nuclear Station, Unit No. 1 (the facility) located in Oswego County, New York. The amendment is effective as of its date of issuance.

The amendment consists of a license amendment and Technical Specifications change relating to the receipt, possession, and use of byproduct, source, and special nuclear material and incorporates surveillance requirements for leakage testing of sealed sources in the Technical Specifications.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated February 4, 1976, (2) Amendment No. 11 to License No. DPR-63, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street N.W., Washington, D.C. and at the Oswego City Library, 120 E. Second Street, Oswego, New York 13126.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 7th day of July 1976.

For the Nuclear Regulatory Commission,

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Operating Reactors.

[FR Doc.76-20112 Filed 7-14-76;8:45 am]

[Docket No. 50-245]

NORTHEAST NUCLEAR ENERGY CO. ET AL.

Issuance of Amendment to Provisional Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 27 to Provisional Operating License No. DPR-21 issued to Northeast Nuclear Energy Company, The Hartford Electric Light Company, Western Massachusetts Electric Company, and Connecticut Light and Power Company, which revised Technical Specifications for operation of the Millstone Nuclear Power Station, Unit No. 1, located in

Waterford, Connecticut. The amendment is effective as of the date of its issuance.

This amendment will provide Limiting Conditions for Operation and Surveillance Requirements for the modified reactor building crane which are applicable prior to and during handling of a spent fuel cask.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Provisional Operating License in connection with this action was published in the FEDERAL REGISTER on January 13, 1976 (41 FR 1973). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated April 1, 1976, (2) Amendment No. 27 to License No. DPR–21, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street N.W., Washington, D.C. and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 6th day of July 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Operating Reactors.

[FR Doc.76-20110 Filed 7-14-76;8:45 am]

[Docket No. 50-285]

OMAHA PUBLIC POWER DISTRICT

Issuance of Amendment to Facility Operating License and Negative Declaration

The Nuclear Regulatory Commission (the Commission) has issued Amendment No. 13 to Facility Operating License No. DPR–40 issued to Omaha Public Power District, which revised Technical Specifications for operation of the Fort Calhoun Station Unit No. 1 located in Washington County, Nebraska. The amendment is effective as of its date of issuance.

The amendment authorizes expansion of the spent fuel storage pool capacity. This expansion will be accomplished by replacing the existing spent fuel storage racks, which have a capacity for 178 assemblies, with new storage racks which have a capacity for 483 fuel assemblies.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with this action was published in the FEDERAL REGISTER on May 27, 1976 (41 FR 21707). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has prepared an environmental impact appraisal for the revised Technical Specifications and has concluded that an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to the action other than that which has already been predicted and described in the Commission's Final Environmental Statement for Fort Calhoun Station Unit No. 1 issued in August 1972 and that a Negative Declaration to this effect is appropriate.

For further details with respect to this action, see (1) the application for amendment dated April 19, 1976, as supplemented by letters dated April 22, June 2, June 21, June 23, and June 25, 1976, (2) Amendment No. 13 to License No. DPR–40, (3) the Commission's related Safety Evaluation, and (4) the Commission's Environmental Impact Appraisal. 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 Blair Public Library, 1665 Lincoln Street, Blair, Nebraska.

A copy of items (2), (3), and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 12th day of July 1976.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Operating Reactors.

[FR Doc.76-20102 Filed 7-14-76;8:45 am]

[Docket No. 50-133]

PACIFIC GAS AND ELECTRIC CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 13 to Facility Operating License No. DPR–7 issued to Pacific Gas and Electric Company which revised Technical Specifications for operation of the Humboldt Bay Power Plant Unit No. 3, located near Eureka, California. The amendment is effective as of its date of issuance.

This amendment adds operating limits and requirements to the Technical Specifications to assure safe conduct of reactor maintenance and modification operations which have the potential for reducing the reactor vessel water level below the top of the core.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated March 20, 1976, (2) Amendment No. 13 to License No. DPR–7, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Humboldt County Library, 636 F Street, Eureka, California.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 1st day of July 1976.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Operating Reactors.

[FR Doc.76-20106 Filed 7-14-76;8:45 am]

[Docket No. 50-275]

PACIFIC GAS AND ELECTRIC CO. (DIABLO CANYON NUCLEAR POWER PLANT, UNIT 1)

Order Extending Construction Completion Date

Pacific Gas and Electric Company is the holder of Construction Permit CPPR–39 issued by the Nuclear Regulatory Commission on April 23, 1968 for construction of the Diablo Canyon Nu-

clear Power Plant, Unit 1, presently under construction on the applicant's site in San Luis Obispo County, California.

On May 25, 1976, Pacific Gas and Electric Company filed a request for an extension of the completion date.

On April 29, 1976 the United States Geological Survey (USGS) issued its review of the geological and seismologic data relevant to the Diablo Canyon Units in which it was concluded that an earthquake occurring anywhere along the Hosgri Fault should be considered in addition to those earthquakes previously considered in the design of the units. On May 11, 1976 the Commission's Staff issued Supplement No. 4 to the Safety Evaluation Report which specified an effective horizontal ground acceleration to be used for the development of design response spectra for the plant based upon the earthquake postulated by the USGS.

Additional time will be required to permit PGandE to evaluate the plant's capability to withstand the new earthquake, for the Commission to review and evaluate PGandE's work, and to conclude the licensing process.

This action involves no significant hazards consideration; good cause has been shown for the delay; and the requested extension is for a reasonable period, the bases for which are set forth in a staff evaluation dated.

For further details with respect to this action, see (1) the applicant's request for extension of the completion dates dated May 25, 1976, and (2) the Staff's related evaluation, all of which are available for public inspection at the Commission's Public Document Room and at the Local Public Document Rooms.

It is hereby ordered that the latest completion date for CPPR–39 is extended from July 1, 1976 to January 1, 1977.

For the Nuclear Regulatory Commission,

Dated of Issuance: July 6, 1976.

R. C. DEYOUNG,
Assistant Director for Light Water Reactors, Division of Project Management.

[FR Doc.76–20111 Filed 7–14–76;8:45 am]

REGULATORY GUIDE

Issuance and Availability

The Nuclear Regulatory Commission has issued a new guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.119, "Surveillance Program for New Fuel Assembly Designs," describes a surveillance program acceptable to the NRC staff for determining the performance of light-water-cooled fuel assemblies incorporating new design features that have been deemed significant by the staff.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guide 1.119 will, however, be particularly useful in evaluating the need for an early revision if received by September 10, 1976.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a).)

Dated at Rockville, Maryland, this 6th day of July 1975.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director, Office of Standards Development.

[FR Doc.76–20113 Filed 7–14–76;8:45 am]

[Docket No. 50–312]

SACRAMENTO MUNICIPAL UTILITY DISTRICT

Issuance of Amendment to Facility Operating License and Negative Declaration

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 5 to Facility Operating License No. DPR–54 issued to Sacramento Municipal Utility District which revised Technical Specifications for operation of the Rancho Seco Nuclear Generating Station, located in Sacramento County, California. The amendment is effective as of its date of issuance.

The amendment relates to the replacement of the existing spent fuel storage racks, which have a capacity of 244 assemblies, with new racks with 579 storage locations including three failed-fuel container locations.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with this action was published in the FEDERAL REGISTER on January 23, 1976 (41 FR 3517). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has prepared an environmental impact appraisal for the revised Technical Specifications and has concluded that an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to the action other than that which has already been predicted and described in the Commission's Final Environmental Statement for Rancho Seco Nuclear Generating Station issued in March 1973 and that a negative declaration to this effect is appropriate.

For further details with respect to this action, see (1) the application for amendment dated December 19, 1975, as supplemented March 5, March 30, and April 8, 1976, (2) Amendment No. 5 to License No. DPR–54, (3) the Commission's related Safety Evaluation, and (4) the Commission's Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Business and Municipal Department, Sacramento City-County Library, 828 I Street, Sacramento, California.

A copy of items (2), (3), and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 30th day of June 1976.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Operating Reactors.

[FR Doc.76–20109 Filed 7–14–76;8:45 am]

[Docket No. 50–296]

TENNESSEE VALLEY AUTHORITY (BROWNS FERRY NUCLEAR PLANT, UNIT 3)

Issuance of a Facility Operating License

The Atomic Safety and Licensing Board having dismissed the proceeding relating to licensing action in a "Memorandum and Order," dated November 27, 1973, the Nuclear Regulatory Commission (the Commission) has issued Facility Operating License No. DPR-68 to the Tennessee Valley Authority (the licensee) which authorizes operation of the Browns Ferry Nuclear Plant, Unit 3 (the facility) at steady state reactor core power levels not in excess of 3293 megawatts thermal, in accordance with the provisions of the license and the Technical Specifications. The facility is a

boiling water nuclear reactor located at the licensee's site in Limestone County, Alabama.

Activities authorized under License No. DPR–68 are limited temporarily by restrictions contained on page 1a in the Technical Specifications (Appendix A) to fuel loading and associated control rod motion necessary to assure fuel loading in a safe manner until the following matters have been resolved: (1) approval by the Commission's staff of the restoration, modification and administrative changes in the Browns Ferry Nuclear Plant, which will be adopted for Units 1, 2 and 3 as a result of the March 22, 1975 fire; the remaining staff evaluation on this matter deals with (a) the reviews of the consultants' final reports and (b) the adequacy of the fire protection training; (2) approval by the Commission's staff of the evaluation of (a) suppression pool hydrodynamic loads during a loss-of-coolant accident; and (b) dynamic loads associated with relief valve operation; (3) approval by the Commission's staff of evaluation of the performance of the modified residual heat removal pumps during a postulated loss-of-coolant accident; and (4) a report by the Commission's Office of Inspection and Enforcement that the following matters have been satisfactorily resolved: (a) the reported clogged water lines to the residual heat removal and control rod pump bearing coolers; and (b) the installation of a second isolation valve in the 1-inch demineralized water system pipe that penetrates the drywell.

The Commission has made appropriate findings as required by 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. The application for the license complies with the standards and requirements of the Act and the Commission's rules and regulations.

The license is effective as of its date of issuance and shall expire on July 31, 2008.

A copy of (1) the "Memorandum and Order," dated November 27, 1973; (2) Facility Operating License No. DPR–68, complete with Technical Specifications (Appendices "A" and "B"); (3) the report of the Advisory Committee on Reactor Safeguards, dated December 11, 1973; (4) the Director of Licensing's (currently known as the Office of Nuclear Reactor Regulation) Safety Evaluation and an Errata thereto dated June 26, 1972, and Supplements 1 through 8 thereto; (5) the Final Safety Analysis Report and amendments thereto; (6) the licensee's Draft Environmental Statement dated July 1971, and supplement thereto dated November 8, 1971; and (7) the licensee's Final Environmental Statement dated September 1, 1972, are available for public inspection at the Commission's Public Document Room at 1717 H Street, N.W. Washington, D.C. 20555, and the Athens Public Library, South and Forrest, Athens, Alabama 35611. A copy of the license and the Safety Evaluation and Supplements 1 through 8 thereto may be obtained upon request addressed to the United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Project Management.

Dated at Bethesda, Maryland, this 2d day of July 1976.

For the Nuclear Regulatory Commission,

JOHN F. STOLZ,
Chief, Light Water Reactors Branch No. 1, Division of Project Management.

[FR Doc.76–20115 Filed 7–14–76;8:45 am]

[Docket Nos. 50–280 and 50–281]

VIRGINIA ELECTRIC & POWER CO.

Issuance of Amendments to Facility Operating Licenses and Negative Declaration

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments No. 17 to Facilty Operating Licenses Nos. DPR–32 and DPR–37 issued to Virginia Electric & Power Company (the licensee) for operation of the Surry Power Station, Units 1 and 2, located in Surry County, Virginia. The amendments were effective March 31, 1976.

The amendments revise the gaseous effluent release Technical Specifications.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has prepared an environmental impact appraisal for the revised Technical Specifications and has concluded that an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to the action other than that which has already been predicted and described in the Commission's Final Environmental Statements for Surry Power Station Units 1 and 2 published in May, 1972 and June, 1972, respectively, and that a negative declaration to this effect is appropriate.

For further details with respect to this action, see (1) the application for amendments dated March 31, 1976, (2) Amendments No. 17 to Licenses Nos. DPR–32 and DPR–7, (3) the Commission's related Safety Evaluation, and (4) the Commission's Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Swem Library, College of William and Mary, Williamsburg, Virginia.

A copy of items (2), (3) and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 28th day of June 1976.

For the Nuclear Regulatory Commission,

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Operating Reactors.

[FR Doc.76–20105 Filed 7–14–76;8:45 am]

[Dockets Nos. 50–280 and 50–281]

VIRGINIA ELECTRIC AND POWER CO.

Issuance of Amendments to Facility Operating Licenses and Negative Declaration

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments No. 21 to Facility Operating Licenses Nos. DPR–32 and DPR–37 issued to the Virginia Electric and Power Company which revised Technical Specifications for operation of the Surry Power Station, Units Nos. 1 and 2, located in Surry County, Virginia. The amendments are effective as of the date of issuance.

The amendments change the temperature limitations for condenser cooling water discharge permitted during normal operation or partial shutdown of a condenser or the circulating water system.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments.

The Commission has prepared an environmental impact appraisal for the revised Technical Specifications and has concluded that an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to the action other than that which is already been predicted and described in the Commission's Final Environmental Statements for Surry Power Station, Units Nos. 1 and 2 published May and June 1972 and that a negative declaration to this effect is appropriate.

For further details with respect to this action, see (1) the application for amendments dated May 10, 1976, (2) Amendments No. 21 to Licenses Nos. DPR–32 and DPR–37, and (3) the Commission's Environmental Impact Appraisal. 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 Swem Library, College of William and Mary, Williamsburg, Virginia.

A copy of items (2) and (3) may be obtained upon request addressed to the

U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 25th day of June 1976.

For the Nuclear Regulatory Commission,

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Operating Reactors.

[FR Doc.76-20107 Filed 7-14-76;8:45 am]

[Docket Nos. 50-266 and 50-301]

WISCONSIN ELECTRIC POWER CO. AND WISCONSIN MICHIGAN POWER CO.

Issuance of Amendments to Facility Operating Licenses

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 18 and 23 to Facility Operating Licenses Nos. DPR-24 and DPR-27 issued to Wisconsin Electric Power Company and Wisconsin Michigan Power Company, which revised Technical Specifications for operation of the Point Beach Nuclear Plant Units Nos. 1 and 2, located in the town of Two Creeks, Manitowoc County, Wisconsin. The amendments are effective as of the date of issuance.

The amendment will change the Technical Specifications to (1) add surveillance requirements for the limit switches associated with the auxiliary building crane trolley and bridge motions and (2) establish the maximum weight of the spent fuel shipping cask that may be used.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulation in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated May 13, 1976, (2) Amendment No. 18 to License No. DPR-24, (3) Amendment No. 23 to License No. DPR-27, and (4) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room 1717 H Street N.W., Washington, D.C. and at the University of Wisconsin—Document Department, ATTN: Mr. Arthur M. Fish, Stevens Point Library, Stevens Point, Wisconsin 54481.

A copy of items (2) and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 5th day of July 1976.

For the Nuclear Regulatory Commission,

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Operating Reactors.

[FR Doc.76-20108 Filed 7-14-76;8:45 am]

[Docket Nos. 50-29; 50-271; 50-309]

YANKEE NUCLEAR POWER STATION (YANKEE ROWE) ET AL.

Petition for Order To Show Cause

Notice is hereby given that by Petition dated June 11, 1976, the New England Coalition on Nuclear Pollution and Safe Power for Maine filed a request for an Order to Show Cause why Licenses No. DPR-3, DPR-29, and DPR-36 should not be revoked or suspended. The requested order would be issued to Yankee Atomic Electric Company, Vermont Yankee Nuclear Power Corporation and Maine Yankee Atomic Power Company. In accordance with the procedures specified in 10 CFR 2.206, appropriate action will be taken on this request within a reasonable time.

A copy of the request is available for inspection in the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555, at the Greenfield Public Library, 402 Main Street, Greenfield, Massachusetts, at the Brooks Memorial Library, 224 Main Street, Brattleboro, Vermont 05321, and at the Wiscasset Public Library Association, High Street, Wiscasset, Maine 04578.

For the Nuclear Regulatory Commission,

Dated at Bethesda, Maryland, this 30th day of June 1976.

BEN C. RUSCHE,
Director, Office of Nuclear Reactor Regulation.

[FR Doc.76-20116 Filed 7-14-76;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-247]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Availability of Draft Environmental Statement for Facility License Amendment for the Extension of Operation With Once-Through Cooling for Indian Point Nuclear Generating Unit No. 2

Pursuant to the National Environmental Policy Act of 1969 and the United States Nuclear Regulatory Commission's regulations in 10 CFR Part 51 (formerly Appendix D to 10 CFR Part 50), notice is hereby given that a Draft Environmental Statement (NUREG-0080) prepared by the Commission's Office of Nuclear Reactor Regulation related to the facility license amendment for the extension of operation with once-through cooling for Indian Point Unit No. 2, located in Westchester County, New York, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. and in the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York 10548. The Draft Statement is also being made available at the New York State Division of the Budget, State Capitol, Albany, New York, 12224 and the Tri-State Regional Planning Commission, 1 World Trade Center, New York, New York 10048. Requests for copies of the Draft Environmental Statement should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis.

The Applicant's Environmental Report, as supplemented, submitted by the Consolidated Edison Company of New York, Inc., is also available for public inspection at the above-designated locations. Notice of availability of the Applicant's Environmental Report was published in the FEDERAL REGISTER on October 3, 1975 (40 FR 45874).

Pursuant to 10 CFR Part 51, interested persons may submit comments on 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 August 30, 1976. 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 Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York. Upon consideration of comments submitted with respect to the Draft Environmental Statement, the Commission's 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: Director, Division of Site Safety and Environmental Analysis.

Dated at Rockville, Md., this 8th day of July 1976.

For the Nuclear Regulatory Commission.

FRED J. CLARK,
Acting Chief, Environmental Projects Branch No. 1 Division of Site Safety and Environmental Analysis.

[FR Doc.76-20438 Filed 7-14-76;8:45 am]

[Docket No. 50-269]

DUKE POWER CO.

Proposed Issuance of Amendment to Facility Operating License

The Nuclear Regulatory Commission (the Commission) is considering the issuance of an amendment to Facility Operating License No. DPR-38, issued to Duke Power Company (the licensee) for operation of the Oconee Nuclear Station, Unit No. 1 (the facility), located in Oconee County, South Carolina.

The amendment would increase the flux/flow trip setpoint of the Reactor Protective System from 1.055 to 1.07. This increase results from the elimination of the reactor internals vent valve flow penalty which the Commission has determined to no longer be required.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By August 16, 1976, the licensee may file a request for a hearing and any person whose interest may be affected by this 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. 20555, Attention: Docketing and Service Section by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to Mr. Troy B. Conner, Conner & Knotts, 1747 Pennsylvania Avenue, NW., Washington, D.C. 20006, the attorney for the licensee.

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 Commission or 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 application for amendment dated June 11, 1976 which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Oconee County Library, 201 South Spring Street, Walhalla, South Carolina.

Dated at Bethesda, Md., this 9th day of July 1976.

For the Nuclear Regulatory Commission.

A. SCHWENCER,
Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.

[FR Doc.76-20439 Filed 7-14-76;8:45 am]

[Docket No. 50-334]

DUQUESNE LIGHT CO., OHIO EDISON CO. AND PENNSYLVANIA POWER CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 5 to Facility Operating License No. DPR-66 issued to Duquesne Light Company, Ohio Edison Company, and Pennsylvania Power Company which revised Technical Specifications for operation of the Beaver Valley Power Station Unit No. 1, located in Beaver County, Pennsylvania. The amendment is effective as of its date of issuance.

The amendment permits a change in the plankton entrainment monitoring procedures and clarifies the monitoring procedures for dissolved oxygen. The amendment also corrects a typographical error in the original Technical Specifications.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated March 24, 1976, and (2) Amendment No. 5 to License No. DPR-66. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street N.W., Washington, D.C. and at the Beaver Area Memorial Library, 100 College Avenue, Beaver, Pennsylvania.

A copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis.

Dated at Rockville, Md., this 7th day of July 1976.

For the Nuclear Regulatory Commission.

WM. H. REGAN, Jr.,
Chief, Environmental Projects Branch 3, Division of Site Safety and Environmental Analysis.

[FR Doc.76-20440 Filed 7-14-76;8:45 am]

[Docket No. 50-564]

EXXON NUCLEAR COMPANY, INC.

Receipt of Partial Application for Construction Permit and Facility License: Time for Submission of Views on Antitrust Matters

Exxon Nuclear Company, Inc. (the applicant), pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed a partial application in connection with their plans to construct and operate the Nuclear Fuel Recovery and Recycling Center (NFRRC) in Roane County, Tennessee. The NFRRC will have the capacity to store up to approximately 7000 tonnes of irradiated nuclear fuel and to process 2100 tonnes of fuel per year. The portions of the application accepted for docketing contain the information requested by the Attorney General for the purpose of an antitrust review of the application, the Preliminary Safety Analysis Report, and the general and financial information. The partial application was tendered by Exxon Nuclear Company, Inc. on January 28, 1976. Following a preliminary review for completeness, the PSAR was revised, resubmitted, and the application accepted for docketing on June 16, 1976. Docket No. 50-564 has been assigned to the application; antitrust information will be filed under Docket No. 50-564-A.

The environmental report will be submitted within 30 days for acceptance review. Upon acceptance and docketing of the environmental report, a separate notice will be published on its availability.

A Notice of Hearing will then be published setting forth the radiological and environmental issues to be considered during the review. A date for submitting Petitions for Leave to Intervene will also be set forth in the Notice of Hearing.

A copy of the partial application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

20555, and at the Local Public Document Room at the Oak Ridge Public Library, Civic Center, Oak Ridge, Tennessee.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Chief, Antitrust and Indemnity Group, Office of Nuclear Reactor Regulation, on or before September 13, 1976.

Dated at Bethesda, Md., this 8th day of July 1976.

For the Nuclear Regulatory Commission.

ROBERT M. BERNERO,
Fuel Reprocessing and Recycle Branch, Division of Fuel Cycle and Material Safety.

[FR Doc.76-20437 Filed 7-14-76;8:45 am]

[Docket No. 50-335]

FLORIDA POWER & LIGHT CO.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 6 to Facility Operating License No. DPR-67, issued to Florida Power & Light Company (the licensee), which revised the license for operation of the St. Lucie Plant Unit No. 1 (the facility) located in St. Lucie County, Florida. The amendment is effective as of its date of issuance.

The amendment revises Section E of Enclosure 1 of the license to delete items to be completed by June 30, 1976, and adds requirements to be completed by August 31, 1976. Section E relates to the (1) installation of erosion protection during severe hurricane wave erosion conditions, (2) installation of an ultimate heat sink barrier dam, (3) qualification test records for certain electrical equipment, and (4) implementation of revisions to the security plan.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated June 30, 1976 and related filings dated June 3, 14, 22, 25, and 28, 1976, (2) Amendment No. 6 to License No. DPR-67, and (3) the Commission's concurrently issued Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Indian River Junior College Library, 3209 Virginia Avenue, Ft. Pierce, Florida 33450.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 30th day of June 1976.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch No. 2, Division of Operating Reactors.

[FR Doc.76-20441 Filed 7-14-76;8:45 am]

[Docket Nos. 50-498A, 50-499A]

HOUSTON LIGHTING AND POWER CO., ET AL. SOUTH TEXAS PROJECT, UNITS 1 AND 2

Order for and Oral Argument

JULY 7, 1976.

On June 4, 1976, the Central Power and Light Company, one of the applicants for construction permits for the South Texas Project (Units Nos. 1 and 2), filed a petition for leave to intervene and requested a hearing out of time on antitrust matters. No responses to such petition have been received by the Licensing Board as of the date of this order.

In view of the nature of the issues sought to be presented by the petition, oral argument should be of assistance to the Board in ruling upon the intervention petition. Accordingly, oral argument will be held on the petition at 10 a.m. in the Atomic Safety and Licensing Board Panel Conference Room, Room 415, 4350 East West Highway, Bethesda, Maryland, on Tuesday, July 27, 1976. The parties should be prepared to identify and to address themselves to all significant issues of fact and law which are considered to be raised by the petition. All answers to the petition shall be filed on or before July 16, 1976.

Dated at Bethesda, Md., this 7th day of July 1976.

It is so ordered.

THE ATOMIC SAFETY AND LICENSING BOARD,
MARSHALL E. MILLER,
Chairman.

[FR Doc.76-20442 Filed 7-14-76;8:45 am]

[Docket Nos. 50-443 and 50-444]

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE ET AL

Availability of Initial Decision of the Atomic Safety and Licensing Board for the Seabrook Station, Units 1 and 2, and Issuance of Construction Permits

Public Service Company of New Hampshire, The United Illuminating Company, Central Maine Power Company, Central Vermont Public Service Corporation, The Connecticut Light and Power Company, Fitchburg Gas and Electric Light Company, Montaup Electric Company, New Bedford Gas & Edison Light Company, New England Power Company, Green Mountain Power Corporation, Vermont Electric Power Company, Inc.

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the National Environmental Policy Act of 1969 (NEPA), and the United States Nuclear Regulatory Commission's regulations implementing these Acts, notice is hereby given that an initial Decision dated June 29, 1976, by the Atomic Safety and Licensing Board in the above captioned proceeding authorizing issuance of construction permits to the Public Service Company of New Hampshire, et al, for construction of the Seabrook Station, Units 1 and 2, located in Rockingham County, New Hampshire, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street NW, Washington, D.C. and in the Exeter Public Library, Front Street, Exeter, New Hampshire 03833.

The Initial Decision is subject to review by an Atomic Safety and Licensing Appeal Board prior to its becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the initial Decision may be reviewed by the Commission.

The Initial Decision is also being made available at the State Clearinghouse, Coordinator of Federal Funds, Office of the Governor, State House, Concord, New Hampshire 03301 and at the Strafford Rockingham Regional Council, 99 Water Street, Exeter, New Hampshire 03833.

Based upon the record developed in the public hearing in the above captioned matter, the Initial Decision modified in certain respects the contents of the Final Environmental Statement relating to the construction of the Seabrook Station, Units 1 and 2, prepared by the Commission's Office of Nuclear Reactor Regulation to include a condition that in the event EPA should approve a closed-cycle cooling system for Seabrook, the construction permits are not authorized. Pursuant to the provisions of § 51.52(b)(3) of 10 CFR Part 51, the Final Environmental Statement is deemed modified to the extent that the findings and conclusions relating to environmental matters contained in the Initial Decision are different from those contained in the Final Environmental Statement. As required by § 51.52(b)(3) of 10 CFR Part 51, a copy of the Initial Decision, which modifies the Final En-

vironmental Statement, has been transmitted to the Council on Environmental Quality and distributed to the Environmental Protection Agency and other interested agencies and persons in accordance with § 51.26(c) of 10 CFR Part 51.

Pursuant to the above mentioned Initial Decision, the Commission has issued Construction Permits Nos. CPPR–135 and CPPR–136 to the Public Service Company of New Hampshire, et al, for the construction of two pressurized water nuclear reactors, known as the Seabrook Station, Units 1 and 2, each designed for a rated power of approximately 3411 megawatts thermal with a net electrical output of approximately 1200 megawatts.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the construction permits. The application for the construction permits complies with the standards and requirements of the Act and the Commission's rules and regulations.

The construction permits are effective as of their date of issuance, but will be automatically revoked if EPA should approve a closed-cycle cooling system for Seabrook. The earliest date for the completion of Unit 1 is February 28, 1979, and the latest date for completion is June 30, 1983. The earliest date for the completion of Unit 2 is January 31, 1981, and the latest date for completion is October 31, 1984. Each permit shall expire on the latest date for completion of the facility.

In addition to the Initial Decision, copies of (1) Construction Permits Nos. CPPR–135 and CPPR–136; (3) the report of the Advisory Committee on Reactor Safeguards dated December 10, 1974, (3) the Office of Nuclear Reactor Regulation's Safety Evaluation dated August 14, 1974, and Supplements No. 1, 2, 3, and 4 thereto, dated August 20, 1974, October 8, 1974, March 14, 1975, and November 14, 1975 respectively; (4) the Preliminary Safety Analysis Report and amendments thereto; (5) the applicant's Environmental Report dated July 9, 1973, and supplements thereto; (6) the Draft Environmental Statement dated April 1974; and (7) the Final Environmental Statement dated December 1974, are also available for public inspection at the above-designated locations in Washington, D.C. and Exeter, New Hampshire. Single copies of the Initial Decision by the Atomic Safety and Licensing Board and the construction permits may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Project Management.

Dated at Bethesda, Md., this 7th day of July 1976.

For the Nuclear Regulatory Commission.

R. C. DeYoung,
Deputy Director, Division of Project Management, Office of Nuclear Reactor Regulation.

[FR Doc.76-20443 Filed 7-14-76;8:45 am]

[Docket Nos. STN 50-556, STN 50-557]

PUBLIC SERVICE COMPANY OF OKLAHOMA

Availability of Draft Environmental Statement for Black Fox Station, 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 Black Fox Station, Units 1 and 2 to be constructed by the Public Service Company of Oklahoma in Rogers County, Oklahoma, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. and in the Tulsa City County Library, 400 Civic Center, Tulsa, Oklahoma. The Draft Statement (NUREG–0088) is also being made available at the Office of Community Affairs and Planning, State Grant-in-Aid Clearinghouse, 4901 North Lincoln Boulevard, Oklahoma City, Oklahoma, and at the Northeast Counties of Oklahoma Economic Development District, 215 South Wilson, Vinita, Oklahoma. Requests for copies of the Draft Environmental Statement should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C., Attention: Director, Division of Site Safety and Environmental Analysis.

The Applicant's Environmental Report, as supplemented, submitted by Public Service Company of Oklahoma is also available for public inspection at the above-designated locations. Notice of availability of the Applicant's Environmental Report was published in the FEDERAL REGISTER on January 23, 1976 (41 FR 3517).

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 September 7, 1976. 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 Tulsa City County Library, 400 Civic Center, Tulsa, Oklahoma. Upon consideration of comments submitted with respect to the Draft Environmental Statement, the Commission's 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 persons of the public should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis.

Dated at Rockville, Md., this 8th day of July 1976.

For the Nuclear Regulatory Commission.

JAN A. NORRIS,
Environmental Projects Branch 3, Division of Site Safety and Environmental Analysis.

[FR Doc.76-20444 Filed 7-14-76;8:45 am]

REGULATORY GUIDE

Issuance and Availability

The Nuclear Regulatory Commission has issued a guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 9.2, Revision 1, "Information Needed by the NRC Staff in Connection with Its Antitrust Review of Construction Permit Applications for Nuclear Power Plants," identifies the information needed by the NRC staff to initiate its portion of the antitrust review of construction permit applications for nuclear power plants.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Md., this 8th day of July 1976.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director, Office of Standards Development.

[FR Doc.76-20446 Filed 7-14-76;8:45 am]

REGULATORY GUIDE

Issuance and Availability

The Nuclear Regulatory Commission has issued a guide in its Regulatory Guide Series. This series has been developed to describe and make available

to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 4.10, Revision 1, "Irreversible and Irretrievable Commitments of Material Resources," identifies a report on material resources that forms a basis acceptable to the NRC staff for discussions of irreversible and irretrievable commitments of material resources required in the evaluation of the environmental impact involved in the construction of a 1000-MWe pressurized water reactor. This guide references ORNL–TM–4515, "Estimated Quantities of Materials Contained in a 1000-MW(e) PWR Plant."

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of fuutre guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Md., this 7th day of July 1976.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director, Office of Standards Development.

[FR Doc. 76–20447 Filed 7–14–76;8:45 am]

[Docket No. STN 50–485]

ROCHESTER GAS AND ELECTRIC CORP., STERLING POWER PROJECT NUCLEAR UNIT NO. 1

Order for Evidentiary Hearing

The evidentiary hearing in this matter will commence on Tuesday, July 20, 1976, at 9:30 a.m. at the Oswego County Courthouse, Second Floor Courtroom, East Oneida Street, Oswego, New York. Hearings will continue through July 23; hearings will resume on Monday, July 26 and will continue through Friday, July 30, 1976.

Dated at Bethesda, Md., this 7th day of July 1976.

It is so ordered.

THE ATOMIC SAFETY AND LICENSING BOARD,
EDWARD LUTON,
Chairman.

[FR Doc.76–20445 Filed 7–14–76;8:45 am]

NATIONAL SCIENCE FOUNDATION

SUBGROUP ON FOOD AND NUTRITION

Meeting

In accordance with the Federal Advisory Committee Act, P.L. 92–463, the National Science Foundation announces the following meeting:

Name: Subgroup on Food and Nutrition of the Advisory Groups on Anticipated Advances in Science and Technology and Contributions of Technology to Economic Strength.
Date: July 30, 1976.
Time: 9:00 am to 4:00 pm.
Place: Room 540, National Science Foundation, 1800 G Street NW., Washington, D.C.
Type of meeting: Open.
Contact person: Dr. Richard C. Staples, Policy Research and Analysis Division, National Science Foundation, Washington, D.C. 20550, telephone (202) 632–7810.
Summary minutes: May be obtained from the Committee Management Coordination Staff, Division of Personnel and Management, Room 212, National Science Foundation, Washington, D.C. 20550.
Purpose of meeting: To review with invited participants recommendations made by the Subgroup on Food and Nutrition to the Science and Technology Advisory Group on June 17, 1976, specifically those that deal with basic research in fields related to food production, food distribution and nutrition. The meeting will involve participants representing various segments of the food and nutrition research communities.
Agenda:
9:00—Remarks by Chairman.
10:00—Group discussion of major areas.
12:00—Lunch.
13:00—Continuation of group discussion.
16:00—Adjournment.

M. REBECCA WINKLER,
Acting Committee Management Officer.

JULY 9, 1976.

[FR Doc.76–20428 Filed 7–14–76;8:45 am]

OFFICE OF THE FEDERAL REGISTER

HOW TO USE THE FEDERAL REGISTER

Public Briefing in Atlanta, Georgia

"The FEDERAL REGISTER—What It Is and How to Use It" will be the topic of two separate briefings to be offered by the Office of the Federal Register on Wednesday, August 25 and Thursday, August 26 from 9:45 a.m. until 12:30 p.m.

The Thursday briefing will be a repeat of the Wednesday briefing. These sessions will be held in Conference Room 556 of the Federal Building at 275 Peachtree Street NE., Atlanta, Georgia.

Both sessions are open to the general public and Federal agency personnel and should be useful to anyone who uses the FEDERAL REGISTER. Seating is limited and reservations are required. Reservations may be made by telephoning Mr. Dave Conner, 404–526–3934.

The sessions will last approximately three hours and will cover the following areas:

1. A brief history of the FEDERAL REGISTER.
2. The difference between legislation and regulations.
3. The relationship of the FEDERAL REGISTER and the CODE OF FEDERAL REGULATIONS.
4. Important elements of a typical FEDERAL REGISTER document.
5. An introduction to the finding aids of the Office of the Federal Register.

In addition, attendees will undertake a practical problem-solving exercise and will be invited to provide information on their uses of FEDERAL REGISTER publications in order to help this office improve its services.

The Office of the Federal Register does not interpret specific agency regulations and these sessions will not provide a forum for the discussion of substantive questions. Rather, the briefings are designed as an introduction for the person who discovers that he or she must use FEDERAL REGISTER publications to keep track and to gain an understanding of Federal regulations.

FRED J. EMERY,
Director of the Federal Register.

JULY 12, 1976.

[FR Doc.76–20505 Filed 7–14–76;8:45 am]

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

TRADE POLICY STAFF COMMITTEE

Solicitation of Public Views

Pursuant to section 201 of the Trade Act of 1974, on June 29, 1976 the United States International Trade Commission reported to the President on the case of honey (Investigation No. TA–201–14). The Commission submitted a report containing an affirmative determination that honey provided for in TSUS item 155.70 is being imported in such increased quantities as to be a substantial cause of the threat of serious injury to the domestic industry or certain industries producing an article like or directly competitive with the imported article.

The Commission finds and recommends the imposition of a tariff rate quota on the imported articles is necessary to remedy the injury. The tariff rate quota recommended by the Commission is as follows:

Whenever, in calendar year 1976, or in any of the four ensuing calendar years, the aggregate quantity of imports of honey, as provided for in item 155.70 of the TSUS, exceeds a tariff-rate quota of 30 million pounds, honey in such item entered during the remainder of such calendar year shall be subject to rates of duty as follows:

For calendar years 1976,[1] 1977, and 1978.	1¢ per lb. +30% ad val.
For calendar year 1979	1¢ per lb. +20% ad val.
For calendar year 1980	1¢ per lb. +10% ad val.

[1] To avoid possible retroactive application of the over-quota rate of duty for calendar year 1976, the President's proclamation should provide for the application of such rate of duty to be effective on the date of the proclamation or at the time the quota is exceeded, whichever occurs last.

Within 60 days of receiving a report from the Commission containing an affirmative determination, the President must determine what method and amount of import relief he will provide or determine that the provision of relief is not in the national economic interest, and whether he will direct expeditious consideration of adjustment assistance petitions.

In determining whether to provide import relief and what method and amount of import relief he will provide, the President must take into account, in addition to other considerations, the following factors:

(1) The probable effectiveness of the import relief as a means to promote adjustment, the efforts being made or to be implemented by the industry concerned to adjust to import competition, and other considerations relevant to the position of the industry in the nation's economy;

(2) The effect of import relief on consumers and on competition in the domestic markets for such articles;

(3) The effect of import relief on the international economic interest of the United States;

(4) The impact on United States industries and firms as a consequences of any possible modification of duties or other import restrictions which may result from international obligations with respect to compensation;

(5) The geographic concentration of imported products marketed in the United States,

(6) The extent to which the United States market is a focal point for exports of such article by reason of restraints on exports of such article to, or on imports of such article into, third country markets; and

(7) The economic and social costs which would be incurred by taxpayers, communities and workers if import relief were or were not provided.

The Office of the Special Representative for Trade Negotiations chairs the interagency Trade Policy Committee structure that makes recommendations to the President as to what action, if any, he should take on reports submitted by the ITC under section 201(d). In order to assist the Trade Policy Staff Committee in developing recommendations to the President as to what action to take under section 202 and 203 of the Trade Act of 1974, the Committee welcomes briefs from interested parties on the above listed subjects. (Further information on this case is available in the Report of the ITC on honey.)

Briefs should be submitted in twenty (20) copies to Chairman, Trade Policy Staff Committee, Room 729, Office of the Special Representative for Trade Negotiations, 1800 G Street NW., Washington, D.C. 20506.

To be considered by the Trade Policy Staff Committee, submissions should be received in the Office of the Special Representative for Trade Negotiations on or before July 30, 1976.

WILLIAM B. KELLY,
Chairman, Trade Policy Staff Committee.

[FR Doc.76-20412 Filed 7-14-76;8:45 am]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area No. 1261]

IOWA

Declaration of Disaster Area

Pottawattamie County and adjacent counties within the State of Iowa constitute a disaster area because of damage resulting from tornadoes on June 26-27, 1976. Eligible persons, firms and organizations may file applications for loans for physical damage until close of business on September 7, 1976, and for economic injury until close of business on April 7, 1977, at:

Small Business Administration, District Office, 210 Walnut Street, Des Moines, Iowa 50309.

or other locally announced locations.

Dated: July 8, 1976.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.76-20405 Filed 7-14-76;8:45 am]

[Declaration of Disaster Loan Area No. 1260]

KANSAS

Declaration of Disaster Area

Wyandotte County and adjacent counties within the State of Kansas, constitute a disaster area because of damage resulting from flooding which occurred on June 28, 1976. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on September 7, 1976, and for economic injury until the close of business on April 6, 1977, at:

Small Business Administration, District Office, 1150 Grand Avenue, Kansas City, Missouri 64105.

or other locally announced locations.

Date: July 7, 1976.

MITCHELL P. KOBELINSKI,
Administrator.

[FR Doc.76-20406 Filed 7-14-76;8:45 am]

[Declaration of Disaster Loan Area No. 1263]

MISSOURI

Declaration of Disaster Area

Barton, Jasper, Newton and adjacent counties within the State of Missouri constitute a disaster area because of damage resulting from flooding on July 2 and 3, 1976. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on September 7, 1976, and for economic injury until the close of business on April 6, 1977, at:

Small Business Administration, District Office, 12 Grand Building, 5th Floor, 1150 Grand Avenue, Kansas City, Missouri 64106.

or other locally announced locations.

Date: July 8, 1976.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.76-20407 Filed 7-14-76;8:45 am]

[Declaration of Disaster Loan Area No. 1259]

NEW YORK

Declaration of Disaster Area

Rockland County and adjacent counties within the State of New York constitute a disaster area because of damage resulting from heavy rains and flooding on June 30, 1976. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on September 7, 1976 and for economic injury until the close of business on April 6, 1977, at:

Small Business Administration,
District Office,
26 Federal Plaza, Room 3100,
New York, New York 10007.

or other locally announced locations.

Date: July 7, 1976.

MITCHELL P. KOBELINSKI,
Administrator.

[FR Doc.76-20403 Filed 7-14-76;8:45 am]

[Declaration of Disaster Loan Area No. 1262]

PENNSYLVANIA

Declaration of Disaster Loan Area

As a result of the President's declaration dated July 7, 1976, Tioga County and adjacent counties within the State of Pennsylvania, constitute a disaster area because of damage resulting from high winds and flash flooding beginning about June 15, 1976. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on September 7, 1976, and for economic injury until the close of business on April 6, 1977, at:

Small Business Administration, Branch Office, 1500 North Second Street, Harrisburg, Pennsylvania 17108.

or other locally announced locations.

Dated: July 8, 1976.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc. 76-20409 Filed 7-14-76;8:45 am]

INTERSTATE COMMERCE COMMISSION

MODIFICATION, INTERPRETATION OR REINSTATEMENT OF OPERATING RIGHTS AUTHORITY

Petitions

The following petitions seek modification or interpretation of existing operating rights authority, or reinstatement of terminated operating rights authority.

An original and one copy of protests to the granting of the requested authority must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protest shall comply with Special Rule 247(d) of the Commission's *General Rules of Practice* (49 CFR § 1100.247) [1] and shall include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this time. A copy of the protest shall be served concurrently upon petitioner's representative, or petitioner if no representative is named.

No. MC 69365 (Sub-Nos. 4, 11, 12, and 13) (Notice of filing of petition to add an additional origin point and additional contracting shipper) filed June 7, 1976. Petitioner: CONTRACT CARRIER SERVICE, INC., P.O. Box 2426, 2687 Roosevelt Blvd., Eugene, Oreg. 97401. Petitioner's representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Avenue, Portland, Oreg. 97210. Petitioner holds motor *contract carrier* Permits in No. MC 69365 (Sub-Nos. 4, 11, 12, and 13), issued February 24, 1959, October 6, 1960, December 8, 1960, and September 27, 1965, respectively, authorizing transportation: (1) in MC 69365 (Sub-No. 4) over irregular routes, of *laminated wood products and prefabricated wooden timbers and trusses*, from Longview, Wash., and Springfield, Oreg., to points in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Utah, and Washington, under a continuing contract, or contracts, with Rosboro Lumber Co., located at Springfield, Oreg. and Rilco Laminated Products, Inc. located at Longview, Wash.; (2) in MC 69365 (Sub-No. 11) over irregular routes, of *laminated wooden beams, timbers, and arches*, from the plantsite of the Rilco Laminated Products Division of the Weyerhaeuser Co. located at or near Cottage Grove, Oreg., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Wyoming, and points in that part of Nebraska in and west of Sheridan, Garden, and Deuel Counties, under a continuing contract, or contracts, with Rilco Laminated Products Division of the Weyerhaeuser Co. located at Cottage Grove, Oreg., and Associated Glu-Lam Products, Inc. located at Berkeley, Calif.

(3) In MC 69365 (Sub-No. 12) over irregular routes, of *laminated wood beams, timbers, and arches*, from the site of the plant of Rilco Laminated Products Division of the Weyerhaeuser Company located at or near Cottage Grove, Oreg., to points in Washington, under a continuing contract, or contracts, with Rilco Laminated Products Division of the Weyerhaeuser Company; and (4) in MC 69365 (Sub-No. 13) over irregular routes, of (a) *laminated wooden decking*, from the plantsite of Weyerhaeuser Company located at Cottage Grove, Oreg., to points in California, Idaho, Montana, Nevada, Utah and Washington, and (b) *lumber, timbers, millwork, panels, boards*, and *sheets*, and *hardware* and *accessories* used in the installation of timbers and laminated wooden decking, beams, and arches, when moving with laminated wooden decking beams, and arches, from the plantsite of Weyerhaeuser Company located at Cottage Grove, Oreg., and from Eugene and Springfield, Oreg., to points in California, Idaho, Montana, Nevada, Utah and Washington, under a continuing contract, or contracts, with Weyerhaeuser Company located at Tacoma, Wash.

By the instant petition, petitioner seeks (A) to modify its (Sub-4) Permit by adding the plantsite of Bohemia, Inc. located at or near Saginaw, Oreg. as an additional origin point and by adding Bohemia, Inc. located at Eugene, Oreg. as an additional contracting shipper; (B) to modify its (Sub-11) Permit by adding the plantsite of Bohemia, Inc. located at or near Saginaw, Oreg. as an additional origin point and by substituting Bohemia, Inc. located at Eugene, Oreg. as a contract shipper in lieu of Associated Glu-Lam Products, Inc.; (C) to modify its (Sub-12) Permit by adding the plantsite of Bohemia, Inc. located at or near Saginaw, Oreg. as an additional origin point and by adding Bohemia, Inc. as an additional contracting shipper; and (D) to modify its (Sub-13) Permit by adding the plantsite of Bohemia, Inc. located at or near Saginaw, Oreg. as an additional origin point and by adding Bohemia, Inc. as an additional contract shipper.

No. MC 123778 (Sub-No. 1) (Notice of filing of petition to modify and amend permit) filed May 17, 1976. Petitioner: JALT CORP., doing business as, UNITED NEWS PAPER DELIVERY SERVICE, 75 Cutters Dock Road, P.O. Box 398, Woodbridge, N.J. 07095. Petitioner's representative: Morton E. Kiel, 5 World Trade Center, Suite 6193, New York, N.Y. 10048. Petitioner holds motor *contract carrier* certificate in No. MC 123778 (Sub-No. 1, issued December 10, 1974, authorizing as pertinent, transportation, over irregular routes, of (1) *Magazines, magazine racks*, and *advertising matter* shipped with magazines, from Woodbridge, N.J., to points in Connecticut and New Jersey, points in that part of Pennsylvania on and east of U.S. Highway 15, and points in that part of New York on and south of New York Highway 5 between Syracuse and Schenectady and New York Highway 7 between Schenectady and the New York-Vermont State line, and on and east of U.S. Highway 11 between Syracuse and the New York-Pennsylvania State line, restricted as (1) above to traffc having an immediately prior motor carrier movement from points beyond New Jersey to Woodbridge, N.J.; (2) *magazines, magazine racks*, and *advertising matter*, from Woodbridge, N.J., and Washington, D.C. to Wilmington, Del., and to points in that part of New York on and south of New York Highway 14 (except those points on and south of New York Highway 5, between Syracuse and Schenectady and New York Highway 7 between Schenectady and the New York-Vermont State line, and those points on and east of U.S. Highway 11 between Syracuse and the New York-Pennsylvania State line).

(3) *Printing plates, shells*, and *molds*, and *magazine sections, parts and inserts*, from New York, N.Y., and Newark, N.J., to Old Saybrook, Conn.; (4) *magazines, magazine racks*, and *advertising matter* shipped with magazines, from Washington, D.C. to points in Connecticut, New Jersey, that part of Pennsylvania on and east of U.S. Highway 15, and that part of New York on, east, and south of a line beginning at the New York-Pennsylvania State line and extending along U.S. Highway 11 to Syracause, N.Y., thence along New York Highway 5 to Schenectady, N.Y., thence along New York Highway 7 to the New York-Vermont State line; (5) *magazines, magazine racks*, and *advertising matter* shipped with magazines, from Old Saybrook, Conn., to points in Westchester, Nassau, and Suffolk Counties, N.Y., and New York, N.Y., and to those points in New Jersey on and north of New Jersey Highway 33; and (6) *magazines*, and *magazine racks* and *advertising matter* in mixed loads with magazines, from Glenn Dale, Md., to points in Connecticut, New Jersey, that part of Pennsylvania on and east of U.S. Highway 15, except Philadelphia, Pa., and that part of New York on and south of New York Highway 5 between Syracuse and Schenectady and New York Highway 7 between Schenectady and the New York-Vermont State line, and on and east of U.S. Highway 11 between Syracuse and the New York-Pennsylvania State line and Glenn Dale, Md., to Wilmington, Del., restricted to operations authorized under the commodity description next above are limited to a transportation service to be performed, under a continuing contract, or contracts, with Newsweek, Inc., of Dayton, Ohio.

By the instant petition, petitioner seeks to modify commodity descriptions as follows: (1) *Magazines, (magazine parts, sections and inserts, books), magazine racks*, and *advertising matter* shipped with magazines, from Woodbridge, N.J. to points in Connecticut and New Jersey, points in that part of Pennsylvania on and east of U.S. Highway 15, and points in that part of New York on and south of New York Highway 5 between Syracuse and Schenectady and New York Highway 7 between Schenectady and the New York-Vermont State line, and on and east of U.S. Highway 11 between Syracuse and the New York-Pennsyl-

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

vania State line, restricted as (1) above to traffic having an immediately prior movement from points beyond New Jersey to Woodbridge, N.J. (2) *magazines, (magazine parts, sections and inserts, books) magazine racks,* and *advertising matter,* from Woodbridge, N.J., and Washington, D.C. to Wilmington, Del., and to points in that part of New York on and east of New York Highway 14 (except those points on and south of New York Highway 5, between Syracuse and Schenectady and New York Highway 7 between Schenectady and the New York-Vermont State line, and those points on and east of U.S. Highway 11 between Syracuse and the New York-Pennsylvania State line), (3) *printing plates, (film) shells,* and *molds,* and *magazine sections, parts and inserts, (magazines and books),* from New York, N.Y. and Newark, N.J., to (Woodbridge, N.J.) and Old Saybrook, Conn., (4) *magazines, (magazine parts, sections and inserts and books) magazine racks,* and *advertising matter* shipped with magazines, from Washington, D.C. to points in Connecticut, New Jersey, that part of Pennsylvania on and east of U.S. Highway 15, and that part of New York on, east, and south of a line beginning at the New York-Pennsylvania State line and extending along U.S. Highway 11 to Syracuse, N.Y., thence along New York Highway 5 to Schenectady, N.Y., thence along New York Highway 7 to the New York-Vermont State line.

(5) *Magazines, magazine racks* and *advertising matter* shipped with magazines, and *(magazine sections, parts and inserts,* and *books),* from Old Saybrook, Conn. to (Wilmington, Del., Baltimore, Md., the District of Columbia) and points in New Jersey, (points in that part of Pennsylvania on and east of U.S. Highway 15), and points in that part of New York, on and east of New York Highway 14, (Destination territory in New York and New Jersey has been expanded too but is not marked above to show this), (6) *magazines,* and *magazine racks* and *advertising matter* in mixed loads with magazines, and *(magazine parts, sections,* and *inserts,* and *books),* from Glenn Dale, Md., to points in Connecticut, New Jersey, that part of Pennsylvania on and east of U.S. Highway 15, except Philadelphia, Pa., and that part of New York on and south of New York Highway 5 between Syracuse and Schenectady and New York Highway 7 between Schenectady and the New York-Vermont State line, and on and east of U.S. Highway 11 between Syracuse and the New York-Pennsylvania State line and Glenn Dale, Md., to (Washington, D.C.) and Wilmington, Del., restricted to operations authorized under the commodity descriptions next above are limited to a transportation service to be performed, under a continuing contract, or contracts, with Newsweek Inc., of Dayton, Ohio, and (Time, Inc. of New York, N.Y.

No. MC 128988 (Sub-Nos. 3 and 28) (Notice of filing of correction of petition) filed October 24, 1975, published in the FEDERAL REGISTER issue of June 24, 1976, and republished as corrected this issue. Petitioner: JO/KEL, INC., P.O. Box 1249, City of Industry, Calif. 91749. Petitioner's representative: William J. Monheim, P.O. Box 1756, Whittier, Calif. 90609. The purpose of this partial republication is to change the name of the manufacture in (a) and the contracting shipper in (b) of both Sub 3 and 28 so as to read: "Taylor Manufacturing, Inc., doing business as, Taylor Industries." The rest of the publication remains the same.

No. MC 134599 (Sub-Nos. 101, 102, 105 and 106) (Notice of filing of petition to change origin point) filed June 22, 1976. Petitioner: INTERSTATE CONTRACT CARRIER CORPORATION, 265 W. 2700 South, Salt Lake City, Utah 84115. Petitioner's representative: Richard A. Peterson, 521 South 14th St., P.O. Box 81849, Lincoln, Nebr. 68501. Petitioner holds motor *contract carrier* Permits in No. MC 134599 (Sub-Nos. 101 and 102) issued September 23, 1975 and (Sub-Nos. 105 and 106) issued February 4, 1975, respectively, authorizing transportation: (A) in MC 134599 (Sub-No. 101) over irregular routes, of (1) *games, toys,* and *plastic articles,* and (2) *materials, parts* and *supplies* used in the manufacture of the commodities in (1) above (except commodities in bulk and those in the transportation of which because of size or weight require special handling or special equipment), between Metuchen and South Plainfield, N.J., on the one hand and, on the other, points in Georgia, North Carolina, Tennessee, and Virginia, under a continuing contract, or contracts, with Mattel, Inc., of Hawthorne, Calif.; (B) in MC 134599 (Sub-No. 102) over irregular routes, of (1) *games, toys,* and *plastic articles,* and (2) *materials, parts* and *supplies* used in the manufacture of the commodities in (1) above, (except commodities in bulk and those which because of size and weight require special handling or special equipment), between Metuchen and South Plainfield, N.J., on the one hand, and, on the other, points in Illinois, Indiana, Michigan, Minnesota, and Missouri, under a continuing contract, or contracts, with Mattel, Inc., of Hawthorne, Calif.

(C) In No. MC 134599 (Sub-No. 105) over irregular routes, of *games, toys,* and *plastic articles* and *materials, parts and supplies* used in the manufacture of the foregoing items (except commodities in bulk and commodities which because of size or weight require special handling or special equipment), between Metuchen and South Plainfield, N.J., on the one hand, and, on the other, points in California, Oregon, and Washington, under a continuing contract, or contracts, with Mattel, Inc.; and (D) in No. MC 134599 (Sub-No. 106) over irregular routes, of *games, toys,* and *plastic articles,* and *materials, parts, and supplies* used in the manufacture of games, toys, and plastic articles (except commodities in bulk, and those which because of size or weight require special handling or special equipment), between Metuchen and South Plainfield, N.J., on the one hand, and, on the other, points in Kansas, Oklahoma, and Texas, under a continuing contract, or contracts, with Mattel, Inc. By the instant petition, petitioner seeks to modify each of its subs by deleting from its authority the origin point of Metuchen, N.J., and substituting therefore the origin point of Edison, N.J.

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER OPERATING RIGHTS APPLICATIONS

The following applications are governed by Special Rule 247 of the Commission's *General Rules of Practice* (49 CFR § 1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after the date of notice of filing of the application is published in the FEDERAL REGISTER. Failure to seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) further provides, in part, that an applicant who does not intend timely to prosecute its application shall promptly request dismissal thereof, and that failure to prosecute an application under procedures ordered by the Commission will result in dismissal of the application.

Further processing steps will be by Commission order which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the* FEDERAL REGISTER *of a notice that the proceeding has been assigned for oral hearing.*

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

No. MC 340 (Sub-No. 41) filed June 8, 1976. Applicant: QUERNER TRUCK LINES, INC., 1131 Austin Street, San

Antonio, Tex. 78208. Applicant's representative: M. Ward Bailey, 2412 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts*, 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. and 209 (except commodities in bulk, in tank vehicles), from Eagle Pass, Tex., and points within a 15 mile radius thereof, to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either San Antonio or Dallas, Tex.

No. MC 610 (Sub-No. 6) filed May 27, 1976. Applicant: H. M. SKINNER & SONS, INC., 211 Water St., New Bethlehem, Pa. 16242. Applicant's representative: H. Ray Pope, 10 Grant St., Clarion, Pa. 16214. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick, fire brick, refractory products, ground fire clay and structural tile*, between New Bethlehem, Pa., and points within 10 miles thereof, on the one hand, and, on the other, points in Buffalo, N.Y.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Pittsburgh, Pa. or Buffalo, N.Y.

No. MC 2229 (Sub-No. 195), filed June 7, 1976. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Blvd., P.O. Box 47407, Dallas, Tex. 75247. Applicant's representative: Douglas Anderson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Refined copper* (except commodities in bulk), from the plantsite of ASARCO, Inc., located at or near Amarillo, Tex., to points in the United States (except Alaska and Hawaii); and (2) *materials and supplies* used in the manufacture and distribution of refined copper (except commodities in bulk), from points in the United States (except Alaska and Hawaii), to the plantsite of ASARCO, Inc., located at or near Amarillo, Tex.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Tex. or Washington, D.C.

No. MC 11740 (Sub-No. 7), filed June 9, 1976. Applicant: BLUE & GRAY TRANSPORTATION CO., INCORPORATED, 1111 Commerce Road, Richmond, Va. 23224. Applicant's representative: Francis W. McInerny, 1000 Sixteenth Street, NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities*, in containers or trailers; and (2) *empty containers*, between Norfolk, Va., on the one hand, and, on the other, points in the Norfolk, Va. Commercial Zone, restricted in (1) and (2) above to the transportation of traffic having a prior or subsequent movement by water.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Richmond, Va. or Washington, D.C.

No. MC 19790 (Sub-No. 8), filed June 14, 1976. Applicant: HILL BROTHERS TRUCKING CO., INC., 6900 Chestnut Street, Merchantville, N.J. 08109. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber products and forest products*, from the facilities of Furman Lumber, Inc. located at Sharon, Vt., to points in Delaware, Maryland, Massachusetts, New Jersey, New York and that part of Pennsylvania east of a line beginning at the New York-Pennsylvania State Boundary line and extending along U.S. Highway 11 to Harrisburg, Pa., thence along the east bank of the Susquehanna River to the Pennsylvania-Maryland State Boundary line, including points on the indicated portions of the highways specified.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Philadelphia, Pa. or Washington, D.C.

No. MC 34564 (Sub-No. 25), filed May 28, 1976. Applicant: ADOLPH J. DAROSKA, 50 Concord Hill, Pittsfield, N.H. 03263. Applicant's representative: Mary E. Kelley, 11 Riverside Ave., Medford, Mass. 02155. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, (1) from Lyndonville, Vt., and East Providence, R.I., to points in Maine on and south of Maine Highway 6; and (2) from Lyndonville, Vt., to points in New Hampshire.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 50069 (Sub-No. 513), filed June 9, 1976. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum lubricating oil*, in bulk, in tank vehicles, from River Rouge, Mich., to points in Wisconsin.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 51146 (Sub-No. 468), filed June 7, 1976. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54306. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Farm, dairy and water treatment equipment, materials, and supplies; sanitation and cleaning products, paint, insecticides, fungicides and pesticides*, from Oak Brook, Ill., to points in the United States (except Alaska and Hawaii); and (2) *materials, equipment and supplies* used in the manufacture, sale, or distribution of the commodities named in the items in (1) above and *sanitation and cleaning products, paint, insecticides and pesticides*, from points in the United States (except Alaska and Hawaii) to Oak Brook, Ill., restricted (a) against the transportation of commodities in bulk; (b) against the transportation of commodities which because of size or weight require the use of special equipment; (c) in (1) above to traffic originating at Oak Brook, Ill. and in (2) above to traffic destined to Oak Brook, Ill.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 59728 (Sub-No. 28), filed June 14, 1976. Applicant: MORRISON MOTOR FREIGHT, INC., 1100 Jenkins Blvd., Akron, Ohio 44306. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), from Dayton and Cincinnati, Ohio, to LaPlace, Ill., points in that part of Illinois bounded by a line beginning at the Mississippi River and extending along U.S. Highway 36 to LaPlace, Ill., thence along Illinois Highway 32 to Effingham, Ill., thence along U.S. Highway 45 to Brookport, Ill., thence along the Ohio River to the Mississippi River, and thence along the Mississippi River to the point of beginning, including points on the indicated portions of the highways specified, and those points in Kansas and Missouri.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Cincinnati, Ohio.

No. MC 61592 (Sub-No. 388), filed May 28, 1976. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, R.R. 3, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, 101 First Avenue, P.O. Box 737, Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic conduit, plastic and iron fittings and connections, valves, hydrants and gaskets and related commodities*, used in the installation of plastic pipe and plastic conduit (except commodities as described in Mercer Extension Oilfield commodities, 74 MCC 459, and in bulk), from the plantsite and storage facilities of Clow Corporation located at or near Columbia, Mo., to points in and west of Iowa, Kansas, Nebraska, New Mexico, Oklahoma and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo.

No. MC 61592 (Sub-No. 389), filed June 7, 1976. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, R.R. 3, Jeffersonville, Ind. 47130. Applicant's

representative: E. A. DeVine, 101 First Avenue, P.O. Box 737, Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Material fiberboard, wood fiberboard, gypsum board and acoustical materials*, from Plainfield, Ill., to points in the United States (except Alaska and Hawaii); and (2) *equipment, materials and supplies* used in the manufacture of items described above (except commodities in bulk, in tank vehicles), from points in the United States (except Alaska and Hawaii), to Plainfield, Ill.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 63417 (Sub-No. 91), filed June 11, 1976. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. Box 2888, Roanoke, Va. 24001. Applicant's representative: William E. Bain, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic articles* (except plastic pipe), from Houston, Tex., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant did not specify a location.

No. MC 73688 (Sub-No. 68), filed June 9, 1976. Applicant: SOUTHERN TRUCKING CORPORATION, 1500 Orenda Avenue, P.O. Box 7195, Memphis, Tenn. 38107. Applicant's representative: Robert E. Tate, P.O. Box 517, Evergreen, Ala. 36401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Junk automobiles and scrap ferrous and nonferrous metals* used for recycling only, from points in Arkansas and Texas to Memphis, Tenn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Memphis, Tenn. or Washington, D.C.

No. MC 74321 (Sub-No. 121), filed June 15, 1976. Applicant: B. F. WALKER, INC., P.O. Box 17-B, 1555 Tremont Place, Denver, Colo. 80217. Applicant's representative: Richard P. Kissinger, Suite 140, Cherry Creek Center, 360 South Monroe, Denver, Colo. 80209. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles* (except commodities which require special equipment because of size and weight), from the plantsite and warehouse facilities of Cyprus Tubing and Conduit Company located in Los Angeles County, Calif., to points in Arkansas, Kansas, Missouri, Oklahoma and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Tex. or Denver, Colo.

No. MC 75192 (Sub-No. 3), filed June 15, 1976. Applicant: CHAS T. BROWN TRUCK LINES, INCORPORATED, 1208 Buff Street, Greensboro, N.C. 27406. Applicant's representative: George W. Clapp, P.O. Box 836, Taylors, S.C. 29687. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Structural steel and related iron and steel articles requiring special equipment*, from the plantsite of Carolina Steel Corporation, located at or near Colfax, in Guilford County, N.C. to points in South Carolina and Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Greensboro or Raleigh, N.C.

No. MC 83539 (Sub-No. 431), filed June 9, 1976. Applicant: C & H TRANSPORTATION CO., INC., 1936-2010 West Commerce Street, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Thomas E. James (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood, boards, building wall or insulating, molding, and building woodwork*, from Jacksonville, Fla., to points in the United States (except points in Alaska, Hawaii, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Washington, and Wyoming).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Jacksonville, Fla.

No. MC 83539 (Sub-No. 432), filed June 16, 1976. Applicant: C & H TRANSPORTATION CO., INC., 1936-2010 West Commerce Street, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Thomas E. James (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials and supplies* (except in bulk), used in the manufacture and distribution of castings, from points in the United States (except Alaska and Hawaii), to points in Mayes County, Okla., restricted to shipments destined to the facilities of Gardner-Denver Company, located at or near Pryor, Mayes County, Okla.

NOTE.—Applicant states it holds common carrier authority over irregular routes in MC 83539 (Sub-No. 393) to transport Castings from points in Mayes County, Okla., to points in the United States including Alaska, but excluding Hawaii and Oklahoma. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Oklahoma City, Okla. or Dallas, Tex.

No. MC 88380 (Sub-No. 23), filed June 7, 1976. Applicant: REB TRANSPORTATION, INC., 2400 Cold Springs Road, P.O. Box 4309, Fort Worth, Tex. 76106. Applicant's representative: John L. Payne (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bituminized and indurated fibre conduit and pipe*, from the plantsite of the Bermico Company, located at or near Sherman, Tex., to points in Idaho, Montana, Nevada, Oregon, Utah and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Sherman or Dallas, Tex.

No. MC 95540 (Sub-No. 953), filed June 3, 1976. Applicant: WATKINS MOTOR LINES, INC., 1144 West Griffin Road, P.O. Box 1636, Lakeland, Fla. 33802. Applicant's representative: Benjy W. Fincher (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meat*, from Greenville, S.C., to Montgomery, Ala.; Louisville, Ky.; New Orleans, La.; and Jacksonville, Tampa, Orlando, Pompano, and Miami, Fla.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Greenville, or Columbus, S.C.; Washington, D.C.; or Tampa, Fla.

No. MC 95540 (Sub-No. 955), filed June 16, 1976. Applicant: WATKINS MOTOR LINES, INC., 1144 East Griffin Road, P.O. Box 1636, Lakeland, Fla. 33802. Applicant's representative: Benjy W. Fincher, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from the plantsites, warehouse and storage facilities of or used by Winter Garden, Inc., located at or near Bells (Crockett County); Humboldt (Gibson County); and Rossville (Fayette County), Tenn., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Nebraska, Ohio, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.; Washington, D.C., or Tampa, Fla.

No. MC 95876 (Sub-No. 185), filed June 11, 1976. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, P.O. Box 1377, St. Cloud, Minn. 56301. Applicant's representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic conduit, plastic and iron fittings and connections, valves, hydrants*, and *gaskets*, and *commodities* used in the installation of plastic pipe and plastic conduit (except commodities as described in Mercer Extension-Oilfield Commodities, 74 M.C.C. 459), from Columbia, Mo., to points in Arizona, California, Colorado, Idaho, Iowa, Kansas, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming, restricted to traffic originating at the plantsite and storage facilities of the Clow Corporation located at or near Columbia, Mo.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Chicago, Ill. or St. Louis, Mo.

No. MC 103993 (Sub-No. 871), filed June 14, 1976. Applicant: MORGAN DRIVE-AWAY, INC., 28651 U.S. 20 West, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani, Suite 103, U.S. 20 West, Elkhart, Ind. 46514. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gunite*

and asphalt placers, mounted on wheeled undercarriages, from Troy, Mich., to points in the United States, including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich.

No. MC 106074 (Sub-No. 25), filed June 15, 1976. Applicant: B AND P MOTOR LINES, INC., 710 Oakland Road, P.O. Box 741, Forest City, N.C. 28043. Applicant's representative: George W. Clapp, P.O. Box 836, Taylors, S.C. 29687. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and furniture parts*, from points in Alexander, Caldwell, Catawba, McDowell and Rutherford Counties, N.C. to points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington and Wyoming.

NOTE.—Applicant holds contract carrier authority in MC 140842 Sub 1 therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Charlotte or Asheville, N.C.

No. MC 106195 (Sub-No. 8) filed June 14, 1976. Applicant: CLARK BROS. TRANSFER, INC., 900 North First St., P.O. Box 388, Norfolk, Nebr. 68701. Applicant's representative: Richard E. Mueting, 716 South 13th St., P.O. Box 1307, Norfolk, Nebr. 68701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cellulose insulation and cellulose worm bedding*, from Norfolk, Nebr., to points in Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, North Dakota, South Dakota and Wyoming; and (2) *materials and supplies* used in the manufacturing of cellulose worm bedding, from points in Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, North Dakota, South Dakota and Wyoming, to Norfolk, Nebr.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Norfolk or Omaha, Nebr.

No. MC 107515 (Sub-No. 1014) filed June 10, 1976. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30326. Applicant's representative: Bruce E. Mitchell, 3379 Peachtree Road, NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except commodities in bulk, in tank vehicles), in mechanically refrigerated equipment, in mixed loads with *meats, meat products, meat by-products, and articles distributed by meat packinghouses* (as previously authorized), from the plantsite of Oscar Mayer & Co., Inc., at or near Goodlettsville, Tenn., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Virginia, restricted to shipments originating at above facilities and destined to points in states named; and (2) *materials, equipment and supplies* (except commodities in bulk), used in the manufacture, sale or distribution of foodstuffs, meats, meat products, meat by-products, and articles distributed by meat packinghouses, from points in states named in (1) above, to the plantsite and storage facilities utilized by Oscar Mayer & Co., Inc., at or near Goodlettsville, Tenn.

NOTE.—Dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108119 (Sub-No. 50), filed June 9, 1976. Applicant: E. L. MURPHY TRUCKING CO., a Corporation, 3303 Sibley Memorial Highway, P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and fittings and accessories*, necessary for the installation thereof, from the plantsite of Certain-Teed Products Corporation, located at or near McPherson, Kans., to points in Idaho, Minnesota, Montana, North Dakota, South Dakota and Wyoming.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 108341 (Sub-No. 50), filed June 8, 1976. Applicant: MOSS TRUCKING COMPANY, INC., P.O. Box 8409, Charlotte, N.C. 28208. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 29 and 767, from the plantsite and warehouse facilities of Nucor Steel Corp., located at or near Darlington, S.C., to points in Illinois, Indiana, Kentucky and Ohio.

NOTES.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 109397 (Sub-No. 330), filed June 7, 1976. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, (Bus. Rte I–44 East), Joplin, Mo. 64801. Applicant's representative: A. N. Jacobs (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum, aluminum products, and supplies, materials and equipment* used in the manufacture of aluminum and aluminum products (except in bulk), between the plantsites of Alumax, Inc. located at Decatur, Ala.; Casa Grande, Ariz.; Long Beach, Riverside, Visalia, Perris Valley and Woodland, Calif.; Loveland, Colo.; Ocala and Plant City, Fla.; Peachtree City and Jonesboro, Ga.; Twin Falls, Idaho; Chicago and Morris, Ill.; Lebanon, Bristol and Franklin, Ind.; McPherson, Kans.; Frederick, Md.; Montevideo, Minn.; St. Louis, Mo.; Hernando, Miss.; Reidsville, N.C.; Cleveland, Ohio.; Tulsa and Checotah, Okla.; Stayton, Oreg.; Bloomsburg, Pa.; Mansfield, Tex.; Harrisonburg, Va.; Spokane and Ferndale, Wash.; and Marchfield, Wis., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either San Francisco or Los Angeles, Calif.

No. MC 112304 (Sub-No. 109), filed June 4, 1976. Applicant: ACE DORAN HAULING & RIGGING CO., a Corporation, 1601 Blue Rock Street, Cincinnati, Ohio 45223. Applicant's representative: John D. Herbert (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum roofing, siding, gutters, downspouts, and fabricated aluminum products, and parts attachments and accessories*, for the aforementioned commodities, from the facilities of Alumax Building Products, at Bristol, Ind., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 112595 (Sub-No. 64), filed June 14, 1976. Applicant: FORD BROTHERS, INC., P.O. Box 727, Ironton, Ohio 45638. Applicant's representative: James W. Muldoon, 50 West Broad Street, Suite 1815, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in bulk, and in bags, between the site of the Paducah-McCracken County Riverport Authority located at or near Paducah, Ky., on the one hand, and, on the other, points in Alabama, Arkansas, Georgia, Illinois, Indiana, Kentucky, Mississippi, Missouri, Ohio, Tennessee, West Virginia and Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Columbus, Ohio; Louisville, Ky., and/or Washington, D.C.

No. MC 113459 (Sub-No. 106), filed June 14, 1976. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Appliant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pre-cut unassembled, log and wood buildings*, and *materials and supplies* used in the construction, installation, and erection of the above commodities (except commodities in bulk), from the facilities of Real Log Homes, Inc. located at or near Missoula, Mont., to points in Arkansas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Missoula, Mont., or Dallas, Tex.

No. MC 113622 (Sub-No. 16), filed June 3, 1976. Applicant: SAMPSON

HAULING CORPORATION, Pavilion, N.Y. 14525. Applicant's representative: Kenneth T. Johnson, Bankers Trust Building, Jamestown, N.Y. 14701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sand and gravel*, in dump vehicles, (a) from the Town of Allegany, Cattaraugus County, N.Y., to points in Cameron, Clarion, Clearfield, Clinton, Crawford, Elk, Erie, Forest, Jefferson, Lycoming, McKean, Potter, Tioga, Venango, and Warren Counties, Pa.; and (b) from the Town of Machias, Cattaraugus County, N.Y., to points in Cameron, Clarion, Clearfield, Clinton, Crawford, Erie, Forest, Jefferson, Lycoming, Tioga, and Venango Counties, Pa.; and (2) *sand, gravel, crushed stone, and slag*, in dump vehicles, from points in Erie County, N.Y. to points in Cameron, Clarion, Clearfield, Clinton, Crawford, Elk, Erie, Forest, Jefferson, Lycoming, McKean, Potter, Tioga, Venango and Warren Counties, Pa.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Buffalo, N.Y.

No. MC 114045 (Sub-No. 438) filed May 13, 1976. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 61228, D/FW Airport, Tex. 75216. Applicant's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, from the Philadelphia, Pa. Commercial Zone, to points in Louisiana and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 114211 (Sub-No. 272) filed June 16, 1976. Applicant: WARREN TRANSPORT, INC., 324 Manhard St., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Daniel Sullivan, 327 South La Salle, Chicago, Ill. 60604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, from Ola and Waldo, Ark., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Little Rock or Fort Smith, Ark.

No. MC 114533 (Sub-No. 347), filed June 8, 1976. Applicant: BANKERS DISPATCH CORP., 1106 West 35th Street, Chicago, Ill. 60609. Applicant's representative: Paul Bergant (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Perishable bacteriological culture media*, between points in Johnson County, Kans., on the one hand, and, on the other points in Missouri, Illinois, Nebraska.

NOTE.—Applicant holds contract carrier authority in No. MC-128616 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 115311 (Sub-No. 191), filed May 24, 1976. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, Ga. 31061. Applicant's representative: K. Edward Wolcott, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, wall, or insulating boards and ceiling tile and materials and supplies* used in the installation of building, wall, insulation boards or ceiling tile, between the plantsite and facilities utilized by Armstrong Cork Company located at or near Macon, Ga., on the one hand, and, on the other, points in Arkansas, Delaware, Illinois, Indiana, Iowa, Kansas, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 115331 (Sub-No. 411), filed June 10, 1976. Applicant: TRUCK TRANSPORT, INCORPORATED, 29 Clayton Hills Lane, St. Louis, Mo. 63131, Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over in regular routes, transporting: *Sugar, corn products, and blends containing corn products*, in bulk, from Decatur, Ala., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 117119 (Sub-No. 583), filed June 8, 1976. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soy products and by-products*, not frozen (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from the plantsites and warehouse facilities of Central Soya Co., at Chicago and Gibson City, Ill.; Decatur and Indianapolis, Ind.; Belmond, Iowa; Bellevue, Ohio; and Chattanooga, Tenn., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, restricted to traffic originating at the above-named points.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 117119 (Sub-No. 584), filed June 8, 1976. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemical products*, including but not limited to cleaning and defoaming compounds, textile softeners, sizing (except in bulk), from the plantsites of Diamond Shamrock Chemical Corporation, located at Charlotte, N.C., and Cedartown, Ga., to points in California, restricted to traffic originating at the named plantsites.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Philadelphia, Pa. or Washington, D.C.

No. MC 117344 (Sub-No. 253), filed June 11, 1976. Applicant: THE MAXWELL CO., a Corporation, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: James R. Stiverson, 1396 West Fifth Avenue, Columbus, Ohio 43212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resins*, in bulk, in tank vehicles, from Covington, Ky., to points in Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 119726 (Sub-No. 74), filed June 7, 1976. Applicant: N.A.B. TRUCKING CO., INC., 3220 Bluff Road, Indianapolis, Ind. 46217. Applicant's representative: James L. Beattey, 130 East Washington St., Suite One Thousand, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products*, from points in Stone County, Miss., to points in Alabama (except Mobile), Arkansas, Florida, Georgia, Kansas, Nebraska, North Carolina, North Dakota, Missouri, Oklahoma, South Carolina, South Dakota, Tennessee and Texas; and (2) *materials and supplies* used in the manufacture of paper and paper products, from points in the destination states named in (1) above, to points in Stone County, Miss.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 120657 (Sub-No. 6), filed June 14, 1976. Applicant: DUGAN TRUCK LINE, INC., 1407 South Walnut, Wichita, Kans. 67213. Applicant's representative: William H. Shawn, 1730 M Street, NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, housesold goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Between McPherons, Kans., and Wichita, Kans., serving all intermediate points: From McPherson over Interstate Highway 35W to Wichita, and return over the same route.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Wichita, Kans., Kansas City, Mo., or Denver, Colo.

No. MC 120737 (Sub-No. 39), filed June 8, 1976. Applicant: STAR DELIVERY &

TRANSFER, INC., South Fourth Avenue, P.O. Box 39, Canton, Ill. 61520. Applicant's representative: James C. Hardman, 33 North LaSalle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery and implements, grain headers and corn heads;* and (2) *tractors* (except truck tractors) and *parts and attachments* for agricultural machinery, agricultural implements and tractors, when moving in mixed loads with the commodities named in (1) above from the plantsites and facilities utilized by International Harvester Company, located at East Moline, Moline and Rock Island, Ill., to points in the United States (except Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming), restricted to traffic originating at the above-named origins and destined to the above-named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 123048 (Sub-No. 342), filed June 10, 1976. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 5021 21st St., P.O. Box A, Racine, Wis. 53406. Applicant's representative: Paul C. Gartzke, 121 West Doty St., Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Forest products, poles, posts, pilings and cross-arms*, from Pensacola, Fla., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Tennessee and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either New Orleans, La. or Pensacola, Fla.

No. MC 126276 (Sub-No. 152), filed June 7, 1976. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainfield Rd., Brookfield, Ill. 60513. Applicant's representative: James C. Hardman, 33 North LaSalle Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers and closures*, (1) from St. Louis, Mo. to Louisville, Ky.; and (2) from Cincinnati, Ohio to Indianapolis, Ind., under a continuing contract, or contracts, with The Continental Group, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 126855 (Sub-No. 5), filed May 18, 1976. Applicant: STERLING TRUCKING, INC., 2 Kenny Place, Seaddle Brook, N.J. 07662. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Compound*, used in the manufacture and distribution of tin cans and pails, from Cambridge, Mass., to Saddle Brook, N.J.; (2) *wire* used in the manufacture and distribution of tin cans and pails, from Cortland, Ohio, to Saddle Brook, N.J.; (3) *cold rollers sheet steel, tin plate and black plate*, used in the manufacture and distribution of tin cans and pails, from Philadelphia and Dravosburg, Pa., and Yorkville, Ohio, to Saddle Brook and Elizabeth, N.J.; and (4) *plastic containers, and steel and tin cans and pails*, from Saddle Brook, N.J., to points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Mississippi, North Carolina, South Carolina, Tennessee, West Virginia, Wisconsin and New Hampshire (except Wilton, N.H.), under a continuing contract, or contracts, with Fein Container Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Newark, N.J. and New York, N.Y.

No. MC 126899 (Sub-No. 100), filed May 27, 1976. Applicant: USHER TRANSPORT, INC., 3925 Old Benton Road, P.O. Box 3156, Paducah, Ky. 42001. Applicant's representative: George M. Catlett, 703–706 McClure Bldg., Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages*, in containers, from Columbus, Ohio, to Buffalo, N.Y.; and (2) *Empty malt beverage containers*, from Buffalo, N.Y., to Columbus Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Buffalo, N.Y.

No. MC 128860 (Sub-No. 14), filed June 7, 1976. Applicant: LARRY'S EXPRESS, INC., 720 Lake Street, Tomah, Wis. 54660. Applicant's representative: Edward Solie, Executive Bldg., Suite 100, 4513 Vernon Blvd., Madison, Wis. 53705. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, and related advertising materials, premiums, and malt beverage dispensing equipment*, in mixed loads with malt beverages, from Belleville, Ill., to points in Iowa, Minnesota, Missouri, Wisconsin, and the Upper Peninsula of Michigan, limited to a transportation service to be performed, under a continuing contract, or contracts, with Carling National Breweries, Inc. of Baltimore, Md.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Madison, Wis.

No. MC 129788 (Sub-No. 6), filed June 15, 1976. Applicant: NASS TRUCK LINES, INC., Box 'H', Wenona, Ill. 61377. Applicant's representative: E. Stephen Heisley, Suite 805, 666 Eleventh Street, NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising materials*, (1) from Evansville, Ind., to Peoria, Ill., and (2) from Evansville, Ind. and Newport, Ky., to Rockford, Ill.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 129981 (Sub-No. 5), filed June 10, 1976. Applicant: BRIDGFORD DISTRIBUTION CO., One Frozen Food Plaza, Secaucus, N.J. 07094. Applicant's representative: J. Max Harding, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, tansporting: (1) *Processed meat and meat products, cheese, salads, salad dressings and dips*, from the plantsite and warehouse facilities utilized by Bridgford Foods Corporation located at Dallas, Tex., to points in the United States (except those in Alaska, Connecticut, Hawaii, Maine, Massachusetts, New Hampshire, New York, North Dakota, Rhode Island, South Dakota, Texas, and Vermont); and (2) *materials, supplies and equipment* utilized in the manufacture, sale and distribution of the commodities specified above, from points in the United States (except those in Alaska, Connecticut, Hawaii, Maine, Massachusetts, New Hampshire, New York, North Dakota, Rhode Island, South Dakota, Texas, and Vermont) to the plantsite and warehouse facilities of Bridgford Foods Corporation located at Dallas, Tex., restricted to a transportation service to be performed under a continuing contract or contracts with Bridgford Foods Corporation located at Dallas, Tex.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 133296 (Sub-No. 7), filed June 7, 1976. Applicant: YULE TRANSPORT, INC., P.O. Box 42, Medford, Minn. 55040. Applicant's representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Owatonna, Minn., to points in Indiana, Iowa, Kansas, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin; and (2) *Canned goods and canned goods labels*, from points in Iowa, Nebraska and Wisconsin, to Owatonna, Minn., under a continuing contract or cotracts with Tendersweet Sales Corp., and Owatonna Canning Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 133689 (Sub-No. 77) filed June 8, 1976. Applicant: OVERLAND EXPRESS, INC., 719 First St. SW., New Brighton, Minn. 55112. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from the plantside and storage facilities of Maple Island, Inc., located at or near Wanamingo, Claremount and Preston, Minn., to Rockford, Ill., restricted to traffic originating at the named origins and destined to the named destination.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 133796 (Sub-No. 31), filed June 10, 1976. Applicant: GEORGE APPEL, 249 Carverton Road, Trucksville, Pa. 18708. Applicant's representative: Joseph F. Hoary, 121 S. Main Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Skis and ski paraphernalia*, from Shelburne, Vt. to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant holds contract carrier authority in MC 129239, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC 134145 (Sub-No. 62), filed June 11, 1976. Applicant: NORTH STAR TRANSPORT, INC., Rt. 1, Highway 1 and 59 West, Thief River Falls, Minn. 56701. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Parts* for computing machines and *materials and supplies* used in the manufacture or operation thereof (except commodities in bulk), from Middleville and Coldwater, Mich., to Minneapolis, Minn., under a continuing contract, or contracts, with Control Data Corp.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 134922 (Sub-No. 176), filed June 14, 1976. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Bob McAdams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, plastics, compounds and animal feed supplements* (except in bulk), in vehicles equipped with mechanical refrigeration, from points in Brazoria County, Tex., to points in Arizona, California, Colorado, Idaho, those points in Iowa on and west of U.S. Highway 169 (except Council Bluffs), points in Minnesota (except points in the Minneapolis and St. Paul Commercial Zones), points in Montana, Nebraska (except Lincoln and Omaha), and points in Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah and Washington; and (2) from Lima, Ohio, to points in Arizona, Colorado, California, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 135797 (Sub-No. 54) (Correction), filed April 29, 1976, published in the FEDERAL REGISTER issue of June 3, 1976, and republished as corrected this issue. Applicant: J. B. HUNT TRANSPORT, INC., U.S. Highway 71, P.O. Box 200, Lowell, Ark. 72745. Applicant's representative: L. C. Cypert, 204 Highway 71 North, Suite 3, Springdale, Ark. 72764. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Pet food*, dry (except in bulk), from Red Bay, Ala. and Tupelo, Miss. to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—The purpose of this republication is to add West Virginia as a destination point. If a hearing is deemed necessary, the applicant requests it be held at either Birmingham or Memphis, Tenn.

No. MC 136095 (Sub-No. 3), filed June 7, 1976. Applicant: ROBERT L. GILBERT AND LOU E. GILBERT, a Partnership, doing business as GILBERT EXPRESS LINE, 1604 Edgevale Road, Fort Pierce, Fla. 33450. Applicant's representative: John P. Bond, 2766 Douglas Road, Miami, Fla. 33133. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Accessories* used by the floral industry, from Kent, Ohio to points in Alabama, Florida, Georgia, Kentucky, Maryland, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia, under a continuing contract, or contracts, with Smithers-Oasis.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kent, Ohio.

No. MC 136221 (Sub-No. 7), filed June 8, 1976. Applicant: H. L. STANSELL, INC., 1015 Illinois Avenue, Palm Harbor, Fla. 33563. Applicant's representative: David C. Venable, Suite 805, 666 Eleventh Street, NW., Washington, D.C. 20001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Porcelain coated earthenware and steelware* (except in bulk), (1) from Knoxville, Tenn., Robinson and Abingdon, Ill., to points in Florida; and (2) from Robinson and Abingdon, Ill., to Knoxville, Tenn., under a continuing contract, or contracts, with Briggs Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Tampa or Orlando, Fla.

No. MC 136246 (Sub-No. 12), filed June 15, 1976. Applicant: GEORGE BROS. INC., P.O. Box 492, Sutton, Nebr. 68979. Applicant's representative: Arlyn L Westergren, 530 Univac Bldg, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic tanks and fittings*, from the facilities of Hollowform, Inc., located at Marked Tree, Ark. to points in Iowa, Kansas and Nebraska.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC 136310 (Sub-No. 5), filed June 1, 1976. Applicant: R. WALKER TRUCKING, INC., 1409 East 19th, The Dalles, Oreg. 97058. Applicant's representative: Douglas A. Wilson, 303 East D Street, Yakima, Wash. 98901. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, tansporting: (1) *Grain flour, cereals*, ground, rolled, and cracked, that requiring further cooking, no additives and chemicals, and *croutons*, from Seattle, Wash., to Portland, Oreg., South San Francisco, Richmond, Los Angeles, Compton, Montebello, North Hollywood and Oakland, Calif. and Phoenix, Ariz.; and (2) *stuffing mix and croutons*, from Montebello, Calif., to Portland, Oreg. and Seattle, Wash., for the account of and under a continuing contract, or contracts, with Oroweat Food Company, located at Seattle, Wash. and Oroweat Baking Company, located at Montebello, Calif.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Portland, Oreg. or Seattle, Wash.

No. MC 136318 (Sub-No. 44), filed June 7, 1976. Applicant: COYOTE TRUCK LINE, INC., P.O. Box 756, Thomasville, N.C. 27360. Applicant's representative: David R. Parker, 2310 Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and furnishings*, from points in California, Oregon and Washington, to points in the United States (except Alaska and Hawaii), under a continuing contract, or contracts, with Levitz Furniture Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Miami, Fla.

No. MC 136343 (Sub-No. 81), filed June 7, 1976. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper, paper products, wood pulp and equipment, materials and supplies* used in the operation of paper mills (except commodities in bulk and commodities, the transportation of which, because of size and weight require the use of special equipment), (1) between the facilities of the Kennebec River Pulp and Paper Co., Inc. and/or Penntech Papers, Inc., located at Madison, Maine, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, Maryland, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin and the District of Columbia; and (2) between the facilities of Penntech Papers, Inc., located at Johnsonburg, Pa., on the one hand, and,

on the other, points in Alabama, Florida, Georgia, Kansas, Maine, Minnesota, Mississippi, South Carolina and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y. or Washington, D.C.

No. MC 138104 (Sub-No. 34), filed June 8, 1976. Applicant: MOORE TRANSPORTATION CO., INC., 3509 N. Grove Street, Fort Worth, Tex. 76106. Applicant's representative: Bernard H. English, 6270 Firth Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Reinforcing iron and steel wire mesh and bars*, from the plantside and storage facilities of Foundation Steel and Wire Co., located at Houston, Tex., to points in Arkansas, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Fort Worth or Houston, Tex.

No. MC 138235 (Sub-No. 7), filed June 9, 1976. Applicant: DECKER TRANSPORT COMPANY, INCORPORATED, 412 Route 23, Pompton Plains, N.J. 07444. Applicant's Hugh T. Matthews, 2340 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles, hardware, conveyors and conveyor equipment, furniture, power equipment, wheel goods, bicycles and parts thereof and attachments* and *accessories* therefor and *materials, equipment and supplies* used in the manufacture and distribution thereof, between the plantsites and storage facilities of MTD Products, Inc., at or near Cleveland, Shelby, Strongsville and Willard, Ohio, on the one hand, and, on the other, points in and west of Arizona, Colorado, Kansas, Nebraska, North Dakota, and South Dakota, under a continuing contract or contracts with MTD Products, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Tex.

No. MC 138469 (Sub-No. 24), filed June 10, 1976. Applicant: DONCO CARRIERS, INC., 641 North Meridian, P.O. Box 75354, Oklahoma City, Okla. 73107. Applicant's representative: Jack H. Blanshan, Suite 200, 205 West Touhy Avenue, Park Ridge, Ill. 60068. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel and plastic strappings, steel and plastic bands, bailing, tie buckle, strapping seals, wire reels, gummed tape, packing containers and mechanical hand tools*, from the facilities of A. J. Gerrard & Company located at or near Des Plaines, Ill., and Leeds, Ala., to points in California, Oregon and Washington, restricted to the transportation of traffic originating at the above named origins.

NOTE.—Applicant holds contract carrier authority in No. MC 136375 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 138469 (Sub-No. 25), June 16, 1976. Applicant: DONCO CARRIERS INC., 641 North Meridian, P.O. Box 75354, Oklahoma City, Okla. 73107. Applicant's representative: W. Randall Tye, 1400 Candler Bldg., Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal stampings*, from the plantsite and warehouse facilities of Magnetic Metals, Inc., located at or near Camden, N.J. to Fort Smith, Ark.

NOTE.—Applicant holds contract carrier authority in MC 138469 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Oklahoma City, Okla.

No. MC 138627 (Sub-No. 10), filed June 14, 1976. Applicant: SMITHWAY MOTOR XPRESS, INC., Route 4, P.O. Box 404, Fort Dodge, Iowa 50501. Applicant's representative: Arlyn L. Westergren, Suite 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal articles*, between Oswego and Fort Scott, Kans., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Omaha, Nebr. or Kansas City, Kans.

No. MC 138627 (Sub-No. 11), filed June 15, 1976. Applicant: SMITHWAY MOTOR XPRESS, INC., P.O. Box 404, Fort Dodge, Iowa 50501. Applicant's representative: Arlyn L. Westergren, Suite 530 Univac Bldg., 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, between Stephens County, Okla., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kansas, Kentucky, Missouri, Nebraska, and Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Neb.

No. MC 139468 (Sub-No. 19), filed June 8, 1976. Applicant: INTERNATIONAL CONTRACT CARRIERS, INC., 6534 Gessner, Houston, Tex. 77040. Applicant's representative: David R. Parker, 2310 Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies and equipment* utilized in the manufacturing, distribution and storage of building, building sections, building panels, pre-fabricated structural components and panels, and related accessories (except commodities in bulk, in tank vehicles), from points in the United States (except Alaska and Hawaii), to Houston, Tex., La Grange, Ga. and Terre Haute, Ind., restricted to traffic destined to the plantsite and facilities utilized by, and under a continuing contract, or contracts, with National Steel Products Company, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Houston, Tex.

No. MC 139923 (Sub-No. 15), filed June 7, 1976. Applicant: MILLER TRUCKING CO., INC., P.O. Drawer D, Stroud, Okla. 74079. Applicant's representative: Jack H. Blanshan, 205 West Touhy Avenue, Suite 200, Park Ridge, Ill. 60068. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Food and food products*, from the facilities of Far-Mar-Co., Inc., located at or near Overland Park, Kans., to points in Arkansas, Colorado, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, the District of Columbia, and Shreveport, La., and Carson, Calif.; (2) *food and food products*, from the facilities of Far-Mar-Co., Inc., located at or near Hutchinson, Kans., to points in the United States (except Alaska, Hawaii and Kansas); (3) *food and food products*, from the facilities of Far-Mar-Co., Inc., located at or near Shreveport, La., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Kansas, Kentucky, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Texas, Tennessee, Virginia, West Virginia, the District of Columbia and Carson, Calif.; (4) *food and food products*, from the facilities for Far-Mar-Co., Inc., located at or near Carson, Calif., to points in Arizona, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, Wyoming and Overland Park and Hutchinson, Kans., and Shreveport, La.; (5) *Soybean flour and soy protein concentrate*, from the facilities of Far-Mar-Co., Inc., located at or near St. Joseph, Mo., to points in the United States (except Alaska, Hawaii and Missouri); and (6) *animal feed flavorings*, from the facilities of Far-Mar-Co., Inc., located at or near Overland Park, Kans., to points in the United States (except Alaska, Hawaii and Kansas), restricted in (1), (2), (3), (4), (5), and (6) above to the transportation of traffic originating at the named origins, and further restricted against the transportation of commodities in bulk.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Kansas City, Mo. or Wichita, Kans.

No. MC 140511 (Sub-No. 2), filed June 11, 1976. Applicant: AUTOLOG CORPORATION, 319 West 101 Street, New York, N.Y. 10025. Applicant's representative: Myron Levine (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Used*

passenger automobiles; and (2) *baggage, sporting equipment and personal effects* of the owners thereof, when moving with used passenger automobiles, in secondary movement in truckaway service, between points in Connecticut, Delaware, Illinois, Iowa, Indiana, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Wisconsin, and the District of Columbia, on the one hand, and, on the other, points in Florida south, and/or east of the Ochlockonee River.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 141534 (Sub-No. 3), filed June 15, 1976. Applicant: IREDELL MILK TRANSPORTATION, INC., Route 3, Box 368, Mooresville, N.C. 28115. Applicant's representative: George W. Clapp, P.O. Box 836, Taylors, S.C. 29687. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Orange juice*, in bulk, in tank vehicles, from Orlando, Fla. to the plantsite of Gerber Products Company, located at or near Asheville, N.C., under a continuing contract or contracts with Gerber Products Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Asheville or Charlotte, N.C.

No. MC 141804 (Sub-No. 15), filed June 11, 1976. Applicant: WESTERN EXPRESS, DIVISION OF INTERSTATE RENTAL, INC., P.O. Box 422, Goodlettsville, Tenn. 37072. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68509. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Mississippi, to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Memphis, Tenn. or Jackson, Miss.

No. MC 141862 (Sub-No. 1), filed June 15, 1976. Applicant: TRANS ALTA TRUCK LINES LTD., P.O. Box 24, Lethbridge Alberta, Canada T1J 3Y3. Applicant's representative: Ray F. Koby, 314 Montana Bldg., Great Falls, Mont. 59401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides* (fresh or green, salted or unsalted, fleshed or unfleshed), *fleshings and trimmings*, from the International Boundary Line between the United States and Canada, located at or near the ports of entry of Sweetgrass, Mont.; Portal, N. Dak. and Noyes, Minn. to Denver, Colo.; Chicago, Ill.; St. Joseph, Mo.; Omaha, Nebr.; Houston and Laredo, Tex. and Milwaukee, Wis., restricted to traffic moving in foreign commerce originating in Alberta, Canada.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Montana.

No. MC 142000 (Sub-No. 2), filed June 8, 1976. Applicant: LOWELL SAMPSON, INC., 400 East Lundy Lane, Leland, Ill. 60531. Applicant's representative: Albert A. Andrin, 180 North La Salle Street, Chicago, Ill. 60601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat and bone meal, meat meal, blood meal, and meat and bone meal tankage*, from Rochelle, Ill., to points in Indiana, Iowa, Wisconsin, and Battle Creek, Grand Rapids, and Holland, Mich.; and (2) *dry rendered tankage, dry blood, meat and bone meal and meat meal*, from the destination points listed in (1) above, to Rochelle, Ill.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 142081, filed April 19, 1976. Applicant: ETHLAR T. SMALL, ERIC T. SMALL AND CRAIG T. SMALL doing business as, SMALL'S L P CO., P.O. Box 397, Wyatt, Mo. 63882. Applicant's representative: Eric T. Small (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Gravel, limestone, sand, propane, butane and ammonia NH3*, (a) between Anna, Ill. and Wyatt, Mo.: From Anna, Ill., over U.S. Highway 51 to Illinois State Highway 3, thence over State Highway 3 to U.S. Highway 60, thence over U.S. Highway 60 to Wyatt, Mo. and return over the same route, serving no intermediate points; (b) between Anna, Ill. and Dexter, Mo.: from Anna, Ill., over U.S. Highway 51 to Illinois State Highway 3, thence over State Highway 3 to U.S. Highway 60, thence over U.S. Highway 60 to Dexter, Mo. and return over the same route, serving no intermediate points; (c) between Woodriver, Ill. and Wyatt, Mo.: from Woodriver, Ill., over Interstate Highway 55 to U.S. Highway 60, thence over U.S. Highway 60 to Wyatt, Mo. and return over the same route, serving no intermediate points; and (d) between Woodriver, Ill. and Dexter, Mo.: from Woodriver, Ill., over Interstate Highway 55 to U.S. Highway 60, thence over U.S. Highway 60 to Dexter, Mo. and return over the same route, serving no intermediate points.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Charleston, Mo.

No. MC 142100 (Sub-No. 1), filed May 24, 1976. Applicant: KENNETH R. HAUK, doing business as KEN'S EXPRESS, 1590 Keeven Lane, Florissant, Mo. 63031. Applicant's representative: B. W. La Tourette, Jr., 11 S. Meramec, Suite 1400, St. Louis, Mo. 63105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paint, watches and other valuable jewelry, portable electronic calculators, and citizen band radios* under continuing contract with Venture Stores, and the E. I. DuPont De-Nemours and Co. between points in St. Louis County, Mo. and Alton and Belleville, Ill.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either St. Louis, Mo., or Springfield, Ill.

No. MC 142107 (Sub-No. 1), filed May 24, 1976. Applicant: H & M TRUCKING CO., P.O. Box 173, Clinton, Ill. 61727. Applicant's representative: B. W. LaTourette, Jr., 11 S. Meramec, Suite 1400, St. Louis, Mo. 63105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Feed ingredients*, between points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio and Wisconsin; and (2) *liquid fertilizer*, from Clinton, Iowa, to points in Illinois.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either St. Louis, Mo. or Chicago, Ill.

No. MC 142149 (Sub-No. 2), filed June 14, 1976. Applicant: WASTE MANAGEMENT, INC., doing business as SOUTHERN SANITATION SERVICE, 2300 West Commercial Boulevard, Fort Lauderdale, Fla. 33309. Applicant's representative: John P. Bond, 2766 Douglas Road, Miami, Fla. 33133. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal consisting of lead and copper, together with waste materials, loose*, between points in Florida, under contract with Southern Bell Telephone and Telegraph Company, having a subsequent movement by motor carrier.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Miami or Fort Lauderdale, Fla.

No. MC 142153 (Sub-No. 1), filed June 8, 1976. Applicant: DANNER'S INCORPORATED, 102 Bedford, Houston, Tex. 77012. Applicant's representative: John W. Carlisle, 609 Fannin Building, Suite 300, Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Engine or motor parts and equipment and parts* thereof used on ships and ocean going vessels for the operation, maintenance and safety of such ships and vessels, (1) from Intercontinental Airport, Houston, Tex.; Gulfport-Biloxi, Municipal Airport, Gulfport-Biloxi, Miss.; Ryan Airport, Baton Rouge, La.; Greenville Municipal Airport, Greenville, Miss.; Rio Grande Valley Airport, Brownsville, Tex.; Moisant Airport, Metairie, La.; Corpus Christi International Airport, Corpus Christi, Tex.; Lake Charles Municipal Airport, Lake Charles, La.; Jefferson County Airport, Beaumont, Tex.; and Scholes Field, Galveston, Tex.; to the following Gulf Ports: Houston Navigation District, Baytown-LaPorte, Galveston, Corpus Christi, Port Lavaca, Orange, Brownsville, Port Arthur, Beaumont, Freeport, Port Neches, and Texas City, Tex.; Lake Charles, Baton Rouge, and New Orleans, La.; Gulfport, Biloxi, Pascagoula and Greenville, Miss.; and (2) between the Gulf Ports named in (1) above, restricted to pick-up and delivery service at the airports named above and at port facilities located at or near the Gulf

Ports named, to 24 hour on call, on demand with pick-up service being performed within 12 hours of receiving a request for service, and in (2) above to pick-up and delivery services at port facilities located at or near the Gulf Ports named above.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Houston, Tex.

No. MC 142164, filed May 27, 1976. Applicant: PLATT'S GARAGE, INC., 1102 Washington Avenue, Wisconsin Dells, Wis. 53965. Applicant's representative: Wayne W. Wilson, 329 W. Wilson Street, Madison, Wis. 53701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, damaged, disabled, inoperative, stolen, repossessed, used, abandoned and replacement vehicles and parts and equipment* for all such items, betweens, Adams, Columbia, Juneau, Marquette, Richland, and Sauk Counties, Wis., on the one hand, and, on the other, points in Illinois, Iowa, Minnesota, North Dakota, South Dakota and that portion of Indiana located on and north of a line commencing at the Illinois-Indiana border, extending easterly along U.S. Highway 24 to its junction with U.S. Highway 224, thence easterly along U.S. Highway 224 to the Indiana-Ohio border, and that portion of Michigan located on and west of a line commencing at the Michigan-Ohio border and extending northerly along U.S. Highway 127 to its junction with U.S. Highway 27, thence northerly along U.S. Highway 27 to its junction with I–75, thence northerly along I–75 to Mackinaw City, Mich. and points in the Upper Peninsula of Michigan.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Madison or Wisconsin Dells, Wis.

No. MC 142179 (Sub–No. 1), filed June 10, 1976. Applicant: WILLIAM C. SAPP, JR. AND JAMES P. SAPP, doing business as SAPP SERVICE CENTER, 306 Coastal Highway, Port Wentworth, Ga. 31407. Applicant's representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, damaged or disabled vehicles, and replacement vehicles*, in wrecker service only, between points in Georgia, on the one hand, and, on the other, points in Alabama, Florida, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Savannah, Ga.

No. MC 142181, filed June 17, 1976. Applicant: LIBERTY CONTRACT CARRIER, INC., 214 Hermitage Avenue, P.O. Box 1104, Nashville, Tenn. 37202. Applicant's representative: David M. Schwartz, 1025 Connecticut Ave., Suite 500, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities* as are sold or dealt in by discount department stores; and (2) *equipment, materials and supplies* used in the conduct of such businesses, between the retail and wholesale stores, warehouses, and sources of supply of Dollar General Corporation, located at points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia and West Virginia, under a continuing contract or contracts with Dollar General Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Nashville, Tenn.

No. MC 142194, filed June 4, 1976. Applicant: LANSER GARAGE & TOWING, INC., 817 Main Street, Belgium, Wis. 53004. Applicant's representative: Nancy J. Johnson, 4506 Regent Street, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, damaged or disabled vehicles, replacement vehicles, and parts* dispatched to relieve wrecked, damaged or disabled vehicles, by use of wrecker equipment, between points in Wisconsin bounded by a line commencing at Lake Michigan, and extending westerly from Manitowoc, Wis., over U.S. Highway 151 to its junction with U.S. Highway 41, at or near Fond du Lac, Wis.; thence south over U.S. Highway 41 to its junction with Wisconsin Highway 33; thence easterly over Wisconsin Highway 33 to the shore of Lake Michigan, at or near Port Washington, Wis.; thence northerly along the shore of Lake Michigan, to the point of beginning, including all points located on said highways and their respective Commercial Zones, on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Michigan, Minnesota, and Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Milwaukee or Madison, Wis.

No. MC 142195, filed June 1, 1976. Applicant: HENRY R. MILLER AND RAYMOND A. MILLER, a Partnership, doing business as MILLER BROTHERS TRUCKING, Parkfield Rt., San Miguel, Calif. 93451. Applicant's representative: Thomas M. Loughran, 100 Bush Street, San Francisco, Calif. 94104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed supplement*, in tank vehicles, from San Jose, Calif., to points in Klamath, Jackson, Jefferson, Douglas and Lake Counties, Oreg.; points in Washoe, Douglas, Humboldt, Elko, Lander and Mineral Counties, Nev.; and points in Yavapai, Coconino, Navajo, Apache and Mohave Counties, Ariz., under a continuing contract with Loomix, Incorporated.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

BROKER APPLICATION

No. MC 130381, filed March 9, 1976. Applicant: LEONARD JOHNSON AND JOYCE JOHNSON, doing business as ANCHOR TRAVEL AGENCY, 4414 Bayard Street, San Diego, Calif. 92109. Applicant's representative: Joyce Johnson (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at San Diego, Calif. to sell or offer to sell the transportation of *passengers*, as individuals and in groups, and their *baggage*, in special and charter operations by motor, air, water, and rail carriers, beginning and ending at points in Arizona, California and Nevada and extending to points in the United States, including Alaska and Hawaii, and points in Canada and the Republic of Mexico.

NOTE.—If a hearing is deemed necessary, the applicant does not specify a location.

WATER APPLICATION

No. W–1308, filed June 4, 1976. Applicant BLAINE F. CLAYPOOL, doing business as RED WING EXCURSIONS, 318 North Franklin Street, Lake City, Minn. 55041. Applicant's representative: Blaine F. Claypool (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce as a *common carrier by water* in the transportation of *Passengers*, by self-propelled vessel, in round-trip regular daily scheduled and special charter sight-seeing trips on the Mississippi River, from Port of Red Wing, Minn., to Prairie Island, Minn, approximately 8 miles north of Red Wing, Minn., to the Bay City, Wis. area, approximately 9 miles south of Red Wing, Minn., operating seasonally from May 1st through October 31st of each year.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Minneapolis or St. Paul, Minn.

FINANCE APPLICATIONS

The following applications seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control through ownership of stock, of rail carriers or motor carriers pursuant to Sections 5(2) or 210a(b) of the Interstate Commerce Act.

An original and two copies of protests to the granting of the requested authority must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protest shall comply with Special Rules 240(c) or 240(d) of the Commission's *General Rules of Practice* (49 CFR § 1100.240) and shall include a concise statement of protestant's interest in the proceeding. A copy of the protest shall be served concurrently upon applicant's representative, or applicant if no representative is named.

No. MC–F–12861. Authority sought for purchase by ASTRO VAN LINES, INC., 621 South Pickett Street, Alexandria, VA 22304, of the operating rights of ADOBE VAN & STORAGE COMPANY, INC., 644 N. Main, Sheridan, WYO. 82801, and for acquisition by J. H. SILLS, 621 So. Pickett St., Alexandria, VA., 22304, of control of such rights through the purchase. Applicants attorney: Robert J. Gallagher, 55 Madison Avenue, Morristown, N.J., 07960. Operating rights sought to be

transferred: *Household goods*, as defined by the Commission, as a *common carrier* over irregular routes, betwen points in Arizona, between points in McKinley, San Juan, and Valencia Counties, N. Mex., on the one hand, and, on the other, Durango, Colo., and points in Colorado within 100 miles thereof, Lupton, Ariz., and points in Arizona within 200 miles thereof, and Monticello, Utah, and points in Utah within 100 miles thereof; *household goods*, between points in McKinley, San Juan, and Valencia Counties, N. Mex., other than between points both of which are served by rail lines or both of which are served by regular routes motor common carriers. Vendee is authorized to operate as a *common carrier* in all states in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a(b).

NOTE.—MC-36900 (Sub No. 16) is a directly related matter.

No. MC-F-12864. Authority sought for control and merger by MAIERS MOTOR FREIGHT COMPANY., 875 East Huron Avenue, Vassar, MI., 48768, of MILLER TRANSPORTATION CORPORATION, 4035 Jimbo Drive, Flint, MI, 48507, and for acquisition by ESTATE OF CLARE E. MAIERS, GREGORY S. MAIERS, and BLAIR E. MAIERS, all of 875 Huron Avenue, Vassar, MI. 48768, of control of such rights through the transaction. Applicants' attorney: John W. Ester, 100 West Long Lake Road-Suite 102, Bloomfield Hills, Michigan, 48013. Operating rights sought to be controlled and merged: Under a certificate of registration in Docket No. MC-98174 and subs thereunder, covering the transportation of general commodities, as a common carrier, in interstate commerce, within the State of Michigan. Vendee is authorized to operate as a *common carrier* in Michigan, Indiana, Ohio, and Kentucky. Application has not been filed for temporary authority under section 210a (b).

No. MC-F-12872. Authority sought for purchase by EAST TEXAS MOTOR FREIGHT LINES, INC., DBA ETMF FREIGHT SYSTEM, 2355 Stemmons Freeway, Dallas TX., 75207, of a portion of the operating rights and property of TRANSAMERICAN FREIGHT LINES, INC., Represented by HAROLD O. LOVE, RECEIVER, 5650 Foremost Drive S.E., Grand Rapids, Michigan, 49506, and for acquisition by H. R. BRIGHT, INDIVIDUALLY AND AS EXECUTOR AND TRUSTEE OF THE ESTATE OF MARY FRANCES SMITH BRIGHT, DEC'D., and H. G. SCHIFF, 2355 Stemmons Freeway, Dallas, TX., 75207, of control of such rights and property through the purchase. Applicants' attorneys: Phineas Stevens, P.O. Box 22567, Jackson, MS., 39205 and A. David Millner, 167 Fairfield Road, Fairfield, N.J., 07006. Operating rights and property sought to be purchased: *General commodities*, with exceptions as a *common carrier* over regular routes between Toledo, Ohio, and Indianapolis, Ind., with restrictions; between Toledo, Ohio, and Niles, Ohio, and Pittsburgh, Pa., service is authorized to and from all intermediate points; between Toledo, Ohio, and Cincinnati, Ohio; between Cincinnati, Ohio, and Chicago, Ill., service is not authorized to or from intermediate points; between Cincinnati, Ohio, and Pittsburg, Pa., service is authorized to and from all intermediate points; between Cincinnati, Ohio, and Louisville, Ky., service is not authorized to or from intermediate points; between Chicago, Ill., and Milwaukee, Wis., service is authorized to and from all intermediate points, with restrictions; between Chicago, Ill., and Indianapolis, Ind., service is not authorized to or from intermediate points; between Chicago, Ill., and Peoria, Ill., service is authorized to and from all intermediate points between Chenoa and Peoria; between Chicago, Ill., and Lima, Ohio, service is authorized to and from all intermediate points; between St. Louis, Mo., and Cleveland, Ohio, service is authorized to and from all intermediate points, with restrictions; between Indianapolis, Ind., and Peoria, Ill.

Between Jeffersonville and Versailles, Ind., service is not authorized to or from intermediate points or at Versailles; between Baltimore, Md., and Pittsburgh, Pa., serving all intermediate points, and the off-route points of Jeanette, and Latrobe, Pa., Mt. Savage, Md., those in Maryland within eight miles of Baltimore and those in Pennsylvania with 20 miles of Pittsburgh, between Washington, D.C. and Hagerstown, Md., serving all intermediate points, and the off-route points in Maryland within five miles of Washingon, and those in Virginia within 10 miles of Washington, between Hancock, Md. and Bedford, Pa., serving all intermediate points, between Cumberland, Md., and Pittsburgh, Pa., serving all intermediate points, between Uniontown, Pa., and Pittsburgh, Pa., serving all intermediate points, between Frostburg, Md., and Luke, Md., serving all intermediate points, and off-route points within 10 miles of the route described immediately below: from Frostburg over Maryland Highway 36 to the Maryland-West Virginia State line, thence over unnumbered highway to Piedmont, W. Va., thence across the Potomac River to Luke, and return over the same route; between Cumberland, Md., and Westernport, Md., serving all intermediate points, between Keysers Ridge, Md., and Parsons, W. Va., serving all intermediate points, and off-route points within 10 miles of the route described immediately below: From Keysers Ridge over U.S. Highway 219 to Parsons, and return over the same route, between Baltimore, Md., and Washington, D.C. serving the intermediate points of Beltsville, Laurel, and College Park, Md., and off-route points in Maryland within eight miles of Baltimore, those in Maryland within five miles of Washington, and those in Virginia within 10 miles of Washington, between Bedford, Pa., and Altoona, Pa., serving no intermediate points, between Baltimore, Md., and Hagerstown, Md., serving all intermediate points for perishable merchandise only, between Hollidaysburg, Pa., and Pittsburgh, Pa., serving no intermediate points, between Johnstown, Pa., and Armagh, Pa., serving no intermediate points, between Piney Grove, Md., and Jennerstown, Pa., serving no intermediate points, between Narrows Park, Md., and Berlin, Pa., serving no intermediate points, between Baltimore, Md., and Philadelphia, Pa., serving the intermediate points of Newcastle, and Wilmington, Del., and Chester, Pa., and the off-route points of Camden, N.J.

Between Washington, Pa., and Moundsville, W. Va., serving all intermediate points but restricted from rendering service over the route, as described immediately below, on traffic moving between any point on said route which is in West Virginia, on the one hand, and, on the other, points in Maryland; *groceries*, and *petroleum products*, excepting petroleum products, in bulk, and in tank vehicles, between Cresson, Pa., and Johnstown, Pa., serving no immediate points, between Jennerstown, Pa., and Johnstown, Pa., serving no intermediate points; *alcoholic liquors*, between Pittsburgh, Pa., and Greensburg, Pa., serving the intermediate point of Schenley, Pa.; alternate route for operating convenience only: *general commodities* with exceptions between Breezewood Tollgate (near Breezewood, Pa.) and Pittsburgh, Pa., serving no intermediate points, with restrictions; the off-route points following, Belmont, Ohio; Edgewood, Indiana; and Broad Ford, Pa.; Steubenville and Zanesville, Ohio, and Woodbury, New Jersey; Concrete paving machines, serving Madison, Ind., as an off-route point in connection with carrier's regular-route operations (1) between Cincinnati, Ohio, and Louisville, Ky., from Cincinnati over U.S. Highway 50 to Seymour, Ind., thence over U.S. Highway 31 to Louisville, and (2) between Indianapolis, Ind., and Louisville, Ky., from Indianapolis over U.S. Highway 31 to junction U.S. Highway 31W, thence over U.S. Highway 31W to Louisville, with restrictions.

General commodities, with exceptions serving Washingtonville, Ohio, as an off-route point in connection with carrier's authorized regular-route operations between Detroit, Mich., and Pittsburgh, Pa., extending in part over Ohio Highway 14; serving Princeville, Ill., as an off-route point in connection with carrier's regular route operations between Chicago, Ill., and Kansas City, Mo., over U.S. Highways 66 and 24 and Illinois Highway 29, with restrictions; the following off-route points, Nobelesville, Indiana, Waukesha, Wisconsin; serving the plant site of Goodyear Tire and Rubber Company at or near Luckey, Ohio as an off-route point in connection with carrier's authorized regular-route operations; serving the plant site of the Ford Motor Company, at the intersection of Westport Road and Murphy Lane, Jefferson County, near Louisville, Ky., as an off-route point in connection with carrier's authorized regular-route operations to and from Louisville, Ky.; Printed matter, telephone directories, and paper and materials, supplies and equipment used in the maintenance of print-

ing houses, serving the plant site of R.R. Donnelley & Sons Co., at or near Dwight, Ill., as an off-route point in connection with carrier's authorized regular-route operations to and from Chicago, Ill.; *general commodities*, with exceptions between Columbus, Ohio, and Dayton, Ohio. Vendee is authorized to operate as a *common carrier* in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, the District of Columbia, Georgia, Illinois, Indiana, Idaho, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. Application has been filed for temporary authority under section 210a(b).

OPERATING RIGHTS APPLICATIONS DIRECTLY RELATED TO FINANCE PROCEEDINGS

The following operating rights applications are filed in connection with pending finance applications under Section 5(2) of the Interstate Commerce Act, or seek tacking and/or gateway elimination in connection with pending transfer applications under Section 212(b) of the Interstate Commerce Act.

An original and two copies of protests to the granting of the authorities must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protests shall comply with Special Rule 247(d) of the Commission's *General Rules of Practice* (49 CFR § 1100.247) and include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this itme. A copy of the protest shall be served concurrently upon applicant's representative, or applicant if no representative is named.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its applications.

No. MC 83108 (Sub-No. 2) filed March 3, 1976. Applicant: FRANK AMODIO MOVING AND STORAGE CO., INC., 600 East, New Britain, Conn. 06614. Applicant's representative: Robert J. Gallagher, 55 Madison Ave., Morristown, N.J. 07960. 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 Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island and Vermont, on the one hand, and, on the other, points in Delaware, Maryland, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont and the District of Columbia. The purpose of this filing is to eliminate the gateway of New Britain, Conn.

NOTE.—This is a matter directly related to a Section 5(2) finance proceedings in MC–F–12788 published in the FEDERAL REGISTER issue of March 17, 1976. If a hearing is deemed necessary, the applicant requests it be held at Hartford, Conn.

No. MC 106451 (Sub-No. 16), filed June 7, 1976. Applicant: COOK MOTOR LINES, INC., P.O. Box 370, Akron, Ohio 44309. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between points in West Virginia on and north of U.S. Highway 60 (except Brooke and Hancock Counties, W. Va.), on the one hand, and, on the other, points in Ohio; and (2) between points in Boone, Braxton, Clay, Fayette, Greenbrier, Lincoln, Logan, McDowell, Mercer, Mingo, Monroe, Nicholas, Pocahontas, Raleigh, Summers, Webster and Wyoming Counties, W. Va., and those portions of Cabell, Kanawha (except that portion embraced in the Charleston, W. Va., Commercial Zone as defined by the Commission), Putnam and Wayne Counties, W. Va., which are within 75 miles of Gatewood, Fayette County, W. Va., and situated south of U.S. Highway 60, on the one hand, and, on the other, points in Ohio. The purpose of this filing in (1) and (2) above is to eliminate the gateways of Zanesville, Ohio and Union Township, Muskingum County, Ohio.

NOTE.—This is a matter directly related to a Section 5(2) finance proceeding in MC–F–12860 published in the FEDERAL REGISTER issue of June 23, 1976. If a hearing is deemed necessary, the applicant requests it be held at either Columbus, Ohio or Washington, D.C.

No. MC 110325 (Sub-No. 74) (correction), filed May 21, 1976, published in the FEDERAL REGISTER issue of June 24, 1976, and republished as corrected this issue. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, Calif. 90019. Applicant's representative: Wentworth E. Griffin, 1221 Baltimore Avenue, Kansas City, Mo. 64105. The purpose of this partial republication is to indicate that the previous publication incorrectly noted June 9, 1976 as the publication date of this directly related matter to a finance proceeding in MC–F–12843, the correct date should have been June 10, 1976.

No. MC 120364 (Sub-No. 12), filed June 7, 1976. Applicant: A & B FREIGHT LINE, INC., 2800 Falund Street, Rockford, Ill. 61109. Applicant's representative: Robert M. Kaske (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, (except those of unusual value, Classes A and B explosives, household goods, commodities in bulk, and those requiring special equipment), between points in Illinois on and east of Illinois Highway 59, and north of U.S. Highway 30 from its junction with Illinois Highway 59 to the Indiana State line. This is a matter directly related to a Section 5(2) finance proceeding in MC–F–12858, published in the FEDERAL REGISTER issue of June 24, 1976. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 120523 (Sub-No. 2) (Correction), filed May 22, 1976, published in the FEDERAL REGISTER issue of June 24, 1976, and republished as corrected this issue. Applicant: AURORA FAST FREIGHT, INC., 1859 Plain Avenue, P.O. Box 1111, Aurora, Ill. 60505. Applicant's representative: Daniel C. Sullivan, 327 South LaSalle Street, Chicago, Ill. 60604. The purpose of this partial republication is to correct applicant's zip code, published 60605 in lieu of 60505, and to indicate that the previous publication incorrectly noted June 9, 1976 as the publication date of this directly related matter to a finance proceeding in MC–F–12844, the correct date should have been June 10, 1976.

ABANDONMENT APPLICATIONS; NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act that orders have been entered in the following abandonment applications which are administratively final and which found that subject to conditions the present and future public convenience and necessity permit abandonment.

A Certificate of Abandonment will be issued to the applicant carriers 30 days after this FEDERAL REGISTER publication unless the instructions set forth in the notices are followed.

[Docket No. Ab–12 (Sub-No. 7)]

SOUTHERN PACIFIC TRANSPORTATION COMPANY ABANDONMENT BETWEEN CLARIBEL AND MONTPELIER, IN STANISLAUS COUNTY, CALIF.

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (Act) (49 U.S.C. 1a(6)(a)) that by an order entered on May 6, 1976, a finding, which is administratively final, was made by an Administrative Law Judge, in an initial decision, subject to conditions one of which provided for the protection of railway employees that are at least as beneficial to such provisions established pursuant to section 5(2)(b) of the Act and section 405 of the Rail Passenger Service Act, the present and future public convenience and necessity permit abandonment by the Southern Pacific Transportation Company of a portion of its branch line of railway extending from milepost 127.02 near Claribel in a southerly direction to the end of the line at milepost 140.29 near Montpelier, a distance of 13.27 miles in Stanislaus County, California. A certificate of abandonment will be issued to the Southern Pacific Transportation Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976 at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above referenced order.

[Docket No. AB-12 (Sub-No. 21)]

SOUTHERN PACIFIC TRANSPORTATION COMPANY ABANDONMENT BETWEEN YUBA CITY AND TUDOR IN SUTTER COUNTY, CALIF.

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on May 21, 1976, a finding, which is administratively final, was made by the Commission, Commissioner Brown, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in Chicago, B. & Q. R. Co., Abandonment, 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment by the Southern Pacific Transportation Company of its line of railroad extending from railroad Milepost 148.240 near Yuba City in a southerly direction to the end of the branch at railroad Milepost 156.808 near Tudor, a distance of 8.568 miles in Sutter County, California. A certificate of abandonment will be issued to the Southern Pacific Transportation Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-106]

COLORADO AND WYOMING RAILWAY COMPANY ABANDONMENT PORTION OF MAIN LINE TRACK ON THE MIDDLE FORK EXTENSION AT ALLEN MINE, LAS ANIMAS COUNTY, COLO.

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on May 21, 1976, a finding, which is administratively final, was made by the Commission, Commissioner Brown, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in Chicago, B. & Q. R. Co., Abandonment, 257 I.C.C. 700, the present and future public convenience and necessity permit abandonment by the Colorado and Wyoming Railway Company of a portion of its main line track on the Middle Fork Extension beginning at a point in said main track at Milepost 8.4 (ICC Engineering Station 444+84.6) in a westerly direction to end of line at Milepost 9.5 (ICC Engineering Station 502+60.3) at Allen Mine, a distance of 1.1 miles, in Las Animas County, Colorado. A certificate of abandonment will be issued to the Colorado and Wyoming Railway Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

MOTOR CARRIER ALTERNATE ROUTE DEVIATIONS

The following letter-notices to operate over deviation routes for operating convenience only have been filed with the Commission under the Commissions' Deviation Rules—Motor Carriers of Property (49 CFR § 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Commission in the manner and form provided in such rules (49 CFR § 1042.4(c)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of this FEDERAL REGISTER notice.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its request.

MOTOR CARRIERS OF PROPERTY

No. MC 50544 (Deviation No. 10), THE TEXAS AND PACIFIC MOTOR TRANSPORT COMPANY, 210 N. 13th St., St. Louis, Mo. 63103, filed June 29, 1976. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 190 and Louisiana Highway 357 over Louisiana Highway 357 to junction Louisiana Highway 178, thence over Louisiana Highway 178 to Church Point, La., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From junction U.S. Highway 190 and Louisiana Highway 357 over U.S. Highway 190 to junction Louisiana Highway 35, thence over Louisiana Highway 35 to Church Point, La., and return over the same route.

No. MC 95540 (Deviation No. 4), WATKINS MOTOR LINES, INC., P.O. Box 1636, Lakeland, Fla. 33802, filed June 29, 1976. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Geneva, Ga., over Georgia Highway 96 to junction Georgia Highway 358, thence over Georgia Highway 358 to junction U.S. Highway 80 near Danville, Ga., (2) From junction U.S. Highway 280 and Georgia Highway 26 near Cusetta, Ga., over Georgia Highway 26 to junction U.S. Highway 41, (3) From junction U.S. Highway 280 and Georgia Highway 26 near Cusetta, Ga., over Georgia Highway 26 to junction Georgia Highway 90, thence over Georgia Highway 90 to junction U.S. Highway 41, and (4) From junction U.S. Highways 80 and 231 near Montgomery, Ala., over U.S. Highway 231 to junction U.S. Highway 84 near Dothan, Ala., thence over U.S. Highway 84 to junction U.S. Highway 27 near Bainbridge, Ga., and return over the same routes. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Geneva, Ga., over U.S. Highway 80 to junction Georgia Highway 358 near Danville, Ga., (2) From Cusetta, Ga., over U.S. Highway 280 to junction U.S. Highway 41, thence over U.S. Highway 41 to junction Georgia Highway 26, (3) From Cusetta, Ga., over U.S. Highway 280 to junction U.S. Highway 41, and (4) From junction U.S. Highways 80 and U.S. Highway 231 near Montgomery, Ala., over U.S. Highway 80 to Columbus, Ga., thence over U.S. Highway 27 to junction U.S. Highway 84 near Bainbridge, Ga., and return over the same routes.

By the Commission

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20327 Filed 7-14-76;8:45 am]

[Notice No. 92]

ASSIGNMENT OF HEARINGS

JULY 12, 1976.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC-C 8617, Arrow Carrier Corp. ET AL V. United Parcel Service, Inc. ET AL, now being assigned for Prehearing Conference, on August 18, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

No. 36276, Investigation into Abandonment of Tofc Services By Louisville & Nashville Railroad at Points in Tennessee and

No. 36086, Tennessee Public Service Commission v. Louisville and Nashville Railroad Co., Et. Al. now being assigned for continued hearing on July 12, 1976, at Nashville, Tenn., in Room A-761, 801 Broadway.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20494 Filed 7-14-76;8:45 am]

[AB 31 (Sub-No. 3)]

GRAND TRUNK WESTERN RAILROAD COMPANY ABANDONMENT BETWEEN IMLAY CITY AND CASEVILLE, IN LAPEER, TUSCOLA AND HURON COUNTIES, MICHIGAN

Order

JULY 12, 1976.

Present: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Lapeer, Tuscola, and Huron Counties, Mich., on or before July 28, 1976, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commisison, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the Federal Register as notice to interested persons.

Dated at Washington, D.C., this 2nd day of July, 1976.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

INTERSTATE COMMERCE COMMISSION

Notice

AB 31 (SUB-NO. 3)

Grand Trunk Western Railroad Company Abandonment Between Imlay City and Caseville, in Lapeer, Tuscola and Huron Counties, Michigan

The Interstate Commerce Commission hereby gives notice that by order dated July 2, 1976, it has been determined that the proposed abandonment of the Grand Trunk Western Railroad Company of its line of railroad between Imlay City and Caseville, Mich., a distance of 66.27 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that converting the small amount of present or prospective rail traffic to motor carrier would minimally affect the ambient levels of air pollution, intrusive noise, fuel consumption, and safety hazards. Increasing the current highway traffic levels would also result in only a modicum of change in the ambient levels described. There are no historic or archaeological sites involved within or adjacent to the proposed action that will be affected.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-275-7163.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C., 20423, on or before August 12, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20495 Filed 7-14-76;8:45 am]

[Notice No. 135]

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 below:

Temporary authority application	Final action or certificate or permit	Date of action
Gene Mitchell Co., MC-2 455 Sub-36	MC-21455 Sub-39	June 17, 1976
Kroblin Refrigerated Xpress Inc., MC-30844 Sub-526	MC-30844 Sub-525	June 10, 1976
Geetings, Inc., MC-34027 Sub-6	MC-34027 Sub-7	June 21, 1976
Tri-State Transport, Inc., MC-57315 Sub-23	MC-57315 Sub-24	June 1, 1976
Klipsch Hauling Co., MC-82063 Sub-53 and Sub-55	MC-82063 Sub-54	Do.
Graft Trucking Co., Inc., MC-105269 Sub-58	MC-105269 Sub-59	June 18, 1976
Davis Transport, Inc., MC-111397 Sub-112	MC-111397 Sub-110	Do.
Hollobrand Trucking Co., MC-112854 Sub-34	MC-112854 Sub-35	June 15, 1976
Cornett Forwarding Co., Inc., MC-113545 Sub-14	MC-113545 Sub-15	June 16, 1976
Trans-Cold Express, Inc., MC-114045 Sub-412	MC-114045 Sub-413	June 1, 1976
Shaffer Trucking, Inc., MC-114569 Sub-116	MC-114569 Sub-118	June 23, 1976
Carl Subler Trucking, Inc., MC-116763 Sub-303	MC-116763 Sub-300	June 8, 1976
Midwest Specialized Transportation, Inc., MC-117068 Sub-33	MC-117068 Sub-34	Do.
Midwest Specialized Transportation, Inc., MC-117068 Sub-38	MC-117068 Sub-41	June 11, 1976
Hahn Truck Line, Inc., MC-117765 Sub-180	MC-117765 Sub-183	June 18, 1976
Ince Express, Inc., MC-119639 Sub-16	MC-119639 Sub-17	Do.
Savage Trucking Co., Inc., MC-127616 Sub-18	MC-127616 Sub-22	June 7, 1976
D.b.a. James Funch Trucking, MC-133291 Sub-2	MC-133291 Sub-3	June 23, 1976
Osborn Trucking Co., Inc., MC-133741 Sub-18	MC-133741 Sub-17	May 21, 1976
Jay Lines, Inc.:		
MC-134323 Sub-71	MC-134323 Sub-60	June 23, 1976
MC-134323 Sub-72	MC-134323 Sub-65	June 21, 1976
MC-134323 Sub-74	MC-134323 Sub-69	June 23, 1976
Cement Transport, Inc., MC-138317 Sub-1	MC-138317 Sub-2	June 30, 1976
Osterkamp Trucking, Inc., MC-138732 Sub-3	MC-138732 Sub-4	June 29, 1976
Sargent Transport, Inc., MC-140312 Sub-1	MC-140312 Sub-2	Do.
D.b.a. Brewer Trucking, MC-140677 Sub-6	MC-140677 Sub-8	June 29, 1976
H & D Trucking, Inc., MC-140753	MC-140753 Sub-1	Do.
Guy E. Wilson, Inc., MC-140904 Sub-1	MC-140904 Sub-2	Do.
Lancaster Limousine, Ltd., MC-141030	MC-141030 Sub-1	June 23, 1976
Gettysburg Tours, Inc., MC-141294	MC-141294 Sub-1	June 30, 1976
Reynolds & Co., Inc., MC-141145	MC-141145 Sub-1	Do.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20490 Filed 7-14-76;8:45 am]

[Notice No. 292]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

The following publications include motor carrier, water carrier, broker, and freight forwarder transfer applications filed under Section 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act.

Each application (except as otherwise specifically noted) 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.

Protests against approval of the application, which may include a request for oral hearing, must be filed with the Commission or on before August 16, 1976. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest must be served upon applicants' representative(s), or applicants (if no such representative is named), and the protestant must certify that such service has been made.

Unless otherwise specified, the signed original and six copies of the protest shall be filed with the Commission. All protests must specify with particularity the factual basis, and the section of the Act, or the applicable rule governing the proposed transfer which protestant believes would preclude approval of the application. If the protest contains a request for oral hearing, the request shall be supported by an explanation as to why the evidence sought to be presented cannot reasonably be submitted through the use of affidavits.

The operating rights set forth below are in synopses form, but are deemed sufficient to place interested persons on notice of the proposed transfer.

No. FD 28193, filed May 24, 1976. Transferee: DUNLAP TOWING COMPANY, Box 593, LaConner, Wash. Transferor: Pioneer Towing Co., 6423 N.E. 175th, Seattle, Wash. Applicant's representative: David Danielson, Lane, Powell, Moss, & Miller, 1700 Washington Bldg., Seattle, Washington 98101. Authority sought for the purchase by transferee of the operating rights of transferor, as set forth in Certificate No. W-568, issued October 22, 1943, as follows: Common carrier by towing vessels in the performance of general towage and by non-self propelled vessels with the use of separate towing vessels in the transportation of commodities generally, in interstate or foreign commerce, between ports and points in Washington on Puget Sound, the Straits of Georgia, and Juan de Fuca, and interconnecting and tributory waterways. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority.

No. MC-FC-76369, filed June 15, 1976. Transferee: PARCEL DELIVERY, INC., 1288 E. Archwood Avenue, Akron, Ohio 44304. Transferor: Akron Parcel Delivery, Internal Revenue Service, Successor In Interest, 175 Annadale Avenue, Akron, Ohio 44303. Applicant's Representatives: James E. Davis, Esq., Quine, Davis & Murray, First Akron Building, 611 West Market Street, Akron, Ohio 44303. Stanley L. Smith, Revenue Officer, Internal Revenue Service, P.O. Box F-142, Akron, Ohio 44308. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Permit No. MC 1775 and Subs thereunder, issued September 27, 1944, December 9, 1952, May 6, 1955, January 23, 1961 and April 27, 1966, as follows: Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business, from Akron, Ohio, to points in Ashland, Medina, Portage, Summit, Wayne, Stark, and Huron Counties, Ohio, unrestricted, and from Akron, Ohio to points in Lorain County, Ohio, under contract with the Great Atlantic & Pacific Tea Company, Inc., of Pittsburgh, Pa.; and drugs, pharmaceutical supplies, proprietaries, sundries and toiletries, except such commodities in bulk, from Akron, Ohio to points in Lawrence and Mercer Counties, Pa. and damaged and returned shipments of the specified commodities, under a continuing contract with McKesson & Robbins, Inc. Transferee presently holds no authority from this Commission.

No. MC-FC-76584, filed June 24, 1976. Transferee: CONWAY'S BUS SERVICE, INC., 3220 Mendon Road, Cumberland, Rhode Island 02864. Transferor: Eugene Robert Conway, Doing Business as Conway's Bus Service, Cumberland Hill, Manville, Rhode Island. Applicant's Representative: Frank Q. Lind, Jr., 2180 Mendon Road, Cumberland, Rhode Island 02864. Authority sought for purchase by transferee the operating rights of transferor, as set forth in Certificate No. MC 115676 Sub 1 and Sub 3, issued April 1, 1958 and October 31, 1960, respectively, as follows: (1) passengers, between junction Rhode Island Highway 122 and Sneech Pond Road and Attleboro, Mass., serving all intermediate points, and between Cumberland Hill, Town of Cumberland, R.I., and Attleboro, Mass., serving all intermediate points, and (2) passengers and their baggage, in the same vehicle with passengers, in special operations, beginning and ending at Woonsocket, R.I., and points in Massachusetts and Rhode Island within ten miles of Woonsocket, except Providence, R.I., and extending to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-76615, filed July 6, 1976. Transferee: KNOXVILLE TOURS, INCORPORATED, 5833 Clinton Highway, P.O. Box 5245, Knoxville, Tenn. 37918. Transferor: Roberts World Tours, Inc., 2227 N. Economy Road, Morristown, Tenn. 37814. Applicant's representative: James W. Bell, Attorney-at-Law, 203 Clinch Ave. S.W., Knoxville, Tenn. 37902. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in License No. MC 12829, issued October 28, 1968, authorizing operations as a broker at Morristown, Tenn., in connection with transportation by motor vehicle in interstate or foreign commerce, of passengers and their baggage, in special or charter operations, in round-trip, all expense tours, beginning and ending at points in Anderson, Bledsoe, Blount, Bradley, Campbell, Carter, Clairborne, Cocke, Cumberland, Grainger, Greene, Hamblem, Hamilton, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, McMinn, Marion, Meigs, Monroe, Morgan, Polk, Rhea, Roane, Scott, Sevier, Sullivan, Unicoi, Union, and Washington Coun-

ties, Tenn., and extending to points in the United States, including Alaska, Hawaii, and ports of entry on the United States-Canada and United States-Mexico Boundary lines. Transferee presently holds authority from this Commission under License No. MC 12669. Application has not been filed for temporary authority.

No. MC-FC-76616, filed June 24, 1976. Transferee: BRADFORD FILM TRANSIT, INC., 718 North Senate Avenue, Indianapolis, Ind. 46202. Transferor: Donald A. Pierce and Ruth D. Pierce, A partnership, Doing Business as Bradford Film Transit, Indianapolis, Ind. 46202. Applicant's attorney: Robert W. Loser II, 1009 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought for purchase by transferee the operating rights of transferor, as set forth in Certificate of Registration, No. MC 139984 (Sub-No. 1), issued February 18, 1975, as follows: movie film, theater supplies and advertising materials, between points in Marion, Hamilton, Hancock, Shelby, Johnson, Morgan, Hendricks, and Boone Counties, Indiana. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-76622, filed June 8, 1976. Transferee: DEEHAN's EXPRESS, INC., 32 O'Brien Ave., Whitman, Mass. 02382. Transferor: Thunderbird Transportation, Inc., 93 Steeple St., Revere, Mass. 02151. Applicants' representative: Frank J. Weiner, attorney-at-Law, 15 Court Square, Boston, Mass. 02108. Authority sought for purchase by transferee of the operating rights of transferor as set forth in Certificate of Registration No. MC 97161 (Sub-No. 1), issued February 22, 1974, as follows: General commodities anywhere within the Commonwealth of Massachusetts. Transferee is presently authorized to operate as a common carrier under Certificate No. MC-76074. Application has not been filed for temporary authority.

No. MC-FC-76632, filed July 7, 1976. Transferee: ALBERT L. RING, ANDREW C. RING, BERNARD J. RING, AND RONALD J. RING, a Partnership, doing business as FRANK RICHARD RING, P.O. Box 96, Neola, Iowa 51559. Transferor: Leonard L. Madsen, doing business as Kroeger Transfer, Box 104, Minden, Iowa 51553. Applicants' attorney: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebraska 68106. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate No. MC 42194, issued February 13, 1967, as corrected, as follows: General commodities, with specified exceptions, between Minden, Iowa and Omaha, Nebr., serving the intermediate points of Neola, Underwood, and Weston, Iowa, over specified highways. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20491 Filed 7-14-76;8:45 am]

[Notice No. 293]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JULY 15, 1976.

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 C.F.R. 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 August 4, 1976. Pursuant to Section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-76420, filed February 25, 1976. Transferee: LA ROSA DEL MONTE EXPRESS, INC., 1133-1135 Tiffany Street, Bronx, New York 10459. Transferor: Hyman S. Scher, doing business as Sanford Moving & Storage Co., 3860 Park Avenue, Bronx, New York. Applicant's Representatives: John L. Murray (for Transferee), Murray and Mewhinney, P.C., 235 Mamaroneck Avenue, White Plains, New York 10605. Ronald Shapss (for Transferor), 450 7th Avenue, New York, New York 10001. Authority sought for purchase by transferee of the operating rights, as set forth in Certificate No. MC 25199, issued August 17, 1964, as follows: Household goods as defined by the Commission, between New York, N.Y., on the one hand, and, on the other, points in Connecticut, New Jersey, and Pennsylvania. Transferee is presently authorized to operate as a common carrier under Certificate No. MC 134689. Application has not been filed for temporary authority under Section 210a(b).

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20489 Filed 7-14-76;8:45 am]

[Notice No. 87]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

IMPORTANT NOTICE

JULY 12, 1976.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 C.F.R. § 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 102616 (Sub-No. 919TA) (correction), filed June 14, 1976, published in the FEDERAL REGISTER issue of June 28, 1976, and republished as corrected this issue. Applicant: COASTAL TANK LINES, INC., 250 N. Cleveland-Massillon Road, Akron, Ohio 44313. Applicant's representative: David F. McAllister (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aviation gasoline and jet fuel*, in bulk, in shipper owned and/or shipper controlled tank vehicles, from East Chicago, Ind., to Menominee, Mich., for 90 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Rengo Brothers, Inc., 9200 Aura St., Kaleva, Mich. 49645. Send protests to: James Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Bldg., 1240 East Ninth St., Cleveland, Ohio 44199. The purpose of this republication is to change the origin of East Chicago, Ill., to read East Chicago, Ind.

No. MC 103051 (Sub-No. 373TA), filed June 22, 1976. Applicant: FLEET TRANSPORT COMPANY, INC., 934 44th Ave. North, P.O. Box 90408, Nashville, Tenn. 37209. Applicant's representative: Russell E. Stone (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehi-

cle, over irregular routes, transporting: *Ferrous sulfamate*, in bulk, from Eufaula, Ala., to Dunbarton, S.C., for 180 days. Supporting shipper: Texas Sulphur Products Co., Inc., Box 1308, Borger, Tex. 79007. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite A–422, U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 118846 (Sub-No. 12TA), filed July 2, 1976. Applicant: DALE JESSUP, R.R. No. 1, Box 252, Camby, Ind. 47424. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Component parts* for campers, house trailers, and recreational vehicles, from Elkhart County, Ind., to the plantside of Traveltime, Inc., Springville, Utah, under a continuing contract with Traveltime, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Traveltime, Inc., Springville, Utah. Send protests to: Patrick G. Collins, Transportation Specialist, Interstate Commerce Commission, Federal Bldg. & U.S. Courthouse, 46 East Ohio St., Room 429, Indianapolis, Ind. 46204.

No. MC 119988 (Sub-No. 93TA) (correction), filed June 9, 1976, published in the FEDERAL REGISTER issue of June 23, 1976, and republished as corrected this issue. Applicant: GREAT WESTERN TRUCKING CO., INC., Highway 103 East, P.O. Box 1384, Lufkin, Tex. 75901. Applicant's representative: Paul D. Angenend, 1806 Rio Grande, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from the plantside and storage facilities of Midland Glass Co., Inc., located at or near Henryetta, Okla., to points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Tennessee, and Texas, for 180 days. Supporting shipper: Midland Glass Co., Inc., P.O. Box 557, Cliffwood, N.J. 07721. Send protests to: John F. Mensing, District Supervisor, Interstate Commerce Commission, 515 Rusk, Room 8610, Houston, Tex. 77002. The purpose of this republication to correct the applicant's address and to add Nebraska as a destination state.

No. MC 111729 (Sub-No. 637TA), filed July 1, 1976. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Elizabeth L. Henoch (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, records, audit and accounting media of all kinds, and blue prints*, between Monroe, Mich., on the one hand, and, on the other, Monett, Mo.; Harrisonburg, Va.; and Wausau, Wis., for 180 days. Supporting shipper: Ohio Plate Glass Company, 633 Detroit Ave., Monroe, Mich. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 113429 (Sub-No. 2TA), filed July 1, 1976. Applicant: MIKE CONTRIS, doing business as CONTRIS TRUCKING, Route No. 1, Harrod, Ohio 45850. Applicant's representative: Richard H. Brandon, P.O. Box 97, 220 W. Bridge St., Dublin, Ohio 43017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Machine parts and materials* used or useful in the manufacture or repair of construction equipment, restricted to shipments not exceeding 5,000 pounds in express service, under a continuing contract with Clark Equipment Company, for 180 days. Supporting shipper: Clark Equipment Company, Circle Drive, Buchanan, Mich. 49107. Send protests to: Keith D. Warner, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 313 Federal Office Bldg., 234 Summit St., Toledo, Ohio 43604.

No. MC 113678 (Sub-No. 628TA), filed June 29, 1976. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City (Denver), Colo. 80022. Applicant's representative: David L. Metzler, P.O. Box 16004, Stockyards Station, Denver, Colo. 80216. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, and food ingredients*, in mechanically refrigerated equipment (except in bulk), from the plant and warehouse facilities owned and operated by Archer-Daniels-Midland Company, located in Decatur, Ill.; also shipping products for Wilsey Foods, Inc., and others, to points in Iowa, Wyoming, Nebraska, Kansas, North Dakota, South Dakota, Utah, Colorado, Minnesota, New Mexico, and Montana, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Archer-Daniels-Midland Company, P.O. Box 1470, Decatur, Ill. 62525. Send protests to: Herbert C. Ruoff, District Supervisor, Interstate Commerce Commission, 492 U.S. Customs House, Denver, Colo. 80202.

No. MC 134006 (Sub-No. 2TA), filed July 2, 1976. Applicant: PARKER & SON TRUCKING, INC., 4520 Maywood Ave., Vernon, Calif. 90058. Applicant's representative: Joyce E. Parker (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt liquor*, from Phoenix, Ariz., to Hayward, Calif., for 180 days. Supporting shipper: Markstein Distributing Co., d.b.a. M. Distributing Co., 1764 National, Hayward, Calif. 94545. Send protests to: Philip Yallowitz, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 135235 (Sub-No. 4TA), filed July 1, 1976. Applicant: LOMA CARTAGE, INC., 11359 Franklin Ave., Franklin Park, Ill. 60131. Applicant's representative: Leonard R. Kofkin, 39 South La Salle St., Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Floor covering and materials and supplies* used in the installation of floor coverings, from points in Cook, Lake and Du Page Counties, Ill., to points in Brown, Dane, Dodge, Fond du Lac, Jefferson, Kewaunee, Manitowac, Outagamie, Ozaukee, Rock, Sheboygan, Walworth, Washington, and Winnebago Counties, Wis., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: There are approximately 12 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1386, Chicago, Ill. 60604.

No. MC 135732 (Sub. No. 21 TA), published in the FEDERAL REGISTER issue of June 22, 1976, and republished as corrected this issue. Applicant: AUBREY FREIGHT LINES, INC., 605 Grove St., P.O. Box 503, Elizabeth, N.J. 07202. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are manufactured and sold by GAF Corp., and *materials, equipment, and supplies*, used or useful in the manufacture and sale of such commodities (except commodities in bulk), in mechanical refrigerated equipment, between the facilities of GAF Corp., located at Binghamton, Johnson City, Vestal, Rensselear, N.Y.; Linden, N.J.; Shelby, Elyria, Ohio; Portland, Oreg.; Calvert City, Ky., and their commercial zones as defined by the Commission, on the one hand, and, on the other, points in Texas, Georgia, California, Illinois Indiana, Missouri, Ohio, Wisconsin, Florida, North Carolina, Tennessee, Minnesota, Kentucky, Pennsylvania, Maryland, and the District of Columbia, restricted against interlining or tacking at origin and destination points, for 180 days. Supporting shipper: GAF Corporation, 1361 Alps Rd., Wayne, N.J. 07470. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102. The purpose of this republication is to correct the supporting shippers name and address.

No. MC 136343 (Sub-No. 82TA), filed July 2, 1976. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers and packaging mate-*

rials, from the facilities of Bartlett's Egg Dispatch, Inc., at Lawrence, Mass., to Atlantic, Avonia, Bath, Bloomsburg, Blossburg, Chambersburg, Colebrook, Cory, Coudersport, Danville, Denver, Dimock, Doylestown, Dry Run, Dubois, East Berlin, East Freedom, East Point, Elizabethtown, Ephrata, Farmersville, Fleetwood, Galilee, Gap, Green Castle, Higgins, Lebanon, Liberty, Mars, Mertstown, Middlesex, Milan, Montrose, Moscow, Mt. Cobb, Mt. Joy, Myersdale, New Alexandria, New Holland, Northumberland, Pineville, Pitman, Plainfield, Portland, Reedsville, Rheems, Ridgeway, Shickshinny, Smock, Spring Glen, Stewartstown, Sugargrove, Tamaqua, Tioga, Valencia, White Horse, Winfield, Wing Gap, Worcester, York, Pa.; Cartland, Columbiana, Deshler, Dundee, Flushing, Freemont, Millersburg, and Poland, Ohio; Bad Axe, Grand Rapids, Hamilton, Holland, Hudsonville, Pigeon, and Plymouth, Mich.; Bishipsville, Dorsey, Hampstead, Salisbury, and Westminster, Md.; Albermarle, Burgaw, Durham, Earl, Grover, Lilington, New London, and Shelby, N.C.; Flemington, Frenchtown, Hackettstown, Norma, and Ringoes, N.J.; Chesnee, Lamar, Newberry, and Seneca, S.C.; and Bear and Middletown, Del., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Bartlett's Egg Dispatch, Inc., 360 Merrimack St., Lawrence, Mass. 01843. Send protests to: Robert P. Amerine, District Supervisor, 278 Federal Bldg., P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 136343 (Sub-No. 83TA), filed July 2, 1976. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Woodpulp board, wrapping paper, and woodpulp*, from the facilities of the Chesapeake Corporation of Va., at West Point, Va., to Binghamton, Buffalo, Lancaster, New Hartford, N. Tonawanda, Syracuse, and Rochester, N.Y., Gettysburg, Hanover, Latrobe, New Oxford, Oakmont, Scranton, and York, Pa., and Cleveland and N. Randall, Ohio, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: The Chesapeake Corp. of Va., Box 27–A, Mattaponi, Va. Send protests to: Robert P. Amerine, District Supervisor, 278 Federal Bldg., P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 139193 (Sub-No. 38TA) (Correction), filed June 9, 1976, published in the FEDERAL REGISTER issue of June 30, 1976, and republished as corrected this issue. Applicant: ROBERTS & OAKE, INC., 208 S. La Salle St., Chicago, Ill. 60604. Applicant's representative: Jacob P. Billig, 2033 K St. NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from East St. Louis, National City, Ill., and St. Louis, Mo., to points in Indiana, Kentucky, and Ohio; and (2) from Cincinnati, Ohio, to points in Illinois, Indiana, Kentucky, Missouri, and Ohio; and (3) *Such commodities* as are used by meat packers in the conduct of their business, from points in Illinois, Indiana, Kentucky, Missouri, and Ohio, to Cincinnati and from points in Indiana, Kentucky, and Ohio, to East St. Louis and National City, Ill., and St. Louis, Mo. Restriction: Restricted to traffic transported under contract with John Morrell & Co., and further restricted against the transportation of liquid commodities in bulk, for 180 days. Supporting shipper: John Morrell & Co., Dwight L. Helm, Distribution Coordinator, 208 S. La Salle St., Chicago, Ill. 60604. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604. The purpose of this republication is to change docket number MC 139193 (Sub-No. 38TA) in lieu of MC 139139 (Sub-No. 38TA).

No. MC 139193 (Sub-No. 39TA), filed July 2, 1976. Applicant: ROBERTS & OAKE, INC., 208 S. La Salle St., Chicago, Ill. 60604. Applicant's representative: Jacob Billig, 2033 K St. NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fresh carcass meat*, from Brush, Colo., to El Paso, Tex., under a continuing contract with John Morrell & Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: John Morrell & Co., 208 S. La Salle St., Chicago, Ill. 60604. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1386, Chicago, Ill. 60604.

No. MC 142187 (Sub-No. 1TA), filed July 6, 1976. Applicant: W. S. ZEIGLER CRAWLER CO. INC., Route 1, Box 24, Hartsville, S.C. 29550. Applicant's representative: Charles Ray Zeigler (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wooden pallets*, from Hartsville, S.C., to points in North Carolina and Georgia, under a continuing contract with Pallet Makers of Hartsville, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Pallet Makers of Hartsville, a division of Hartsville Community Development Corp., P.O. Box 1342, Hartsville, S.C. 29550. Send protests to: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Room 302, 1400 Pickens St., Columbia, S.C. 29201.

No. MC 142196 (Sub-No. 1 TA), filed June 30, 1976. Applicant: THREE-B'S TRANSPORTATION, INC., 230 South 30th St., Philadelphia, Pa. 19104. Applicant's representative: J. Michael Farrell, 1725 K St., NW., Suite 814, Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such foods, commodities and equipment* as are used in connection with the operation of hotels, restaurants and others engaged in food operations, from the facilities of Buff-Hanley Paper Company, at Baltimore and Columbia, Md.; Wood Ridge, N.J.; and Philadelphia, Pa., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island and Virginia, under a continuing contract with Buff-Henley Paper Company, for 150 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Buff-Henley Paper Company, 230 South 30th St., Philadelphia, Pa. 19104. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Philadelphia, Pa. 19106.

No. MC 142203 (Sub-No. 1 TA), filed July 2, 1976. Applicant: UNITED TRUCKING, INC., P.O. Box 4435, Greenville, S.C. 29608. Applicant's representative: Mitchell King, Jr., P.O. Box 1628, Greenville, S.C. 29602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Automotive towing and garage equipment, parts and accessories thereof*, from the facilities of Red Arrow Tow Bar Sales Co., in Greenville County, S.C., to points in the United States (except Alaska and Hawaii), with damaged and rejected shipments on return, under a continuing contract with Red Arrow Tow Bar Sales Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Red Arrow Tow Bar Sales Co., P.O. Box 3785, Greenville, S.C. 29608. Send protests to: E. E. Strotheld, District Supervisor, Interstate Commerce Commission, Room 302, 1400 Pickens St., Columbia, S.C. 29201.

No. MC 142207 TA filed, July 2, 1976. Applicant: GULF COAST TRUCK SERVICES, INC., P.O. Box 29486, New Orleans, La. 70189. Applicant's representative: Bruce E. Mitchell, 3379 Peachtree Road, N.E., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber and wood products*, from the facilities of Crown Zellerbach, at or Joyce, La., to points in Texas, Oklahoma, Kansas, Missouri, Arkansas, Kentucky, Tennessee, Alabama, Mississippi, Georgia, Florida, Illinois, Indiana and Ohio, *and materials, equipment and supplies* on return, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Crown Zellerbach, Southern Regional Transportation Office, P.O. Box 1060, Bogalusa, La. 70427. Send protests

to: Ray C. Armstrong, Jr., District Supervisor, 701 Loyola Ave., 9038 Federal Bldg., New Orleans, La. 70113.

No. MC 142208 TA, filed July 1, 1976. Applicant: CLIFFORD J. MCINTOSH, 29678 Vlaeminck Road, Rt. 8, Elkhart, Ind. 46514. Applicant's representative: Clifford J. McIntosh (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Travel trailer*, 5th wheel, via towaway, from Bristol, Ind., to points in the United States, for 180 days. Supporting shipper: AMF Skamper Division, State Road 15 North, Bristol, Ind. 46507. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 142209 TA, filed June 30, 1976. Applicant: JOHN M. PFEIFER, doing business as PORT CITY LEASING, Route 1, Box 39, Culdesac, Idaho 83524. Applicant's representative: John H. Bengston, First Security Bank Bldg., Lewiston, Idaho 83501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plywood, plystran and particleboard*, between points in Idaho, on the one hand, and, on the other, points in Washington, Oregon, Montana, North Dakota, South Dakota and Utah, under a continuing contract with Potlatch Corporation, for 180 days. Supporting shipper: Potlatch Corporation, P.O. Box 1016, Lewiston, Idaho 83501. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174.

No. MC 142210 TA, filed June 30, 1976. Applicant: JOHN N. SCOTT, doing business as SCOTT'S MOTOR LINE, 1928 S. Institute, Colorado Springs, Colo. 80908. Applicant's representative: John N. Scott (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Flour, coffee, shortening, sugar, jellied fillings, dishes, and paper products* (except in bulk or tank), requiring delivery into customer's stores and warehouses, for sorting and shelving at customer's direction, from Colorado Springs, Colo., to Farmington, Santa Fe, and Albuquerque, N. Mex., and El Paso, Tex., under a continuing contract with Total Foods, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Total Foods, Inc., 717 Nichols Blvd., Colorado Springs, Colo. 80907. Send protests to: Herbert C. Ruoff, District Supervisor, Interstate Commerce Commission, 492 U.S. Customs House, Denver, Colo. 80202.

No. MC 142114 TA (Correction) filed June 1, 1976, published in the FEDERAL REGISTER issue of June 21, 1976, and republished as corrected this issue. Applicant: RETAIL EXPRESS, INC., 9 Stuart Road, Chelmsford, Mass. 01824. Applicant's representative: Francis J. Ortman, 7101 Wisconsin Ave., Suite 605, Washington, D.C. 20014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* as are dealt in by retail department stores, from the distribution center of King's Department Stores, Inc., in Chelmsford, Mass., to All King's Department Stores, located at points in Ohio, Indiana, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, Kentucky, Tennessee, Massachusetts, Connecticut, Maine, New Hampshire, and Vermont for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: King's Department Stores, Inc., Paul J. Kwasnick, President, 150 California Street, Newton, Mass. 02158. Send protests to: D. W. Hammons, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 150 Causeway St., Room 501, Boston, Mass. 02114. The purpose of this republication is to add Chelmsford Mass.

PASSENGER APPLICATION

No. MC 142211 TA, filed July 1, 1976. Applicant: EASTERN PANHANDLE TRANSIT AUTHORITY "PANTRAN", 121 West King St., Martinsburg, W. Va. 25401. Applicant's representative: Richard C. Noderer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers with their baggage* in the same vehicle in round-trip special and charter operations, limited to the transportation of not more than sixteen (16) passengers in any one vehicle, beginning and ending in Berkeley, Jefferson and Morgan Counties, W. Va., and extending to points in Pennsylvania, Maryland, Virginia and the District of Columbia, for 180 days. Supporting shippers: Berkeley County Committee on Aging, Inc., Martinsburg, W. Va. 25401. Jefferson County Committee on Aging, Charles Town, W. Va. 25414. Morgan County Commission on Aging, Inc., Berkeley Springs, W. Va. 25411. Send protests to: Interstate Commerce Commission, 12th & Constitution Ave., N.W., Room 1413, W. C. Hersman, District Supervisor, Washington, D.C. 20423.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20492 Filed 7-14-76;8:45 am]

[Notice No. 134]

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 below:

Temporary authority application	Final action or certificate or permit	Date of action
Younger Brothers, Inc., MC-531 Sub-314	MC-531 Sub-321	July 1, 1976
D.b.a. Willey's Express, MC-6741 Sub-7	MC-6741 Sub-6	June 22, 1976
Wunnicke Transfer Lines, Inc., MC-13095 Sub-9	MC-13095 Sub-10	June 25, 1976
D.b.a. Miller's Express MC-15652 Sub-3	MC-15652 Sub-4	June 24, 1976
Fulton Moving & Storage, Inc., MC-19627 Sub-1	MC-19627 Sub-2	July 1, 1976
Empire Lines, Inc., MC-29948 Sub-8	MC-29948 Sub-9	June 24, 1976
D.b.a. Apgar Bros., MC-33322 Sub-16	MC-33322 Sub-17	June 25, 1976
Car H. Betz, MC-42605 Sub-?	MC-42605 Sub-3	July 1, 1976
James Fleming Trucking, Inc., MC-48956 Sub-10	MC-48956 Sub-11	Do.
Bay Motor Express, Inc., MC-50323 Sub-5	MC-50323 Sub-6	June 25, 1976
Navajo Freight Lines, Inc., MC-76032 Sub-277	MC-76032 Sub-279	Do.
Navajo Freight Lines, Inc.:		
MC-76032 Sub-293	MC-76032 Sub-294	Do.
MC-76032 Sub-305	MC-76032 Sub-283	Do.
Bruce Cartage, Inc., MC-98154 Sub-15	MC-98154 Sub-16	July 1, 1976
Riggs Food Express Inc., MC-106920 Sub-55	MC-106920 Sub-53	June 3, 1976
Matlack, Inc., MC-107403 Sub-925	MC-107403 Sub-938	June 28, 1976
Refrigerated Transport, Co., Inc., MC-107515 Sub-979	MC-107515 Sub-989	June 22, 1976
Frozen Food Express:		
MC-108207 Sub-379	MC-108207 Sub-388	June 1, 1976
MC-108207 Sub-395	MC-108207 Sub-399	June 7, 1976
Zero Refrigerated Lines, MC-110098 Sub-154	MC-110098 Sub-156	June 28, 1976
William T. Herron:		
MC-113300 Sub-7	MC-113300 Sub-10	June 23, 1976
MC-113300 Sub-8	do	Do.
MC-113300 Sub-9	do	Do.
Trans-Cold Express, Inc., MC-114045 Sub-419	MC-114045 Sub-425	June 24, 1976
Western-Commercial Transport, Inc., MC-116063 Sub-139	MC-116063 Sub-140	Do.
Matson, Inc., MC-117557 Sub-18	MC-117557 Sub-19	June 28, 1976
Beaver Transport Co., MC-119767 Sub-304	MC-119767 Sub-306	July 1, 1976
Caravan Refrigerated Cargo, Inc., MC-119789 Sub-264	MC-119789 Sub-272	Do.
Addieville Trucking Co., Inc., MC-123534 Sub-3	MC-123534 Sub-4	Do.
Brink's, Inc., MC-124328 Sub-81	MC-124328 Sub-82	Do.
Baker Petroleum Transportation Co., Inc., MC-124333 Sub-20	MC-124333 Sub-22	Do.
Universal Transport, Inc.:		
MC-125909 Sub-2	MC-125909 Sub-3	June 24, 1976
MC-126555 Sub-29	MC-126555 Sub-32	Do.
England Equipment Co., MC-129510 Sub-9	MC-129510 Sub-10	June 29, 1976
Jacobsma Transportation, MC-129830 Sub-8	MC-129830 Sub-7	June 23, 1976

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-20493 Filed 7-16-76;8:45 am]

federal register

THURSDAY, JULY 15, 1976



PART II:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

■

SPECIAL PROJECTS ACT

General Provisions

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 160—SPECIAL PROJECTS ACT

General Provisions; Final Regulation

Notice of proposed rulemaking was published in the FEDERAL REGISTER on June 26, 1975 (40 FR 27035–38) setting forth overall provisions for the Special Projects Act related primarily to the administrative framework or structure of the Act, as authorized by section 402(a)(1) of Pub. L. 93–380 (20 U.S.C. 1851–61).

Interested persons were given an opportunity to submit written comments, suggestions, or objections regarding the proposed rule. Only five letters were received on the proposed rule, although most of these contained a number of suggestions. All of these comments related to the Educational Television and Radio activity covered in the Appendix under heading II.

A. SUMMARY OF THE RULE

The regulation sets forth overall provisions for the Special Projects Act related primarily to the administrative framework or structure of the Act, and includes definitions which apply to regulations for the individual priority programs related to the Act. These regulations are being separately promulgated as Parts 160a through 160g of this chapter. Little in the way of substantive program requirements or criteria is included within the sections of this part because:

(1) Substantive regulations for the priority programs which receive statutory earmarkings of funds under the Act are being separately published as Parts 160a through 160g of this chapter; and

(2) Discretionary funds not set aside under the statute for the priority programs will be used for contract activities described in annual spending plans submitted to the pertinent authorizing committees of the Congress under Section 4(b) of the Act and are therefore covered in an appendix to this part.

Regulations for the priority programs which will receive earmarked funds under the Special Projects Act are being published as follows:

(1) Part 160a—the Metric Education Program authorized by section 403 of Pub. L. 93–380;

(2) Part 160b—the Program for Education of Gifted and Talented Children authorized by section 404 of Pub. L. 93–380;

(3) Part 160c—the Community Education Program authorized by section 405 of Pub. L. 93–380;

(4) Part 160d—the Career Education Program authorized by section 406 of Pub. L. 93–380;

(5) Part 160e—the Consumers' Education Program authorized by section 811 of the Elementary and Secondary Education Act of 1965, as amended;

(6) Part 160f—the Women's Educational Equity Act Program authorized by section 408 of Pub. L. 93–380; and

(7) Part 160g—the Arts Education Program authorized by section 409 of Pub. L. 93–380.

An appendix to this part covers discretionary contract activities to be carried out in three areas beginning in fiscal year 1976:

(1) The packaging, testing, and dissemination of successful practices and programs for the teaching of children, particularly disadvantaged children and children of limited English-speaking ability;

(2) Support for educational television and radio programming; and

(3) Career education.

B. COMMENTS ON THE RULE AND RESULTANT CHANGES

Comments on the proposed rule were all addressed to that part of the Appendix to the rule concerning the funding of educational television and radio. A summary of the comments follows. After each comment, a response is set forth discussing the comment and stating changes which have been made in the regulation or the reason why no change is deemed appropriate. Additional minor technical and typographical changes have also been made in the regulation.

1. *Comment.* One comment suggested that each contractor should be encouraged to discuss dissemination of a television or radio program with appropriate distributors at an early stage.

Response. No change has been made in the regulation. Section II(3)(g) of the Appendix states that projects must integrate development, production, formative evaluation, dissemination, and utilization planning in the project plans and proposals. Applicants will be encouraged to explore all dissemination modes, including, but not restricted to, public broadcasting, instructional television consortia, regional networks, State educational agencies, and commercial television.

2. *Comment.* Two comments were received suggesting that a 90-day minimum time between announcement of RFPs (Request for Proposals) and due dates for proposals be established to give offerors time to prepare thoughtful and innovative proposals.

Response. 41 CFR 1–2.202–1 defines the agency's responsibility to ensure adequate preparation (bidding) time. It would not be appropriate to establish a minimum time in the program rules and regulations. However, every effort will be made to ensure maximum time for preparing proposals. In addition, maximum efforts will be made to notify all potential offerors that a Request for Proposal has been issued through the Commerce Business Daily.

3. *Comment.* Two commenters expressed concern with the potential of Federal Government control over the content of television and radio programs. They expressed the viewpoint that Federal agencies should restrict their activities to the funding of worthwhile public projects without intrusion into the editorial and artistic prerogatives of station licensees and independent program producers and suggested that sound public policy, as well as First Amendment, constitutional concerns, require that the Federal Government avoid even the appearance of attempting to intervene inappropriately in the content of any television program to which it might award funds. The commenters recommended wording to suggest that the control of the content of programs be vested solely in the program producer. Their related suggestion was that television and radio projects should be carried out through grants rather than contracts, based on their understanding that grants would better safeguard the editorial and artistic independence of the program producer.

Response. No change has been made in the regulation. Grants are not authorized by the statutory authorization governing discretionary funds under the Special Projects Act, including those funds used for the Educational Television and Radio activity. Contracts must be used, but in any event control over the content of funded television or radio programming would be exercised by the Office of Education (OE) only to ensure that the contractor has carried out its approved project in accordance with the terms and conditions applicable thereto and to ensure program quality. OE is sensitive to concerns that the Federal role in this program in no way lead to Government propaganda and will guard against this. At the same time, OE is authorized to administer the program through contracts and believes this authority carries with it the responsibility to ensure the accuracy of funded programs.

4. *Comment.* Two comments suggested that funding areas should be amended to make express reference to "public awareness" activities along with "planning, production, evaluation, dissemination, and utilization. . . ." They indicated that many important projects have been less than successful, though well produced, because the public has not been made sufficiently aware of the programs.

Response. The Appendix to the regulation has been amended in accordance with the comments.

5. *Comment.* Subparagraphs (ii) and (iv) of section II–2(a) of the Appendix are directed at "assessment" only, rather than actual production of audio or television programs about adolescents and the world of work and metric and consumer education. Two commenters expressed hope that actual production of television and radio programs would be supported in these areas, and one of these commenters asked whether other funding sources might be found for the needs assessments.

Response. The subject subparagraphs have been deleted because sufficient funds are not available in FY 1976 to carry out the activities described therein. Funds are similarly limited under other program authorizations which might support the subject television and radio activities, although, as indicated in the response to comment 11 below, limited efforts might be made under other Special Projects authorities.

6. *Comment.* Two commenters recommended that a panel of non-Federal employees with outstanding television and education credentials be established to review proposals against the applicable requirements and criteria. One of these comments indicated that this would insulate the review process from potential undue Federal interference with educational television and radio programs.

Response. No change has been made in the regulation. The Office of Education secures the assistance and advice of outside experts in reviewing project proposals and will consider the possibility of establishing panels of outside reviewers for this purpose. At the same time, it should be emphasized that final funding decisions on proposals must, as a matter of law, be made by officials of the Office of Education. The authority to administer the program is vested by statute in the Commissioner of Education. Under section 421A(a) of the General Education Provisions Act (20 U.S.C. 1231(a)), the authority to administer the program (including the authority to make award decisions) may be delegated only to officers or employees of the Office of Education. The Commissioner of Education has no intention of using this authority to assert any Federal control over educational television and radio programming, but the Commissioner does have a statutory responsibility for exercising judgment in selecting as the recipients of limited Federal funds those projects which will best carry out the purposes of the statutory authorization.

7. *Comment.* One comment expressed concern that the requirement in Appendix II–3(a) related to the quantity and quality of existing programs in the area addressed by the proposal could lead to uncritical concentration on superficial attributes and suggested that the provision be reformulated to weigh the need for the programming proposed and its potential for providing an effective educational service.

Response. Appendix II–3(a) has been amended in line with the comment.

8. *Comment.* One comment objected to the criterion on self-sufficiency on the basis that those projects most in need of Federal assistance are precisely those which could receive no such assistance elsewhere. The comment continued that it might require a long time before local educational authorities are sufficiently persuaded of a project's value to fund it. Two other commenters expressed the viewpoint that the Office of Education should push award recipients towards self-sufficiency but also expressed concern that self-sufficiency would require a long-term effort and that the criterion of self-sufficiency, if strictly applied, would preclude the funding of otherwise excellent projects.

Response. Appendix II–3(f) has been amended in accordance with these comments.

9. *Comment.* Two commenters pointed out the omission of educational radio programming for funding eligibility. One of these commenters asserted that aural communication provides an excellent alternative method for the presentation of learning materials, particularly when available funds are limited, for radio production has been far less expensive than television. One commenter further recommended that nonprofit corporations organized for the purpose of providing educational radio and television programs be included in the definitions of eligibility. Both comments suggested that to avoid confusion, the final regulation should detail what types of entities are eligible to receive funds.

Response. Audio programming is not excluded from eligibility for support, and the Appendix to the final regulation has been amended in a number of places to clarify this. The scope of eligible applicants is already described in § 160.5 (c) of the regulation and includes the classes of entities commented upon.

10. *Comment.* One commenter suggested an amendment to clarify that the activity of children's television programming does not exclude programs other than "Sesame Street" and "The Electric Company."

Response. Exclusion of other children's programming was not intended by the original language, and the recommended clarification has been made.

11. *Comment.* One comment recommended that the Office of Education give attention to the potential use of radio and television in other programmatic areas under the Special Projects Act.

Response. Separate regulations are being promulgated for the priority programs under the Special Projects Act, and consideration is being given to the potential use of radio and television in these programs. Regulations for the Metric Education Program make express provision for the use of educational television (45 CFR 160a.13(a), 160a.15(a)). Proposed regulations for the Consumers' Education Program likewise provide for the use of mass media (proposed 45 CFR 160c.4(c)(1)(i), 40 FR 54805, 54808, November 26, 1975). The relationship of the Women's Educational Equity Act (WEEA) Program to television is considered at some length in the preamble to the final WEEA regulation (response to comment 19, 41 FR 6420, 6425–26, February 12, 1976).

12. *Comment.* Two comments recommended that provisions be included for supporting educational television programming for non-broadcast uses, such as closed circuit systems, cassettes, and the like, as alternatives to broadcast dissemination. One of these commenters pointed to successful use of videocassettes in classroom instruction and asserted that by varying the methods of dissemination, there would be assurance that programs can reach larger segments of the public and will be available for reuse.

Response. Nothing in the proposed regulation was intended to exclude the funding of educational television programming for non-broadcast uses. Language has been added to Appendix II–1 to clarify this. In responding to particular requests for proposals under the program, offerors will have the opportunity to describe methods for dissemination of audio or video productions in as many telecommunications formats as possible and fiscally feasible. Where it can be demonstrated that alternative packaging will be beneficial, consideration will be given to such packaging and distribution.

C. Effective Date

Pursuant to section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232(d)), this regulation has been transmitted to the Congress concurrently with its publication in the Federal Register. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions thereof concerning Congressional action and adjournment.

(Catalog of Federal Domestic Assitance Nos. 13.541 Educational Technology Demonstrations, 13.553 Educational Packaging and Field Testing, 13.554 Career Education)

Dated: June 16, 1976.

T. H. Bell,
U.S. Commissioner of Education.

Approved: July 9, 1976.

Marjorie Lynch,
Acting Secretary of Health, Education, and Welfare.

Part 160 of Title 45 of the Code of Federal Regulations is amended to read as follows:

Sec.
160.1 Scope.
160.2 Purposes.
160.3 Definitions.
160.4 Types of projects.
160.5 Use of grants or contracts.
Appendix—Discretionary Activities.

Authority: The Special Projects Act, as enacted by sec. 402(a)(1) of Pub. L. 93–380 (20 U.S.C. 1851–53, 1861–67, 887d).

§ 160.1 Scope.

(a) This part governs the award of projects with funds appropriated to carry out the Special Projects Act, as enacted by section 402(a)(1) of Pub. L. 93–380.

(b) Projects awarded with funds appropriated to carry out the Special Projects Act are also subject to the following parts, as applicable:

(1) Part 160a—programs to encourage educational agencies and institutions to prepare students to use the metric system of measurement, as provided in section 403 of Pub. L. 93–380;

(2) Part 160b—programs to educate gifted and talented children, as provided in Section 404 of Pub. L. 93–380 (except subsection (f) thereof);

(3) Part 160c—programs to establish, expand, improve, maintain, and provide training for community education programs, as provided in Section 405 of Pub. L. 93–380;

(4) Part 160d—programs to assess and encourage establishment and opera-

tion of career education programs, as provided in section 406 of Pub. L. 93–380;

(5) Part 160e—programs to provide consumers' education to the public, as provided in section 811 of the Elementary and Secondary Education Act of 1965, as amended;

(6) Part 160f—programs to provide educational equity for women, as provided in section 408 of Pub. L. 93–380;

(7) Part 160g—programs to encourage and assist the use of arts in elementary and secondary school programs, as provided in section 409 of Pub. L. 93–380.

(20 U.S.C. 1851–53, 1861–67, 887d)

§ 160.2 Purposes.

(a) Except as provided in paragraph (b) of this section, the purposes of the program carried out pursuant to this part are to:

(1) Experiment with new educational and administrative methods, techniques, and practices;

(2) Meet special or unique educational needs or problems; and

(3) Place special emphasis on national educational priorities.

(b) With respect to funds reserved pursuant to § 160.4(a), the purposes of each of the priority programs for which the funds are reserved are set forth in Parts 160a through 160g of this chapter, as applicable.

(20 U.S.C. 1851)

§ 160.3 Definitions.

As used in this part and in Parts 160a through 160g of this chapter, except as otherwise defined by Parts 160a through 160g of this chapter:

"Act" means the Special Projects Act, enacted by section 402(a)(1) of the Education Amendments of 1974, Pub. L. 93–380 (20 U.S.C. 1851–53).

"Institution of higher education" means an educational institution in any State which:

(a) Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate,

(b) Is legally authorized within the State to provide a program of education beyond secondary education,

(c) Provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree,

(d) Is a public or other nonprofit institution, and

(e) Is accredited by a nationally recognized accrediting agency or association listed by the Commissioner or, if not so accredited:

(1) Is an institution with respect to which the Commissioner has determined that there is satisfactory assurance (considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made) that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or

(2) Is an institution whose credits are accepted for credit, on transfer, by not less than three accredited institutions, on the same basis as if transferred from an accredited institution.

Such an institution also means any school which provides not less than a one year training program to prepare students for gainful employment in a recognized occupation and which meets the provisions of paragraphs (a), (b), (d), and (e) of this section.

"Local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. The term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

"State" means, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(20 U.S.C. 1851–53)

§ 160.4 Types of projects.

(a) Section 4(b) of the Act provides that not less than 50 percent of the funds appropriated pursuant to the Act shall be reserved for the following priority programs:

(1) The metric education program authorized by section 403 of Pub. L. 93–380, as described in Part 160a of this chapter;

(2) The program for education of gifted and talented children authorized by section 404 of Pub. L. 93–380, as described in Part 160b of this chapter;

(3) The community education program authorized by section 405 of Pub. L. 93–380, as described in Part 160c of this chapter;

(4) The career education program authorized by section 406 of Pub. L. 93–380, as described in Part 160d of this chapter;

(5) The consumers' education program authorized by section 811 of the Elementary and Secondary Education Act of 1965, as amended, as described in Part 160e of this chapter;

(6) The women's educational equity program authorized by section 408 of Pub. L. 93–380, as described in Part 160f of this chapter; and

(7) The arts in education program authorized by section 409 of Pub. L. 93–380, as described in Part 160g of this chapter.

(b) Funds reserved pursuant to paragraph (a) of this section will be apportioned for each priority program in paragraphs (a)(1) through (7) of this section in the same ratio as the total amount authorized for sections 403, 404, 405, 406, 408 and 409 of Pub. L. 93–380 and section 811 of the Elementary and Secondary Education Act of 1965 as amended, bears to the individual amount authorized for each program in those sections except that not less than $750,000 of the funds reserved pursuant to paragraph (a) of this section will be available for purposes of the program of arts education described in paragraph (a)(7) of this section.

(c) (1) Funds appropriated to carry out the Act which are not reserved pursuant to paragraph (a) of this section will be available for activities described in the appendix to this part.

(2) It is expected that the funding activities described in the appendix to this part will be modified from time to time (with appropriate amendments to the appendix to this part) in accordance with spending plans prepared by the Commissioner pursuant to section 4(b)(1) of the Act.

(20 U.S.C. 1851–53, 1861–67, 887d; Sen. Rep. No. 1026, 93rd Cong., 2d Sess., 172 (1974))

§ 160.5 Use of grants or contracts.

(a) With respect to funds which are reserved for priority programs pursuant to § 160.4(a), the Commissioner will select between grant and contract procedures and instruments in accordance with the provisions of Parts 160a through 160g of this chapter, as applicable.

(b) With respect to funds appropriated to carry out the Act which are not reserved pursuant to § 160.4(a), the Commissioner will utilize contract procedures and instruments, subject to:

(1) The restriction that unsolicited proposals for contract awards will not be accepted and

(2) Any requirements and criteria described in the appendix to this part.

(c) Contracts under paragraph (b) of this section may be made by the Commissioner with public and private agencies, organizations, associations, institutions, and individuals.

(20 U.S.C. 1851–53, 1861–67, 887d)

APPENDIX

DISCRETIONARY ACTIVITIES

Funds appropriated to carry out the Special Projects Act which are not reserved pursuant to § 160.4(a) for priority programs will be expended for contracts to carry out the following activities:

I. *Packaging and testing of successful educational approaches and products.* 1. *General.* The purpose of this activity is to accelerate the replication of successful approaches and products developed and demonstrated in both formula and discretionary grant programs supported by the U.S. Commissioner of Education.

State departments of education, local school districts, and parent advisory councils have requested information from the

Commissioner on successful programs for the teaching of children, particularly the disadvantaged. This activity is therefore designed to enable local educational agencies to replicate those practices and projects that have been developed with a Federal investment and which have been validated as successful.

Six distinct steps have been defined to accomplish the goals of this activity:

(1) The systematic search for and identification of effective projects supported by the Commissioner;

(2) Final validation of the apparent success of these projects or components based on learning outcome measures, such as student test scores, and input measures, such as the resource requirements, needed to achieve these measurable results;

(3) The physical accumulation of information on the validated approaches into "project information packages" which include descriptions of the management, instructional, and supplementary resources and strategies deemed essential for achieving success by developers at the original site;

(4) The trial replication of the approaches through the installation of each packaged model in several school sites;

(5) A final revision of the packages based on an evaluation of the replication effort at these school sites; and

(6) The development and implementation in conjunction with State educational agencies of a dissemination strategy whereby packaged programs which are successfully replicated will become available for wider distribution.

2. *First set of packages.* With funds made available in fiscal years 1974 and 1975 under other statutory authorizations, such as the Cooperative Research Act, six project information packages have been identified, validated, packaged, and field tested in a limited number of school districts. These packages focus on compensatory reading and math instructional programs for educationally disadvantaged children. With FY 1976 funds under the Special Projects Act, the six packages were revised on the basis of the field test results and are being disseminated. In addition, an evaluation of the dissemination process and implementation of the revised packages will be conducted.

3. *Second set of packages.* With FY 1975 Cooperative Research Act funds and funds under other statutory authorizations, a second set of ten effective projects will be identified, packaged, field tested, revised, and disseminated. Six of these involve successful educational approaches to teaching basic skills to educationally disadvantaged children; the other four involve successful bilingual education approaches to teaching children of limited English-speaking ability.

4. *FY 1976 field tests.* It is expected that several contracts will be awarded with FY 1976 funds available under this part to develop, carry out, and/or evaluate field tests of the first and second sets of project information packages described in paragraphs 2 and 3 above.

5. *Technical assistance.* It is expected that one contract will be awarded with FY 1976 funds under this part to provide technical assistance to school districts which will be involved in field testing the 10 project information packages described in paragraph 3 above.

6. *Dissemination of packages.* It is expected that up to eight contracts will be awarded for the dissemination of the project information packages described in paragraph 2 above.

II. *Educational Television and Radio.* 1. *General.* This activity is designed to carry out the development, production, evaluation, dissemination, and utilization of innovative educational television or radio programs designed (for broadcast and/or nonbroadcast uses) to help children, youths, or adults to learn.

2. *Funding areas.* (a) Activities will be carried out, and project awards will be made with funds available for this activity in FY 1976 in the following areas:

(i) Children's television programming, including, but not limited to, the planning, production, evaluation, dissemination (including public awareness activities), and utilization of the programs "Sesame Street" and "The Electric Company." "Utilization" as used in Part II of this appendix includes activities and materials designed to enhance and reinforce the effectiveness of programs as used in formal and informal educational settings, including the development and implementation of a series of strategies in specific community settings which tap the energy and concern of parents, teachers, and others for using television as a positive force in educational development; and

(ii) The development of educational programs for parents as participants in early childhood education.

(b) Priority areas for all funding pursuant to Part II of this appendix for fiscal years subsequent to FY 1976 will be periodically published in the FEDERAL REGISTER.

3. *Funding requirements and criteria.* Contract awards will be made in funding areas determined pursuant to paragraph 2 above in accordance with the following requirements and criteria, except to the extent modified in specific requests for proposals:

(a) *Need for the programming.* Competing proposals will be judged as to the need for the programming proposed and its potential for providing an effective educational service. In applying this criterion, the Commissioner will consider whether the proposal is directed towards subject matter areas or target audiences with respect to which successful educational television programming is lacking in either quantity or quality. In order not to invest limited Federal resources in efforts which are duplicative of existing programming.

(b) *Educational impact.* The proposed programming must have a high probability that a substantial percentage of the potential target audience will achieve the learning objectives. Programming of a purely entertainment nature not supported by specific educational objectives will not be considered for support.

(c) *Applicability of subject matter to television or radio.* Television or radio must efficiently and effectively contribute to education of the target audience in the chosen subject matter area.

(d) *Successful models or designs.* The project must involve successful models or designs adaptable and applicable to the television or radio presentation format.

(e) *Cost per potential viewer.* Because of large production costs, television or radio must reach a sizable audience to be cost effective. An analysis of cost per potential viewer or listener will be a factor in determining the acceptability of proposals.

(f) *Potential for self-support.* One goal for any program (or series of programs) supported under this activity must be the ability to sustain the programming effort beyond the long term plans and efforts to develop financial independence, as outlined in the proposal, will receive special consideration. Project support will not be precluded, however, due to inability to predict long term self-sufficiency. Self-support mechanisms should be addressed by the proposal and consideration given to all alternatives, immediate and long term.

(g) *Project scope.* Projects must integrate development, production, formative evaluation, dissemination (including public awareness activities), and utilization planning. Production can then make full use of the results of development and formative evaluation while providing the framework for specific dissemination, utilization, and evaluation following the production phase.

III. *Career Education.* Contracts will be awarded to carry out activities authorized by Part 160d of this chapter and for developing information needs for career education for all children and assessing the status of career education programs and practices. Specific requirements and criteria will be developed to govern individual contract awards. It is expected that contracts will focus on areas in which it is determined, based on funding activities in prior fiscal years, that there is a special need for carefully focused career education activities.

(20 U.S.C. 1851–53)

[FR Doc.76–20463 Filed 7–14–76;8:45 am]

federal register

THURSDAY, JULY 15, 1976



PART III:

FEDERAL ELECTION COMMISSION

■

PUBLIC RECORDS

Index to Statements and Reports

FEDERAL ELECTION COMMISSION

Notice 1976-34

PUBLIC RECORDS

Index to Statements and Reports

The Federal Election Commission today publishes an index to certain 1975 statements and reports filed under the Federal Election Campaign Act of 1971 and the Federal Election Campaign Act Amendments of 1974. This index includes statements and reports filed for the period January 1, 1975 to December 31, 1975, as amended through, from Presidential and Vice Presidential candidates and their supporting political committees, as well as those from multicandidate political committees. These documents may have been filed with the Commission or any of the former Supervisory Officers: the Clerk of the U.S. House of Representatives, the Secretary of the U.S. Senate, or the Comptroller General of the U.S.

This index does not include reports and statements from candidates for the U.S. Senate and U.S. House of Representatives or their personal political committees, such reports having been filed with and indexed by the Secretary of the Senate and the Clerk of the House of Representatives respectively, during the period covered by this index.

The Federal Election Commission is required by 2 U.S.C. Sec. 438(a)(6) ". . . to compile and maintain a cumulative index of reports and statements filed with it, which shall be published in the *FEDERAL REGISTER* at regular intervals and which shall be available for purchase directly or by mail for a reasonable price." This index is published to meet that requirement. Additional copies are available from the Commission for $.25 per copy.

Thomas E. Harris
Vice Chairman, for the
Federal Election Commission

July 1976

SUMMARY

The Campaign finance laws passed in 1971 and 1974 require detailed campaign finance reports on contribution and expenditures from candidates for Federal office (President, Vice President, U.S. Senator, U.S. Representative) and their supporting political committees. As a result, over 100,000 reports totaling more than ¾ million pages were filed with one or more of the three Supervisory Officers: the Clerk of the U.S. House of Representatives, the Secretary of the U.S. Senate, and the Comptroller General of the United States.

With the establishment of the Federal Election Commission in 1975, a single, central office, with easy access and copying facilities for all of these statements and reports, came into existence. The Commission has assumed control of all documents filed with the Comptroller General, as well as duplicate sets of those filed with the Secretary and the Clerk. The Commission now encourages the greatest possible use of these documents. The Commission also hopes this index will serve as an easy reference guide for the public to use in understanding and obtaining those records.

REVIEWING REPORTS

All of the statements and reports listed in this index relate to campaign finance documents filed for the period of January 1, 1975 through December 31, 1975. These records, as well as those filed since April 7, 1972 (the effective date of the Federal Election Campaign Act of 1971), are readily available for inspection and copying at the following location:

PUBLIC RECORDS DIVISION
FEDERAL ELECTION COMMISSION
1325 K STREET, N.W.
WASHINGTON, D.C. 20463

The Public Records Division is open from 9 a.m. to 5 p.m., Monday-Friday. Additional hours may be announced for reporting periods. The telephone number is:

(202) 382-7012

These records itemize the financial activity of Federal candidates and political committees. The records include numerous reports filed on a quarterly and pre/post election basis. For general reference, each reports includes a summary page for that period, listing amounts of total receipts, total expenditures, cash on hand, debts owed, and other breakdowns.

The Commission has available reference tables, ample work space, and knowledgeable staff to help locate documents. Because the reports are required to include a listing of every contribution and expenditure in excess of $100, a simple review may involve numerous reports with many pages. In order to assist the public, the Public Records staff is available to help narrow the scope of the review down to a size that can be handled.

ADDITIONAL REVIEWING OFFICES

Statements and reports from candidates for the U.S. House of Representatives and their personal political committees may also be reviewed at the Clerk's Office of Records and Registration, Room 1036, Longworth House Office Building, Washington, D.C. The office is open from 9 a.m. to 5 p.m., Monday through Friday.

Copies of reports from candidates for the U.S. Senate, the U.S. House of Representatives, and their personal political committees also should be on file with the candidate's own Secretary of State, whose office is usually located in the State capital.

ORDERING REPORTS

Copies of all the statements and reports filed by Federal candidates and their supporting political committees since April 7, 1972, are available for purchase for $0.10 per page from the Federal Election Commission. They may be obtained by writing or visiting the Commission at the following address:

PUBLIC RECORDS DIVISION
FEDERAL ELECTION COMMISSION
1325 K STREET, N.W.
WASHINGTON, D.C. 20463

Those persons visiting the Commission may use the available photocopy machines for copying all or any part of a statement or report. This self-service arrangement permits the visitor to select only the appropriate pages.

Those persons requesting reports through the mail should clearly identify the specific report(s) they wish to order. A request for copies should include (1) the full name of the candidate or political committee reporting, (2) the specific report desired, and (3) the time period of financial activity which the report covers. The index also lists the number of pages in each report, which can be used to compute the copy charge at $0.10 per page. Full payment in advance is required. Checks should be made payable to the "U.S. Treasurer."

If an order requires more than one half hour of Commission staff time there will be a charge of $2.50 for each following half hour. Authentication with the Commission Seal may also be obtained for a fee of $2.00 per document.

The Public Records Division staff is always available to assist persons in understanding the quantity of pages and cost involved in any order.

RESTRICTIONS

This index and the reports listed are made available for public inspection and copying ". . . provided, that any information copies from such reports and statements shall not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose." (2 U.S.C. Section 438(a)(4))

This index is only meant as a reference guide. The listing of reports was compiled from numerous indexes of the Commission and the three former Supervisory Officers. In many instances there are duplicate filings which are only listed once in this index. Although the Commission has tried to make this index as accurate as possible, there may be errors or omissions. As a result, this index should not be used to check on the compliance of candidates and political committees with their statutory filing requirements.

PARA PERSONA DE HABLAR ESPANOL

Si usted tiene dificultades en entender el indice, escriba a Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463.

FEDERAL ELECTION COMMISSION

GUIDE TO INDEX OF STATEMENTS AND REPORTS

This index of statements and reports filed for the period January 1, 1975 through December 31, 1975 is divided into the three general categories listed below:

Part I - Presidential and Vice Presidential Candidates and Committees

Part II - Multicandidate Committees which are party related

Part III - Multicandidate Committees which are not party related

In each of these three categories, the index lists (1) the full name of the candidate or political committee, (2) the specific reports available, (3) the time periods of financial activity covered in each report, and (4) the number of pages in each report.

PART I

Listed alphabetically by last name in Part I are those Presidential and Vice Presidential candidates on whose behalf statements or reports have been filed. Personal Candidate Reports are listed immediately below the candidate's name. Following that is listed the candidate's principal campaign committee and/or any personal political committee appearing to operate on a nationwide basis. Finally, by State, is a list of any personal political committees operating on a statewide or local basis.

PRESIDENTIAL AND VICE PRESIDENTIAL (EXAMPLE)

DOE, JOHN		
January 31 Report	10/1 - 12/31	6 pages
Doe For President in 1976 Committee		
Registration	10/1	4 pages
October 10 Report	7/1 - 9/30	30 pages
NY - New Yorkers For Doe For President		
Registration	12/2	4 pages

PART II

Part II lists statements and reports from multicandidate political committees which appear to be related to an organized political party. Those committees operating on a nationwide basis or directly connected to the national committee of a political party are listed first. Below that, by State, are listed committees operating on a statewide basis or directly connected to a state committee of a political party, followed by county and local party-related committees.

MULTICANDIDATE COMMITTEES WHICH ARE PARTY-RELATED (EXAMPLE)

FEDERALIST PARTY NATIONAL COMMITTEE		
October 10 Report	7/1 - 9/30	147 pages
CALIFORNIA		
State Level		
California Federalist State Executive Committee		
January 31 Report	10/1 - 12/31	33 pages
Local Level		
Los Angeles County Federalist Committee		
Registration	10/5	7 pages

PART III

Part III lists statements and reports from multicandidate political committees which do not appear to be party-related. These committees are listed in alphabetical order with their reports listed below each committee name.

MULTICANDIDATE COMMITTEES WHICH ARE NOT PARTY-RELATED (EXAMPLE)

Better Government Committee		
January 31 Report	10/1 - 12/31	102 pages
Good Guys Union #1 Committee on Political Education		
Registration	11/6	4 pages
Good Guys Corporation Executives Political Action Committee		
Registration	10/4	4 pages

CY 1975 FILINGS

PART I - PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATES AND COMMITTEES

Individual / Committee	Type of Filing	Date Filed or Period Covered	# Pages
ABBOTT, CONRAD M.			
	Letter of Intent	12/29/75	2
	Jan. 31 Report	11/1/75-1/19/76	3
AHERN, FRANK			
	Letter of Intent	6/30/75	2
	Jan. 31 Report	1/1/75-12/31/75	5
ANDERSEN, LEONARD M.			
	Letter of Intent	12/31/75	2
	Jan. 31 Report	1/27/76	2
	Jan. 31 Report	No Dates	4
ARNOLD, STANLEY			
Citizens for Stanley Arnold			
	Registration	11/12/75	3
	April 10 Report	11/12/75	3
	July 10 Report	11/12/75	3
	Oct. 10 Report	11/12/75	5
	April 10 Amendment	1/14/76	4
	Oct. 10 Amendment	1/14/76	4
	Jan. 31 Report	10/1/75-12/31/75	7
	Jan. 31 Amendment	1/26/76	8
BAILEY, THOMAS			
	Letter of Intent	8/15/75	3
	Jan. 31 Report	1975	3
BAKER, PHILIP VERNON			
	March 10 Report	2/18/75-3/10/75	4
	July 10 Report	3/10/75-7/10/75	4
	July 10 Amendment	3/19/75-7/10/75	4
	Sept. 10 Report	6/10/75-9/10/75	4
	Oct. 10 Amendment	6/10/75-9/10/75	2
	Jan. 31 Report	9/30/75-12/31/75	3
BAYH, BIRCH			
	Letter	8/5/75	1
	Official Notice of Candidacy for U.S. President (Senate Elec. Form 2)	10/28/75	2
	Letter	10/28/75	1
	Jan. 31 Report	10/1/75-12/31/75	2
Committee For Birch Bayh in '76 (Principal Campaign Committee)			
	Registration	8/5/75	3
	Oct. 10 Report	8/5/75-9/30/75	36
	Letter	10/24/75	1
	Registration Amendment	10/28/75	3
	Registration Amendment	11/13/75	4
	Jan. 31 Report	10/1/75-12/31/75	213
BAYH, BIRCH (cont.)			
MO - Committee for Birch Bayh in '76 (Missouri)			
	Registration	9/17/75	5
	Jan. 31 Report	0/0/0	2
BENTSEN, LLOYD			
	(Filings prior to 1975, 6 pages)		
	March 10 Report	1/1/75-2/28/75	2
	July 10 Report	3/1/75-6/30/75	3
	Oct. 10 Report	7/10/75-10/10/75	3
	Oct. 10 Amendment	1/12/76	3
	Jan. 31 Report	10/1/75-12/31/75	4
Bentsen Committee Fund (name changed to Bentsen in '76)			
	(Filings prior to 1975, 266 pages)		
	Registration Amendment	2/14/75	5
Bentsen Dinner Committee Fund (name changed to Bentsen Committee Fund)			
	(Filings prior to 1975, 77 pages)		
Bentsen in '76 (Principal Campaign Committee)			
	March 10 Report	1/1/75-2/28/75	163
	Letter	2/14/75	3
	Registration Amendment	6/26/75	2
	Letter	3/31/75	2
	July 10 Report	3/1/75-6/30/75	189
	Registration Amendment	10/7/75	2
	Oct. 10 Report	7/1/75-9/30/75	208
	Oct. 10 Amendment	7/1/75-9/30/75	205
	Letter	10/20/75	3
	July 10 Amendment	1/1/75-5/31/75	5
	Jan. 31 Report	10/1/75-12/31/75	156
The Fall Evening With The Bentsens Committee			
	(Filings prior to 1975, 140 pages)		
VA - Bentsen For President Citizens Committee			
	Registration	5/1/75	3
BLESSITT, ARTHUR			
	Letter	9/19/75	4
	Oct. 10 Report	1/1/75-9/30/75	4
	Oct. 10 Amendment	7/1/75-9/30/75	3
	Jan. 31 Report	10/1/75-12/31/75	3
BOND, HORACE JULIAN			
	March 10 Report	1/1/75-2/28/75	4
	March 10 Amendment	1/1/75-2/28/75	3
Julian Bond '76 Campaign Committee			
	Registration	5/8/75	4
	July 10 Report	3/1/75-6/30/75	14
	Oct. 10 Report	7/1/75-9/30/75	7
	July 10 Amendment	3/1/75-6/30/75	11
	Jan. 31 Report	10/1/75-12/31/75	4
BREWSTER, ROBERT L.			
	Letter	11/21/75	4
	Jan. 31 Report	12/31/75	3
Brewster for President Committee (Principal Campaign Committee)			
	Registration	11/21/75	2
	Jan. 31 Report	12/31/75	6

BRITT, MARY
Mary Britt For President
Registration 4/28/75 3
March 10 Report 3/8/75 2

BURNER, JAMES ALLEN (REV.)
Letter of Intent 12/75 5
Jan. 31 Report 1/1/75-12/12/75 4
Letter 12/12/75 1
Letter 12/31/75 3

BYRD, ROBERT C.
Jan. 31 Report 1/28/76 2
Robert C. Byrd For President Committee
Registration 12/31/75 4

CAMEJO, PETER
(Filings prior to 1975, 3 pages)
March 10 Report 1/1/75-2/28/75 2
July 10 Report 3/1/75-6/30/75 6
July 10 Amendment 3/1/75-6/30/75 4
Oct. 10 Report 7/1/75-9/30/75 1
Jan. 31 Report 7/21/75-12/31/75 4

CAMEJO, PETER
Socialist Workers 1976 National Campaign Committee (Principal Campaign Committee)
Letter 8/4/75 1
Registration Amendment 1/8/76 3
Oct. 10 Amendment 1/8/76 8
Registration Amendment 1/31/76 2
Letter 1/31/76 2
Jan. 31 Report 10/1/75-12/31/75 18
Oct. 10 Amendment 2/4/76 3
CA - Socialist Workers Campaign for Camejo/Reid - CA
Registration 7/14/75 5
July 10 Report 3/21/75-6/30/75 11
Oct. 10 Report 7/1/75-9/30/75 9
Registration Amendment 10/14/75 1
Jan. 31 Report 10/1/75-12/31/75 10
Berkeley/Oakland Camejo-Reid Campaign Committee
Registration 9/29/75 4
Oct. 10 Report 7/1/75-9/30/75 13

CAREY, VINCENT J.
Letter 7/21/75 2

CARTER, JIMMY
Committee for Jimmy Carter
(Filings prior to 1975, 21 pages)
Registration Amendment 2/4/75 4
March 10 Report 1/1/75-2/28/75 25
March 10 Amendment 1/1/75-2/28/75 24
Registration Amendment 3/6/75 1
April 10 Report 3/1/75-3/31/75 37
July 10 Report 4/1/75-6/30/75 53

CARTER, JIMMY
Committee for Jimmy Carter (cont.)
Registration Amendment 9/10/75 2
Oct. 10 Report 7/1/75-9/30/75 88
Registration Amendment 11/28/75 2
Jan. 31 Report 10/1/75-12/31/75 151

CHURCH, FRANK
*Jan. 31 Report 12/12/75-12/31/75 2
California Democrats to Draft Senator Frank Church (Unauthorized)
Registration 12/4/75 1
Jan. 31 Report 12/1/75-12/31/75 4
Church for President Committee, Inc.
Registration 12/12/75 3
10 Day Pre 12/21/75-12/31/75 12
10 Day Pre Amendment 12/12/75-12/31/75 13

CLAY, FIFI
(Filings prior to 1975, 7 pages)
Registration 7/14/75 2
July 10 Report 7/14/75 5

CLAY, GUY-WALTERS-TAFT (Vice President)
(Filings prior to 1975, 6 pages)
Registration 7/14/75 2
July 10 Report 7/14/75 4

CLEGG, BILLY JOE
Oct. 10 Report 10/20/75 2

COCKBURN, CHARLES D.
Letter of Intent 1/29/76 2

COLLINS, RICHARD C.
Letter 7/24/75 4
Letter 8/21/75 2
Letter 1/18/76 3
Jan. 31 Report 10/31/75-12/31/75 3
Collins for President Committee
Registration 10/31/75 4
Jan. 31 Report 10/1/75-12/31/75 3

COOMBS, CHARLES F.
Jan. 31 Report 0/0-0/0 6

COUSINS, NORMAN
Draft Norman Cousins for President Committee
Registration 10/14/75 4
Jan. 31 Report 10/1/75-12/31/75 13

DALY, LAR
President Lar Daly Committee
Letter 12/17/75 2
Jan. 31 Report 1/31/75-12/31/75 7

DANE, ROBERT M.			
	Letter of Intent	12/13/75	1
EHRE, VICTOR T.			
	July 10 Report	1/1/75-6/30/75	3
	July 10 Amendment	12/11/75	1
ELEY, DAVID C.			
	*Jan. 31 Report	1/1/75-12/31/75	2
National Citizens Committee For the Election of David C. Eley			
	Registration	8/15/75	4
	Registration Amendment	9/2/75	2
	Registration Amendment	12/2/75	1
ENGLEFIELD, RICHARD H.			
	Letter of Intent	12/18/75	1
	Letter	12/31/75	2
	*Jan. 31 Report	4/75-1/10/76	4
EVANS, RONALD			
	July 10 Report	3/1/75-6/30/75	5
EVERT, MARTHA M.	Letter of Intent	12/12/75	1
FORD, GERALD			
	July 10 Report	6/20/75-6/30/75	2
	Oct. 10 Report	7/1/75-9/30/75	2
	Jan. 31 Report	10/1/75-12/31/75	2
The President Ford Committee			
	Registration	6/20/75	8
	Registration Amendment	7/9/75	3
	July 10 Report	6/20/75-6/30/75	6
	Registration Amendment	8/1/75	6
	Registration Amendment	8/25/75	6
	Oct. 10 Report	7/1/75-9/30/75	280
	Registration Amendment	10/30/75	4
	Registration Amendment	11/7/75	3
	Registration Amendment	11/12/75	3
	July 10 Amendment	11/13/75	2
	Oct. 10 Amendment	7/1/75-9/30/75	3
	Registration Amendment	11/21/75	3
	Registration Amendment	12/2/75	3
	Registration Amendment	12/8/75	1
	Registration Amendment	12/11/75	4
	Registration Amendment	12/22/75	4
	Letter	12/5/75	2
	Jan. 31 Report	10/1/75-12/31/75	357
	*Jan. 31 Amendment	10/1/75-12/31/75	21
FREY, EDWARD FRANK			
	Letter of Intent	12/16/75	1
GEORGE, MALCOMBE			
	July 10 Report	1/1/75-7/15/75	8
	Oct. 10 Report	11/10/75	3
	Jan. 31 Report	1/26/76	3
GORDON, J. JOHN			
	July 10 Report	1/1/75-7/9/75	5
	Letter	7/30/75	1
	Oct. 10 Report	7/1/75-9/30/75	2
	July 10 Amendment	1/1/75-7/9/75	2
	Oct. 10 Amendment	11/24/75	2
	*Jan. 31 Report	0/0/0	7
United States Committee To Elect J. John Gordon President of the United States			
	Registration	7/30/75	4
	Other Report	9/10/75-1/9/75	8
	Registration Amendment	10/14/75	3
	Oct. 10 Report	10/9/75	7
GABOR, PATRICK WILLIAM			
	Letter	7/10/75	5
	Registration Amendment	11/12/75	3
	Sept. 10 Report	9/10/75	3
	Oct. 10 Amendment	7/1/75-9/30/75	1
	Letter	12/3/75	1
	Jan. 31 Report	10/1/75-12/31/75	4
GRASSO, ELLA			
New Yorkers For Ella Grasso For Vice-President			
	Registration	9/15/75	4
	Oct. 10 Report	10/8/75	2
GRAVEL, MIKE			
Friends of Mike Gravel - VP (1972)			
	(Filings prior to 1975, 151 pages)		
	March 10 Report	1/1/75-2/28/75	4
	July 10 Report	3/1/75-6/30/75	5
HACKWORTHE, JOHNNIE MAE			
	Letter	12/22/75	33
	*Jan. 31 Report	1975	1
HANNAH, SHANNON JOHN			
	Letter of Intent	12/17/75	3
	Letter	1/31/75	3
HARRIS, FRED			
	Jan. 31 Report	7/0/74-1/31/75	8
	March 10 Report	1/31/75-3/10/75	2
	Other Reports	6/9/75	13
	July 10 Report	3/1/75-6/20/75	15
	Amend. to all rpts.	7/9/74-6/30/75	16
	Oct. 10 Report	7/1/75-9/30/75	7
	Jan. 31 Report	10/1/76-12/31/75	6
	Jan. 31 Amendment	2/11/76	8

HARRIS, FRED (cont.)

Harris For President

Registration	1/28/75	4
Jan. 31 Report	0/0/00-1/31/75	9
March 10 Report	1/31/75-3/10/75	15
July 10 Report (Includes all Subcommittee reports)	3/0/75-6/30/75	89
Letter	9/22/75	1
Letter	10/1/75	2
Amend. to all pre. rpts.	1/1/75-6/30/75	34
Oct. 10 Report	7/1/75-9/30/75	176
Oct. 10 Amendment	7/1/75-9/30/75	2
Letter	10/21/75	2
Registration Amendment	11/5/75	4
Registration Amendment	12/5/75	1
Letter	12/15/75	1
Letter from FEC	12/18/75	1
Jan. 31 Report	10/1/75-12/31/75	2
Jan. 31 Report	10/1/75-12/31/75	75

CA - Harris For President Committee - Northern California

Registration	6/9/75	6
Oct. 10 Report	7/1/75-9/30/75	11
Registration Amendment	10/9/75	4
July 10 Report	5/1/75-6/30/75	9
Registration Amendment	12/4/75	1
Jan. 31 Report	10/1/75-12/31/75	18
Jan. 31 Report	10/1/75-12/31/75	17

CA - Harris For President Committee - Southern California

Registration	6/17/75	6
Registration Amendment	10/28/75	4
July 10 Report	3/1/75-6/30/75	6
Oct. 10 Report	7/1/75-9/30/75	10
Jan. 31 Report	10/1/75-12/31/75	4

CO - Harris For President Committee

Registration	7/1/75	4
July 10 Report	1/1/75-6/30/75	2
Oct. 10 Report	7/1/75-9/30/75	8
Registration Amendment	12/2/75	3
Jan. 31 Report	10/1/75-12/31/75	17

CT - Harris For President Committee

Oct. 10 Amendment	7/1/75-9/30/75	4
Registration	9/22/75	4
Oct. 10 Report	7/1/75-9/30/75	9
Registration Amendment	11/21/75	4
Jan. 31 Report	10/1/75-12/31/75	9
Oct. 10 Amendment	2/4/76	3

IL - Chicagoland Harris For President Committee

Registration	10/2/75	5
Jan. 31 Report	10/1/75-12/31/75	38

IL - Downstate Illinois Committee For Fred Harris

Registration Amendment	10/7/75	3
Jan. 31 Report	11/18/75-12/31/75	3

HARRIS, FRED (cont.)

IL - Western Illinois Harris For President Committee

Registration	11/21/75	5
Jan. 31 Report	10/75-12/31/75	2

IA - Iowa Committee For Harris For President

Registration	11/21/75	4
Jan. 31 Report	9/24/75-12/31/75	42

MA - Massachusetts Harris For President Committee

Registration	3/26/75	4
July 10 Report	3/22/75	9
Oct. 10 Report	7/1/75-9/30/75	11
July 10 Amendment	12/31/75	13
July 10 Amendment	1/15/76	9
Oct. 10 Amendment	1/16/76	14
Oct. 10 Amendment	7/1/75-9/30/75	14
Jan. 31 Report	9/30/75-12/31/75	12

MI - Fred Harris For President Committee of Ann Arbor

Registration	11/5/75	3
Jan. 31 Report	6/75-12/31/75	9
Jan. 31 Report	11/4/75-1/31/76	2

MN - Minnesota Harris For President Committee

Registration	9/22/75	4
Registration Amendment	10/21/75	4
Oct. 10 Report	7/1/75-9/30/75	14
Oct. 10 Amendment	7/1/75-9/30/75	7
Jan. 31 Report	10/1/75-12/31/75	16

MO - Harris For President - Kansas City

Registration	12/2/75	2
Jan. 31 Report	10/1/75-12/31/75	6

MO - St. Louis Citizens For Harris

Jan. 31 Report	10/1/75-12/31/75	4

MS - Mississippi Harris For President Committee

Registration	10/17/75	6
Registration Amendment	12/4/75	3
Registration Amendment	12/5/75	1
Jan. 31 Report	10/1/75-12/31/75	9

NB - Nebraska Harris For President Committee

Registration	9/22/75	3
Oct. 10 Report	7/1/75-9/30/75	15

NH - New Hampshire Harris For President Committee

Registration	3/25/75	4
July 10 Report	3/1/75-6/30/75	4
July 10 Amendment	3/24/75-6/30/75	4
Oct. 10 Report	7/1/75-9/30/75	14
Oct. 10 Amendment	7/1/75-9/30/75	2
Registration Amendment	11/28/75	4
July 10 Amendment	12/8/75	3
Jan . 31 Report	10/1/75-12/31/75	3

HARRIS, FRED (cont.)

NJ - New Jersey Harris For President Committee		
Registration	9/22/75	3
Oct. 10 Report	7/1/75-9/30/75	7
Registration Amendment	11/19/75	4
Registration Amendment	12/2/75	2
Jan. 31 Report	10/1/75-12/31/75	10
NM - Harris For President Committee of New Mexico		
Registration	6/30/75	4
Oct. 10 Report	7/1/75-9/30/75	3
Jan. 31 Report	10/1/75-12/31/75	5
NY - New York Harris For President Committee		
Registration	6/9/75	5
Oct. 10 Report	7/1/75-9/30/75	8
Toledoans for Harris for President		
Jan. 31 Report	7/23/75-12/31/75	6
OK - Oklahoman's for Fred Harris For President Committee		
Registration	12/2/75	2
OR - Oregon Harris For President		
Registration	6/19/75	5
Registration Amendment	10/20/75	3
July 10 Report	5/1/75-6/30/75	5
Oct. 10 Report	7/1/75-9/30/75	7
Jan. 31 Report	10/1/75-12/31/75	9
PA - Pennsylvania Harris For President Committee		
Registration	9/22/75	3
Oct. 10 Report	7/25/75-9/30/75	7
Oct. 10 Amendment	7/25/75-9/30/75	4
Jan. 31 Report	10/1/75-12/31/75	9
RI - Rhode Island Harris For President Committee		
Registration	10/21/75	3
Registration Amendment	10/21/75	3
Oct. 10 Report	7/22/75-9/30/75	8
Registration Amendment	12/5/75	2
Jan. 31 Report	10/1/75-12/31/75	6
TX - Fred Harris For President Texas Campaign Committee		
Jan. 31 Report	10/1/75-12/31/75	4
VT - Vermont Harris For President Committee		
Registration	11/5/75	4
Registration Amendment	1/30/76	2
Jan. 31 Report	11/5/75-1/22/75	4
WA - Washington Harris For President		
Registration	9/22/75	4
Oct. 10 Report	7/31/75-9/30/75	8
Registration Amendment	12/5/75	3
Jan. 31 Report	10/1/75-12/31/75	11
Jan. 31 Amendment	2/11/76	2
WI - Wisconsin Harris For President Committee		
Registration	6/13/75	5
March 10 Report	1/1/75-3/5/75	7
July 10 Report	3/6/75-6/30/75	6
July 10 Amendment	3/1/75-6/30/75	4
Oct. 10 Report	7/1/75-9/30/75	9
March 10 Amendment	2/6/75-3/5/75	1
Jan. 31 Report	10/1/75-12/31/75	9
Jan. 31 Amendment	2/13/76	10

HOENIG, PEGGY

Citizens For Peggy Hoenig For President		
July 10 Report	7/10/75	2

HUMPHREY, HUBERT H.

Letter from AA	7/1/75	2
Letter from AA	8/12/75	2
Letter from AA	11/3/75	3
Letter from AA	11/3/75	3
Letter from AA	12/11/75	2
Letter from AA	12/19/75	2
Letter from AA	12/19/75	3
Committee For The Nomination Of Hubert H. Humphrey, Inc. (1972)		
(Filings prior to 1975, 2,257 pages)		
March 10 Report	1/1/75-2/28/75	7
July 10 Report	3/1/75-6/30/75	7
Oct. 10 Report	7/1/75-9/30/75	8
Oct. 10 Amendment	7/1/75-9/30/75	10
Jan. 31 Report	10/1/75-12/31/75	12
Friends of Humphrey Committee (1972)		
(Filings prior to 1975, 121 pages)		
March 10 Report	1/1/75-2/28/75	3
July 10 Report	3/1/75-6/30/75	5
Oct. 10 Report	7/1/75-9/30/75	9
Termation Report	10/1 -12/22/75	5
Hubert H. Humphrey - President Of The United States		
(see Humphrey - Letter	7/1/75)	
Humphrey '76 Committee		
(see Humphrey - Letter	8/12/75)	
Humphrey Dinner Committee (1972)		
(Filings prior to 1975, 95 pages)		
March 10 Report	1/1/75-2/28/75	5
June 10 Report	3/1/75-5/31/75	7
Sept. 10 Report	6/1/75-8/31/75	6
The Triple H Committee (1972)		
(Filings prior to 1975, 54 pages)		
March 10 Report	1/1/75-2/28/75	2
June 10 Report	3/1/75-5/31/75	3
Oct. 10 Report	6/1/75-9/30/75	13
Oct. 10 Amendment	12/24/75	3
Jan. 31 Report	10/1/75-12/31/75	13
1972 Debt Retirement Committee		
(Filings prior to 1975, 33 pages)		
Jan. 31/Mar. 10 Report	11/1/74-2/28/75	3
July 10 Report	3/1/75-6/30/75	4
Oct. 10 Report	7/1/75-9/30/75	2

JACKSON, DONALD L. (Reverend)

Letter of Intent	12/16/75	2
Jan. 10 Report	12/13-12/27	5
Amend Primary Report	12/28/75-12/31/75	5

JACKSON, HENRY			
	(Filing prior to 1975, 64 Pages)		
	March 10 Report	1/1/75-2/28/75	2
	July 10 Report	3/1/75-6/30/75	2
	Oct. 10 Report	7/1/75-9/30/75	2
	Jan. 31 Report	10/1/75-12/31/75	3
Jackson For President Committee			
	(Filings prior to 1975, 37 Pages)		
	March 10 Report	1/1/75-2/28/75	97
	March 10 Amendment	1/1/75-2/28/75	2
	March 10 Amendment	1/1/75-2/28/75	1
	March 10 Amendment	1/1/75-2/28/75	22
	Registration Amendment	3/11/75	3
	July 10 Report	3/1/75-6/30/75	262
	Letter	8/21/75	2
	Registration	10/3/75	3
	Oct. 10 Report	7/1/75-9/30/75	134
	Registration Amendment	11/18/75	4
	Jan. 31 Report	10/1/75-12/31/75	193
	Jan. 31 Amendment	2/11/76	4
Jackson Planning Committee (name changed to Jackson for President Committee)			
	(Filings prior to 1975, 20 pages)		
WI - First District Jackson For President Committee			
	Registration	8/14/75	3
	Letter	11/3/75	2
KELLEHER, ROBERT L.			
	Letter of Designation	11/10/75	1
	January 31 Report	10/26/75-12/31/75	10
	January 31 Amendment	2/9/76	7
Committee to Elect Last President (CELP) (also known as Kelleher for President)			
	Registration	11/11/75	4
	Letter	12/1/75	2
	Registration Amendment	12/1/75	1
	Registration Amendment	12/10/75	1
	January 31 Amendment	2/9/76	9
KENNEDY, EDWARD			
	Letter	6/4/75	3
	Letter	11/15/75	2
MA - The Drafted Committee (Unauthorized)			
	Registration	4/20/75	4
	Registration Amendment	4/24/75	4
	July 10 Report	3/1/75-6/30/75	7
NY - Citizen's Committee to Draft Ted (Unauthorized)			
	Registration	4/24/75	3
	Registration Amendment	12/11/75	1
	January 31 Report	10/1/75-12/31/76	10
LANYHOW, PAUL T.			
	Letter	8/20/75	5
LA ROUCHE, LYNDON H.			
	July 10 Report	3/1/75-6/30/75	5
	January 31 Report	10/1/75-12/31/75	6
Committee to Elect Lyndon La Rouche			
	October 10 Report	9/1/75-9/30/75	3
	Letter	10/14/75	2
	January 31 Report	10/1/75-12/31/75	22
WA - Washington Committee to Elect La Rouche - Evans			
	Registration	11/12/75	2
LINDSAY, JOHN			
Regards To the Lindsay Years (1972)			
	(Filings prior to 1975, 103 pages)		
	Other Report	11/9/73-2/28/75	10
LOWENHERZ, RICK			
Rick Lowenherz for President Committee			
	Registration	12/5/75	3
MACBRIDE, ROGER LEA			
	October 10 Report	7/1/75-9/30/75	5
	Registration	10/21/75	3
	October 10 Amendment	12/24/75	2
	October 10 Amendment	1/13/76	2
	January 31 Report	10/1/75-12/31/75	4
MacBride for President Committee			
	January 31 Report	10/1/75-12/31/75	7
	January 31 Amendment	10/1/75-12/31/75	3
MCCABE, JOHN HENRY			
	(Filings prior to 1975, 3 pages)		
	March 10 Report	1/31/75-3/10/75	2
	June 10 Report	3/10/75-6/10/75	5
	July 10 Amendment	6/10/75-7/10/75	6
	January 31 Report	10/10/75-1/31/76	5
MCCARTHY, EUGENE J.			
	(Filings prior to 1975, 42 pages)		
	January 31 Report	1/21/75-1/31/75	3
	July 10 Report	3/1/75-6/30/75	2
	January 31 Report	10/31/75-12/31/75	3
Committee For A Constitutional Presidency/McCarthy '76 (Principal Campaign Committee)			
	(Filings prior to 1975, 29 pages)		
	Registration Amendment	1/20/75	1
	March 10 Report	12/31/74-2/28/75	8
	Letter	6/10/75	3
	July 10 Report	3/1/75-6/30/75	16
	October 10 Report	7/1/75-9/30/75	13
	Letter	11/17/75	3
	July 10 Amendment	3/1/75-6/30/75	30
	October 10 Amendment	7/1/75-9/30/75	2
	January 31 Report	10/1/75-12/31/75	17

MCCARTHY, EUGENE J. (cont.)
- CA - McCarthy '76, 5th Congressional District
  - Registration 9/3/75 3
  - October 10 Report 10/29/75 6
- IA - Iowa 1st District McCarthy '76
  - Registration 8/19/75 4
  - January 31 Report 9/1/75-12/31/75 6
- MO - McCarthy '76 Missouri Second Congressional District
  - Registration 8/21/75 2
- NY - McCarthy '76, New York, 6th Congressional District
  - Letter 8/12/75 1
  - Registration 8/25/75 5
  - January 31 Report 10/1/75-12/31/75 9
- OR - McCarthy '76 Committee
  - Registration 8/4/75 4
- WI - Committee For a Constitutional Presidency-McCarthy '76 Wisconsin 2nd Congressional District
  - March 10 Report 12/23/74-2/28/75 7
  - July 10 Report 3/1/75-6/30/75 7
  - Registration Amendment 7/7/75 2

MCCORMACK, ELLEN
- Letter 7/23/75 2
- Pro-Life Action Committee - McCormack - (Principal Campaign Committee) (See Party-Related files for reports)
  - Letter 7/15/75 4
  - Letter 11/24/75 1
  - July 10 Report 3/1/75-6/30/75 3
  - Registration Amendment 7/24/75 6
  - October 10 Report 7/1/75-9/30/75 5
  - Letter 11/28/75 2
  - Letter 11/25/75 1
  - Letter 12/22/75 2

MCGOVERN, GEORGE
- McGovern Committee (1972)
  - (Filings prior to 1975, 74 pages)
  - March 10 Report 1/1/75-2/28/75 10
  - June 10 Report 3/1/75-5/31/75 8
  - July 10 Report 3/1/75-6/30/75 8
  - October 10 Report 7/1/75-9/30/75 6
  - January 31 Report 10/15/75-12/31/75 6
  - January 31 Amendment 10/1/75-12/31/75 6
- CA - Californians For McGovern (1972)
  - (Filings prior to 1975, 164 pages)
  - March 10 Report 1/1/75-2/28/75 4
  - July 10 Report 3/1/75-6/30/75 3
  - October 10 Report 7/1/75-9/30/75 2
  - January 31 Report 7/1/75-12/31/75 9
- CA - McGovern Central Control Fund (1972)
  - (Filings prior to 1975, 539 pages)
  - March 10 Report 1/1/75-2/28/75 4
  - July 10 Report 3/1/75-6/30/75 4
  - October 10 Report 7/1/75-9/30/75 2
  - January 31 Report 7/1/75-12/31/75 8

MCGOVERN, GEORGE (cont.)
- CA - McGovern '72 Committee (1972)
  - (Filings prior to 1975, 246 pages)
  - March 10 Report 1/1/75-2/28/75 4
  - July 10 Report 3/1/75-6/30/75 4
- MA - National Lawyers Committee For McGovern - Shriver
  - (Filings prior to 1975, 37 pages)
  - March 10 Report 1/1/75-2/28/75 4
  - July 10 Report 3/1/75-6/30/75 4
  - July 10 Report 3/1/75-6/30/75 4
  - September 10 Report 9/10/75-1/30/76 4
  - October 10 Report 7/1/75-9/30/75 2
- MI - Michigan McGovern For President (1972)
  - (Filings prior to 1975, 263 pages)
  - Other Report 6/1/74-2/28/75 5
- MN - McGovern for President/Minnesota (1972)
  - (Filings prior to 1975, 295 pages)
  - March 10 Termination 1/1/75-2/28/75 5
- NY - New York City Committee, Labor For McGovern - Shriver (1972)
  - March 10 Report 1/1/75-2/28/75 3
  - July 10 Report 3/1/75-6/30/75 2
  - October 10 Report 7/1/75-9/30/75 3
  - *January 31 Report 10/1/75-12/31/75 3
- ND - McGovern For President/North Dakota (1972)
  - Registration Amendment 8/30/75 1
- OH - McGovern For President-Ohio
  - (Filings prior to 1975, 299 pages)
  - March 10 Report 1/1/75-2/28/75 2
  - July 10 Report/Term. 3/1/75-6/30/75 5
- WI - Wisconsin McGovern For President Committee
  - (Filings prior to 1975, 3 pages)
  - Letter 3/12/75 2

MILLER, ERNEST L.
- Miller For President National Committee
  - Registration 7/10/75 3
  - July 10 Report 4/1/75-7/10/75 5
  - October 10 Report 8/1/75-9/30/75 14
  - July 10 Amendment 4/1/75-7/10/75 2
  - October 10 Amendment 7/11/75-9/30/75 2
  - January 31 Report 10/1/75-12/31/75 5
  - January 31 Amendment 1/13/76 4

MOBLEY, JAMES A.
- Letter of Intent 2/10/76 2

MONDALE, WALTER F.
- (Filings prior to 1975, 11 pages)
- March 10 Report 1/1/75-2/28/75 2
- July 10 Report 3/1/75-6/30/75 3

MONDALE, WALTER F. (cont.)			
The Mondale Committee			
	(Filings prior to 1975, 93 pages)		
	March 10 Report	1/1/75-2/28/75	7
	March 10 Amendment	1/1/75-2/28/75	3
	July 10 Report	3/1/75-6/30/75	9
MUSKIE, EDMUND			
PA - Pennsylvania Muskie for President (1972)			
	March 10 Report	1/1/75-3/10/75	10
1972 Floridians for Muskie Debt Retirement Committee			
	Letter	12/31/75	2
NIXON, RICHARD			
Finance Committee to Re-Elect The President (1972)			
	(Filings prior to 1975, 3,984)		
	March 10 Report	1/1/75-2/28/75	2
	July 10 Report	3/1/75-6/30/75	3
1972 Campaign Liquidation Trust			
	(Filings prior to 1975, 108 pages)		
	March 10 Report	1/1/75-2/28/75	16
	March 10 Amendment	1/1/75-2/28/75	1
	July 10 Report	3/1/75-6/30/75	18
	October 10 Report	7/1/75-9/30/75	17
	January 31 Report	10/1/75-12/31/75	18
MD - Democrats For Nixon (1972)			
	(Filings prior to 1975, 105 pages)		
	March 10 Termination	9/1/74-2/28/75	7
	July 10 Termination	3/1/75-6/30/75	5
	October 10 Termination	10/8/75	2
	January 31 Termination	10/1/75-12/31/75	8
O'CUMMINGS, GRADY			
	Telegram of Intent	9/24/75	2
PATTON, PAT			
	(Filings prior to 1975, 2 pages)		
	March 10 Report	1/1/75-3/31/75	2
	July 10 Report	4/1/75-6/30/75	6
	October 10 Report	7/1/75-10/1/75	2
	January 31 Report	0/0-0/0	4
PEABODY, ENDICOTT			
Peabody Fund Committee (1972)			
	(Filings prior to 1975, 24 pages)		
	March 10 Report	1/31/75-3/10/75	3
	July 10 Report	1/31/75-6/30/75	5
PERCY, CHARLES			
The Percy Committee			
	(Filings prior to 1975, 136 pages)		
	March 10 Report	1/1/75-2/28/75	4
	July 10 Report	3/1/75-6/30/75	5
PERCY, CHARLES (cont.)			
	Letter	7/24/75	2
	October 10 Report	7/1/75-9/30/75	3
	Registration Amendment	10/14/75	3
PERSONS, ROBERT LEO (REV.)			
	Letter of Intent	12/11/75	1
	January 31 Report	9/30/75-12/31/75	4
PIRMAN, ANTON			
Commonwealth Political Party			
	Registration	11/12/75	2
REAGAN, RONALD			
	January 31 Report	10/1/75-12/31/75	2
Citizens for Reagan (Principal Campaign Committee)			
	Letter	7/24/75	2
	Registration	7/24/75	3
	Letter	8/19/75	2
	Registration Amendment	8/19/75	2
	October 10 Report	7/1/75-9/30/75	45
	October 10 Amendment	12/10/75	4
	Letter	12/12/75	1
	January 31 Report	10/1/75-12/31/75	265
	Registration Amendment for Alabama	11/7/75	2
	Registration Amendment for Illinois	9/29/75	3
	Registration Amendment for Illinois	9/29/75	3
	Registration Amendment for Illinois	11/5/75	2
	Registration Amendment for Nebraska	11/5/75	2
	Registration Amendment for North Carolina	11/5/75	3
	Registration Amendment for New Hampshire	11/5/75	3
NY - Citizens for Reagan			
	Regis. Amend. for N.Y.	5/1/75	3
	July 10 Report	3/21/75-6/30/75	8
	Letter	10/9/75	1
	Oct. 10 Report & Term.	7/11/75-10/10/75	4
	Letter	10/14/75	1
WI - Wisconsin Citizens for Reagan (Unauthorized)			
	Registration Amendment	11/20/75	2
Committee To Administer The Governor Reagan Travel Fund			
	July 10 Report	3/1/75-6/30/75	17
	October 10 Report	7/1/75-9/30/75	8
	July 10 Amendment	7/1/75-9/30/75	2
	October 10 Amendment	7/1/75-9/30/75	2
	January 31 Report	10/1/75-12/31/75	12

REED, RALPH RANDOLPH

(Filings prior to 1975, 2 pages)		
March 10 Report	1/1/75-3/1/75	2
March 10 Report	0/1/75-2/28/75	3
Letter	7/14/75	1
July 10 Report	3/1/75-6/30/75	4
October 10 Report	7/1/75-9/30/75	1
January 31 Report	1/31/75	1

Socialist Workers 1976 National Campaign Committee (Principal Campaign Committee)

Letter	10/14/75	1
Registration Amendment	12/18/75	4
July 10 Amendment	3/1/75-6/30/75	4
September 10 Report	6/10/75-9/10/75	3
October 10 Report	9/10/75-9/30/75	5
October 10 Amendment	12/29/75	3
October 10 Amendment	1/12/76	3
July 10 Amendment	2/4/76	2
January 31 Report	7/1/75-12/31/75	14

ROBERTS, J. CLAUDE

Letter of Intent	11/11/75	2

RODEN, GEORGE

June 10 Report	3/21/75-6/10/75	3
September 10 Report	6/10/75-9/10/75	3
October 10 Report	7/10/75-10/10/75	4
July 10 Amendment	4/10/75-7/10/75	3
October 10 Amendment	9/10/75-9/30/75	4
October 10 Amendment	1/2/76	7
January 31 Report	10/1/75-12/31/75	4
January 31 Amendment	1/20/76	5

Committee For The Election of George Roden For President

Registration	5/5/75	3
June 10 Report	3/21/75-6/10/75	3
September 10 Report	6/10/76-9/10/75	3
October 10 Report	9/10/75-9/30/75	5
October 10 Amendment	12/29/75	3
October 10 Amendment	1/12/76	3
January 31 Report	10/1/75-12/31/75	7

ROLLINSON, RAY FOR VICE PRESIDENT

Letter of Intent	12/14/75	6

ROSSEVELT, ROBERT

Committee to Elect Roosevelt President - DC

Registration	10/22/75	2
Registration Amendment	10/31/75	2
January 31 Report	10/1/75-12/31/75	19
January 31 Amendment	10/1/75-12/31/75	3
*January 31 Report	0/0/0	5

RYAN, JOSEPH A.

June 10 Report	4/2/75-6/10/75	5
September 10 Report	6/10/75-9/10/75	22
October 10 Report	6/10/75-10/10/75	13
Letter of Intent	11/24/75	17
January 31 Report	10/10/75-12/31/75	4

SANFORD, TERRY

Citizens Committee To Nominate Terry Sanford (name changed to Sanford For President Committee)

(Filings prior to 1975, 73 pages)		
Registration	1/23/75	2
March 10 Report	1/1/75-2/28/75	11

Sanford For President Committee

Registration Amendment	5/29/75	6
Registration Amendment	6/27/75	3
July 10 Report	3/1/75-6/30/75	40
July 10 Amendment	3/1/75-6/30/75	7
October 10 Report	7/1/75-9/30/75	105
Registration Amendment	12/9/75	3
January 31 Report	9/1/74-12/21/74	19
March 10 Report	1/1/75-2/28/75	21
July 10 Amendment	3/1/75-6/30/75	2
October 10 Amendment	7/1/75-9/30/75	2
January 31 Report	10/1/75-12/31/75	154

NC - North Carolinians For Terry Sanford (1972)

Termination Amendment	7/3/75	2

Sanford For President (1972)

(Filings prior to 1975, 291 pages)		
Letter	7/8/75	1

SCHECHTER, BERNARD B.

Letter of Intent	12/17/75	2
January 31 Report	10/75-12/75	5

SHAPP, MILTON J.

July 10 Report	3/1/75-6/30/75	3

Shapp For President Committee

Registration	6/25/75	4
July 10 Report	6/13/75-6/30/75	5
October 10 Report	7/1/75-9/30/75	31
Registration Amendment	10/17/75	2
October 10 Amendment	11/5/75	4
October 10 Amendment	11/18/75	2
October 10 Amendment	12/4/75	1
October 10 Amendment	12/5/75	2
October 10 Amendment	7/1/75-9/30/75	1
January 31 Report	10/1/75-12/31/75	11
January 31 Amendment	2/9/76	11

Florida Shapp for President Committee

Registration	1/2/76	4
January 31 Report	10/1/75-12/31/75	3

SHRIVER, SARGENT			
	Letter	7/15/75	1
The Draft Shriver Committee (Unauthorized)			
	Registration	6/4/75	5
	July 10 Report	5/12/75-6/10/75	4
	Letter	7/8/75	1
Shriver For President Committee (Principal Campaign Committee)			
	Registration	7/15/75	11
	October 10 Report	7/1/75-9/30/75	60
	Registration Amendment	11/11/75	2
	January 31 Report	10/1/75-12/31/75	130
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SOLDO,			
Friends For Soldo			
	Letter of Intent	12/15/75	2
STOLL, DANNY P.			
	Letter of Intent	12/3/75	4
STONE, KEITH K.			
	Letter of Intent	12/29/75	2
	January 31 Report	0/0-1/31/76	4
TAYLOR, FRANK			
	July 10 Report	7/14/75	2
TEMPLETON, DEAN			
	(Filings prior to 1975, 6 pages)		
Templeton's Write-In Roundup			
	(Filings prior to 1975, 3 pages)		
	January 31 Report	9/17/74-1/28/75	2
	March 10 Report/Term.	1/29/75-3/ /75	2
TOWERS, R.S.V.			
	January 31 Report	11/14/75-12/31/75	1
Mammon (Principal Campaign Committee)			
	Registration	12/11/75	35
	Letter & Jan. 31 Report	11/14/75-12/31/75	3
TUCKER, JOSEPH H.			
	Letter of Intent	10/14/75	1
	January 31 Report	1/1/75-1/31/76	308
UDALL, MORRIS			
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	July 10 Report	3/1/75-6/30/75	3
	October 10 Report	7/1/75-9/30/75	4
	January 31 Report	10/1/75-12/31/75	4

UDALL, MORRIS (cont.)			
Udall '76 Committee			
	(Filings prior to 1975, 14 pages)		
	Registration Amendment	2/4/75	6
	March 10 Report	1/1/75-2/28/75	49
	July 10 Report	3/1/75-6/30/75	121
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	Registration Amendment	11/28/75	3
	October 10 Amendment	12/8/75	1
	January 31 Report	10/1/75-12/31/75	226
CA - Udall '76 California Committee			
	Registration	11/14/75	3
	January 31 Report	10/1/75-12/31/75	9
IA - Udall '76 Committee			
	Registration	9/2/75	4
	October 10 Report	9/2/75-9/30/75	6
	Registration Amendment	12/1/75	2
	Registration Amendment	12/15/75	1
	January 31 Report	9/25/75-12/31/75	10
KS - Udall '76 Committee			
	Registration	9/2/75	4
	January 31 Report	1/1/75-12/31/75	6
MA - Massachusetts Udall '76 Committee			
	Registration	7/24/75	4
	October 10 Report	7/21/75-9/30/75	11
	October 10 Report	12/1/75	1
	January 31 Amendment	1/1/75-12/31/75	11
MA - Udall '76 Massachusetts Special Events Committee			
	Registration	1/17/75	3
	March 10 Report	1/24/75-2/28/75	9
	July 10 Termination	2/28/75-7/1/75	9
	July 10 Amendment	1/15/76	5
NB - Udall For President Committee			
	Registration	11/10/75	2
NH - New Hampshrie Udall '76 Committee			
	Registration	8/15/75	4
	October 10 Report	7/1/75-9/30/75	15
	Registration Amendment	12/3/75	3
	October 10 Amendment	7/1/75-9/30/75	6
	Registration Amendment	12/31/75	3
NM - New Mexico Udall '76 Committee			
	January 31 Report	9/1/75-12/31/75	4
OR - Oregon Udall '76 Committee			
	Registration	8/15/75	4
	October 10 Report	7/1/75-9/30/75	4
	Letter	11/13/75	3
	Letter	12/3/75	1
	October 10 Amendment	7/1/75-9/30/75	8
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	January 31 Report	10/1/75-12/31/75	10
	January 31 Report	10/1/75-12/31/75	8

UDALL, MORRIS (cont.)			
WA - Washington Citizens For Udall '76			
	Registration	12/19/75	3
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	January 31 Amendment	12/11/75-12/31/75	11
WI - Wisconsin Udall '76 Committee			
	Registration	7/18/76	4
	October 10 Report	7/1/75-9/30/75	21
	Registration Amendment	12/22/75	3
	Registration Amendment	1/22/76	3
	January 31 Report	10/1/75-12/31/75	23
WAGGONER, IRA R.			
	Letter of Intent	9/29/75	3
	Letters	10/21/75	5
	October 10 Amendment	12/11/75	1
	January 31 Report	10/1/75-12/31/75	9
WALLACE, GEORGE			
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The Wallace Campaign, Inc.			
	(Filings prior to 1975, 58 pages)		
	March 10 Report	1/1/75-2/28/75	40
	July 10 Report	3/1/75-6/30/75	136
	September 10 Report	7/1/75-8/31/75	77
	October 10 Report	7/1/75-9/30/75	128
CA - Draft George C. Wallace For President			
	Registration	1/6/75	3
WI - Bi-Partisan Friends of the Presidency/Wallace For President Committee			
	Registration	6/6/75	5
	Letter	10/28/75	
	January 31 Report	1/26/76	2
WHARTON, GORDON H.			
	Letter of Intent	8/8/75	2
	Letter	9/16/76	1
	January 31 Report	7/8/75-12/31/75	10
	January 31 Amendment	1/30/76	3
Wharton For President Committee			
	Registration	10/31/75	4
	Registration Amendment	12/8/75	2
	January 31 Report	7/8/75-12/31/75	9
	January 31 Amendment	1/30/76	3
WHITFORD, ERNEST W.			
	January 31 Report	6/9/75-1/18/76	4
WRIGHT, MARGARET			
Peoples Party 1976 National Campaign Committee			
	Registration	12/1/75	5
YORTY, SAM			
Yorty for President			
	(Filings prior to 1975, 120 Pages)		
	Letter	5/29/75	2
	March 10 Report	1/1/75-2/28/75	3
	June 10 Report	3/1/75-5/31/75	4
ZARNOWSKI, JOSEPH PETER			
	Letter of Intent	7/21/75	2
ZEIDLER, FRANK P.			
	January 31 Report	6/31/75-1/10/76	3
The Zeidler - Brisben Campaign Committee			
	Registration	12/3/75	2
	Registration Amendment	12/22/75	4
	January 31 Report	0/0-12/31/75	7

PART II - MULTICANDIDATE COMMITTEES WHICH ARE PARTY RELATED

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Oct. 10 Report	7/1 - 9/30	6
Jan. 31 Report	10/1 - 12/31	6
Arrangements Committee of the Republican National Committee for the 1976 Republican National Convention		
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Oct. 10 Report	7/1 - 9/30	6
Jan. 31 Report	10/1 - 12/31	9
Arrangements Committee 1974 Conference on Democratic Party Organization and Policy		
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July 10 Report	3/1 - 6/30	7
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Oct. 10 Report	7/1 - 9/30	8
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Christian Nationalist Crusade Party		
Termination Request	3/3	1
Citizens for Democrats Committee		
March 10 Report & Termination	1/1 - 2/28	6
College Democrats of America		
Registration	11/11	3
Democratic Congressional Campaign Committee		
Registration Amend.	1/2	1
Registration Amend.	1/15	1
Termination	1/15	1
Registration Amend.	1/28	1
March 10 Report	1/1 - 1/28	3
July 10 Report	3/1 - 6/30	4
Democratic Congressional Dinner Committee		
March 10 Report	1/1 - 1/28	10
July 10 Report	3/1 - 6/30	75
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Democratic Congressional Finance Committee		
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July 10 Report	3/1 - 6/30	6
July 10 Amend	3/1 - 6/30	6
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July 10 Report	3/1 - 6/30	57
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Oct. 10 Report	7/1 - 9/30	157
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July 10 Report	3/1 - 6/30	2
Democratic Senatorial Campaign Committee		
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Democratic Sponsors Committee		
March 10 & Termination	1/1 - 2/28	5
Democratic Telethon Production Committee		
Registration Amend.	5/9	3
July 10 Report	3/1 - 6/30	8
July 10 Amend.	12/19	7
Oct. 10 Report	7/1 - 9/30	23
Oct. 10 Amend.	12/19/	21
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Oct 10 Report	7/1 - 9/30	69
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Democratic Telethon Special Events Committee		
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July 10 Amend.	12/19	2
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Sept. 10 Report	6/10 - 9/10	3
Jan. 31 Report	9/10 - 1/31/76	3
National Federation of Republican Women		
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July 10 Report	3/1 - 6/30	13
Mailgram	10/17	2
Oct. 10 Report	7/1 - 9/30	16
Jan. 31 Report	10/1 - 12/31	6
National Republican Congressional Committee		
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National Republican Heritage Groups (Nationalities Council)		
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National Republican Senatorial Committee		
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Registration Amend.	2/27	4
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July 10 Report	3/1 - 6/30	28
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10 Day Pre-Election Amend.	11/28	2
30 Day Post Election	9/2 - 10/6	11
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Peoples Party - 1975 National Convention		
Letter	11/3	7
Letter	11/8	3
Registration Amend	6/26	2
Oct. 10 Rpt.	11/3	7
Peoples Party - National Office		
Registration Amend.	6/26	2
Prohibition National Committee		
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Republican Campaign Committee		
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July 10 Report	3/1 - 6/30	6
July 10 Report	4/18 - 6/30	33
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Republican Congressional Boosters Club		
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Registration Amend.	1/30	7
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Registration Amend.	1/30/	7
Registration Amend.	3/7	3
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July 10 Report	3/1 - 6/23	38
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Republican National Association Committee		
Registration Amend	1/3	3
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July 10 Report	3/1 - 6/30	11
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Republican National Committee		
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July 10 Report	3/1 - 6/30	314
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Republican National Finance Advisory Committee		
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Republican National Finance Committee		
Registration Amend.	1/24	2
Registration Amend.	2/11	1
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Republican National Hispanic Asssembly		
March 10 Report	1/1 - 2/28	4
July 10 Report	3/1 - 6/30	5
July 10 Amend.	12/5	5
Oct. 10 Report	7/1 - 9/30	6
Republican Victory Committee		
Registration Amend.	3/3	2
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July 10 Report	3/1 - 6/30	2
Oct. 10 Report	7/1 - 9/30	3
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SLP Campaign 1976		
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Socialist Workers 1974 National Campaign Committee		
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Socialist Workers 1976 National Campaign Committee		
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March 10 Amend.	1/1 - 2/28	2
July 10 Report	3/1 - 6/30	6
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United American Party		
Registration Amend.	7/14	2
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Women's National Republican Campaign Committee		
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Supplem. Rp.	1/1 - 3/31	8
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Registration Amend.	7/10	2
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1976 Campaign Travel Committee		
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March 10 Report	1/1 - 2/28	2
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1976 Democratic National Convention Committee, Inc.		
Registration	9/12	5
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STATE LEVEL:

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State Democratic Executive Committee		
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)ct. 10 Rpt.	7/1 - 9/30	11
Democratic Party of Arizona		
Registration	8/15	5
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July 10 Amend.	12/15	2
Sept. 10 Rpt.	7/1 - 8/31	9
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Amendment	1/1 - 2/28	2
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Arkansas Democratic Party - Federal Affairs Committee		
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California Federation of Republican Women, Northern Division		
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California Republican Heritage Groups Council		
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Democratic State Central Committee of California		
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Oct. 10 Rpt.	7/1 - 9/30	6
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July 10	6/12 - 6/30	9
Registration Amend.	11/21	3
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Lincoln Clubs of Los Angeles County		
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Central Republican Women of San Diego, Federated		
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Democratic Women's Club of Sacrements		
Registration	8/15	3
July 10 Rpt.	1/31 - 6/30	4
Chaffey Community Republican Women's Club, Federated		
Registration	1/8	5
R/A	1/17	2
R/A	1/17	2
R/A	1/26	1
R/A	2/4	2
R/A	2/18	1
R/A	3/5	2
Jan. 31 Report	1975	2
El Macero Republican women's Club, Federated		
R/A	1/13	1
R/A	3/13	2
Lincoln Club of Los Angeles County		
R/A	3/7	1
R/A	4/7	1
Lincoln Club of Orange County		
March 10	1/1 - 2/28	5
July 10	3/1 - 6/30	9
Oct. 10 Rpt.	7/1 - 9/30	11
Jan. 31 Report	7/1 - 12/31	11
Hollywood Hilltoppers Republican Women's Club		
R/A	6/30	2
Letter	10/9	2
Imperial Beach Republican Women's Club, Federated		
R/A	1/26	2
Lafayette Republican Women's Club		
R/A	3/11	2
Languna Hills Republican Club		
R/A	1/23	3
January 31	11/1 - 1/16	2
March 10	1/1 - 2/28	7
Amendment	1/1 - 2/28	1
July 10	3/1 - 6/30	8
September 10	7/1 - 8/31	8
Letter	9/8	2
Oct. 10	7/1 - 9/30	8
Jan. 31 Report	10/1 - 12/31	8
Lake County Council of Republican Women		
R/A	1/16	2
R/A	1/24	1

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Los Gatos Republican Women Federated		
R/A	1/20	1
R/A	2/11	1
R/A	3/17	2
Marin County Republican Central Committee		
March 10	1/1 - 2/28	6
July 10	3/1 - 6/30	6
July 10 Amend.	3/1 - 6/30	4
Jan. 31 Report	7/10 - 12/31	8
Mendocimo County Republican Central Committee		
January 31	11/1 - 1/25	5
March 10	1/26 - 3/3	3
July 10	3/4 - 6/30	4
September 10	7/1 - 9/1	3
Oct. 10 Rpt.	9/2 - 9/30	3
Jan. 31 Report	10/1 - 12/31	3
Monterey Bay Republican Women's Club, Federated		
R/A	2/12	1
Monterey County Republican Central Committee		
R/A	1/20	2
R/A	6/20	1
Jan. 31 Report	0/0	2
Jan. 31 Amend.	12/8 - 12/31	2
Rancho Bernardo Republican Women's Club, Federated		
R/A	2/26	3
Waiver	2/4	1
Republican Associates of Imperial County		
March 10	1/1 - 2/28	2
July 10	3/1 - 6/30	13
Oct. 10 Rpt.	6/30 - 9/30	7
Jan. 31 Report	10/1 - 12/31	5
Republican Central Committee of Imperial County		
March 10	1/1 - 2/28	4
July 10	3/1 - 6/30	7
July 10 Amend.	1/1 - 2/28	2
Oct. 10 Rpt.	7/1 - 9/30	6
Oct. 10 Amend.	11/28	2
July 10 Amend.	11/28	2
Jan. 31 Report	10/1 - 12/31	11
Jan. 31 Amend.	10/1 - 12/31	2
Republican Central Committee of Los Angeles County		
R/A	3/7	1
Republican Central Committee of San Diego County		
R/A	1/13	1
Letter	1/13	1
Termination	2/13	1
Press release	1/29	3
R/A	3/5	1
Letter	3/17	3
Republican Central Committee of San Luis Obispo County		
R/A	2/11	1
R/A	8/18	1
Jan. 31 Report	1/1 - 12/31	7
Republican County Central Committee of San Francisco Federated		
Candidate		
R/A	1/20	4
Letter	2/7	1

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July 10	3/1 - 6/30	17
Letter	7/14	1
Oct. 10 Rpt.	7/1 - 9/30	4
Jan. 31 Report	10/1 - 12/31	6
Republican League of La Jolla		
July 10	7/10	1
R/A	8/18	1
Sacramento Republican Women's Club, Federated		
March 10	1/1 - 2/28	5
July 10	2/28 - 6/30	6
Oct. 10 Rpt.	7/1 -9/30	5
Jan. 31 Report	10/1 - 12/31	5
San Bernadino County Republican Central Committee		
R/A	1/29	1
R/A	3/6	1
R/A	4/4	1
March 10	1/1 - 2/28	3
15 - Day	3/1 - 4/7	3
5 - DAY	4/8 - 4/17	3
July 10	4/17 - 6/30	4
Jan. 31 Report	10/10 - 12/31	3
San Diego 1976 Socialist Workers Campaign Committee		
Registration	2/21	4
March 10	1/1 - 2/28	2
July 10	3/1 - 6/30	4
Letter	10/10	1
Registration Amend.	10/10	4
Letter	10/3	2
Jan. 31 Report	7/1 - 12/31	12
San Francisco Democratic County Central Committee		
March 10	1/1 - 2/28	6
Registration	10/17	3
July 10 Report	3/1 - 6/30	5
July 10 Amend.	1/2/76	2
Oct. 10 Rpt.	7/1 - 9/30	15
Oct. 10 Amend.	1/2/76	3
Jan. 31	10/1 - 12/31	13
San Gabriel Republican Women's Club, Federated		
R/A	3/14	3
Letter	2/20	4
San Mateo County Republican Central Committee		
Registration	12/8	6
July 10	1/7 - 6/30	10
Jan. 31 Report	12/5 - 12/31	7
San Marcos Republican Women's Club - Federated		
Registration	10/20	3
Registration Amend.	11/24	2
Reg. Withdrawn	12/5	1
San Ramon Valley Republican women's Club		
R/A	1/13	3
Santa Fe County Republican Party		
Registration	10/14	3
Letter	10/14	1
Reg. Withdrawn	12/15	1

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Santa Paula Republican Women's Club Federated		
Registration	10/16	3
Registration Amend.	11/26	2
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Santa Barbara County Republican Central Committee		
March 10	1/1 - 2/28	7
Amendment	1/1 - 2/28	7
June 10	3/1 - 5/31	7
July 10	3/1 - 6/30	10
July 10 Amend.	12/22	5
Oct. 10 Rpt.	6/30 - 9/30	9
Oct. 10 Amend.	12/22	4
Jan. 31	9/30 - 12/31	8
Jan. 31 Amend.	9/30 - 12/31	3
Socialist Workers 1976 Campaign Committee (Los Angeles)		
Registration	3/7	6
March 10	1/1 - 2/28	5
July 10	3/1 - 6/30	8
July 10 Amend.	3/1 - 6/30	2
R/A	9/2	4
Registration Amend.	8/8	4
Oct. 10 Rpt.	7/1 - 9/30	9
Registration Amend.	9/17	4
Registration Amend.	10/7	2
Registration Amend.	9/15	2
Letter	9/26	2
Socialist Workers Campaign for Camejo Reid		
R/A	7/14	5
July 10	3/21 - 6/30	11
Socialist Workers Party Berkley - Oakland		
Registration	7/14	6
Socialist Workers Party San Jose Socialist Campaign Colectives		
Letter	2/20	4
Socialist Workers 1976 California Campaign		
Registration	8/12	4
Jan. 31	10/1 - 12/31	14
Sunnyvale Republican Women, Federate		
Termination	2/3	1
July 10	7/10	2
Temple City Republican Womens Club, Federated		
Jan. 31	9/17 - 12/31	2
United San Francisco Republican Finance Committee		
Letter	2/7	1
March 10	1/1 - 2/28	14
July 10	3/1 - 6/30	25
R/A	9/8	7
Oct. 10 Rpt.	7/1 - 9/30	12
Oct. 10 Amend.	12/15	13
Jan. 31	10/1 - 12/31	10
Jan. 31 Amend.	10/1 - 12/31	5
Westside Los Angeles Socialist Workers Campaign Committee		
R/A	3/6	4
March 10	1/1 - 2/28	5
Letter	6/26	2
July 10	3/1 - 6/30	7
Oct. 10 Rpt.	7/1 - 9/30	8
Registration Amend.	10/7	3
Jan. 31	10/1 - 12/31	8

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Westside United Democratic Campaign		
R/A	1/29	1
March 10	1/1 - 2/28	5
April 10	3/1 - 3/31	4
Letter	7/7	2
July 10	4/1 - 6/30	5
Registration Amend	10/14	1
Oct. 10 Rpt.	7/1 - 9/30	2
Jan. 31	7/1 - 12/31	5
Jan. 31 Amend.	7/1 - 12/31	3
Whittier Western Bar-B-Que Committee		
Termination	8/11	1
COLORADO -		
Colorado Labor Party		
Registration	6/18	4
Oct. 10 Rpt.	7/1 - 9/30	2
Registration Amend.	10/14	3
Registration Amend.	9/29	2
Registration Amend.	12/22	2
Jan. 31	0/0	2
Democratic State Central Committee		
March 10	1/1 - 2/28	161
R/A	3/19	1
Democratic State Central Committee - Colorado		
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July 10 Report	3/1 - 6/30	122
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Oct. 10 Amend.	12/18	34
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Republican State Central Committee of Colorado		
March 10	1/1 - 2/28	11
Amendment	1/1 - 2/28	2
R/A	4/8	1
R/A	6/10	3
July 10	3/1 - 6/30	17
Oct. 10	7/1 - 9/30	12
Oct. 10 Amend.	7/1 - 9/30	2
Letter	11/13	3
Jan. 31	10/1 - 12/31	10
Local Level -		
Colorado Republican 1st Congressional Central Committee		
March 10	4/14	1
Adams County Republican Central Committee		
March 10	1/1 - 2/28	10
Amendment	1/1 - 2/28	2
July 10	3/1 - 6/30	9
Democratic County Central Committee - Araphoe		
March 10	1/1 - 2/28	5
July 10	3/1 - 6/30	5
Jan. 31	10/1 - 12/31	4

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R/A	2/12	2
March 10	1/1 - 2/28	4
Amendment	3/24	3
R/A	4/14	3
July 10	3/1 - 6/30	8
Sept. 10 Rpt.	7/1 - 8/31	8
Oct. 10 Rpt.	7/1 - 9/30	7
Jan. 31	10/1 - 12/31	9
Democratic County Central Committee - Pueblo County		
January 31	10/31 - 1/31	8
Amendment	10/31 - 1/31	8
R/A	3/11	2
July 10 Rpt.	3/11 - 7/10	7
Denver County Republican Central Committee		
R/A	3/6	2
R/A	3/6	1
March 10	1/1 - 2/28	6
July 10	3/1 - 6/30	11
Oct. 10 Rpt.	7/1 - 9/30	8
July 10 Amend. & Term.	12/8	4
Oct. 10 Amend.	12/8	4
Jan. 31	9/30 - 12/31	4
Denver Labor Party (See Colorado Labor Party)		
Registration	6/18	4
Larimer County Democratic Central Committee		
R/A	1/9	1
R/A	3/11	1
March 10	1/1 - 2/28	6
Letter	3/11	1
MESA County Democratic Central Committee		
Registration Amend.	10/7	2
Socialist Workers 1976 Colorado Campaign Committee		
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March 10	2/23 - 2/28	6
July 10	3/1 - 6/30	6
July 10 Amend.	3/1 - 6/30	3
Jan. 31	7/1 - 12/31	7
Weld County Democratic Central Committee		
January 31	1/1 - 1/26	6
March 10	1/27 - 3/5	3
July 10	3/6 - 6/30	6
CONNECTICUT -		
Connecticut Labor Party		
Jan. 31	9/18 - 1/31	4
Connecticut Republican Finance Committee		
Amendment	1/1 - 2/28	2
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Jan. 31	7/22 - 11/25	29
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Jan. 31	11/25 - 12/31	5
Southbury Republican Womens Club		
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State Central Committee of the Libertarian Party of Connecticut		
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March 10 Rpt.	1/31 - 3/10	4
June 10 Rpt.	3/10 - 6/30	4
July 10	6/10 - 7/10	5
Oct. 10	7/10 - 10/10	5
10 Day Pre-Election	10/10 - 10/25	6
Registration	10/6	4
Simsbury Republican Town Committee		
R/A	6/26	1
R/A	7/7	2
R/A	10/14	4
Letter	10/14	1
Letter	12/5	2
Local Level -		
Darien Town Republican Committee		
R/A	1/31	2
Letter	2/13	1
Letter	3/7	1
Fifth Congressional District Republican Committee		
March 10	1/31 - 2/28	3
Registration Amend.	11/28	2
Registration Amend.	11/17	2
Republican Town Committee		
March 10	1/1 - 3/7	5
July 10	3/8 - 7/7	6
Oct. 10	7/1 - 9/30	4
Oct. 10 Amend.	10/30	4
10 Day Pre-Election	10/1 - 10/20	6
30 Day Post-Election	10/20 - 11/25	7
DELAWARE -		
Delaware Labor Party		
Registration	7/10	5
Jan.31	1/1 - 1/31/76	4
Democratic State Committee of Delaware		
March 10	1/1 - 2/28	8
July 10	3/1 - 6/30	15
Oct. 10	7/1 - 9/30	7
Jan. 31	9/30 - 12/31	9
Republican State Committee of Delaware		
Registration	9/9	4
Jan. 31	9/30 - 12/31	3
DISTRICT OF COLUMBIA -		
Carroll County Republican Executive Committee		
Jan. 31	1/1 - 12/31	13
D.C.Republican Committee		
March 10	1/1 - 2/28	10
R/A	7/2	3
July 10	3/1 - 6/30	14
Oct 10	7/1 - 9/30	13
July 10 Amend.	11/20	4
Oct. 10 Amend	10/16	1
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R/A	3/6	2

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July 10	3/1 - 6/30	8
Oct. 10	7/1 - 9/30	10
July 10 Amend.	10/14	3
R/A	12/11	2
R/A	12/12	2
Jan. 31	10/1 - 12/31	7
D.C.Telethon Committee		
Registration	7/28	5
Oct. 10	7/23 - 9/30	6
Jan. 31	10/1 - 12/31	5
College Democrats of America		
Registration	11/11	4
Fund for a Representative Congress, Inc. - A fund for the Election of Black Republicans to the Congress		
Registration	9/16	4
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Libertarian Party		
Registration	9/4	2
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Oct. 10 Amend.	7/31 - 10/31	3
Termination	10/31 - 12/31	3
Washington D.C. Labor Party		
Registration	6/18	3
R/A	10/10	2
Oct. 10	7/10 - 10/10	2
North Carolina Democratic Club of Washington, D.C.		
R/A	3/10	1
March 10	1/1 - 2/28	4
July 10	3/1 - 6/30	7
Oct. 10	7/1 - 9/30	2
1974 State Campaign		
March 10	1/1 - 2/28	7
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Amendment	1/1 - 2/28	5
July 10	3/1 - 6/3	13
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R/A	6/11	1
July 10	3/1 - 6/30	82
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Oct. 10 Amend.	12/8	16
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Jan. 31	10/1 - 12/31	55
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March 10	1/1 - 2/28	2
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Republican Party of Florida		
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Letter	4/14	1
Letter	5/16	1
R/A	5/30	1
July 10	12/16 - 7/10	3
Suspended	7/12	2
Local Level -		
Escambia County Democratic Committee		
R/A	2/28	2
Okaloosa County Democratic Executive Committee		
R/A	8/4	1
GEORGIA		
Atlanta Socialist Workers 1976 Campaign Committee		
R/A	3/11	4
July 10	2/23 - 7/10	7
R/A	7/14	1
R/A	11/12	2
Jan. 31	7/1 - 12/31	5
Georgia Telethon Committee		
Letter	2/20	5
March 10	1/1 - 2/28	3
Letter	3/25	2
R/A	6/26	1
July 10	2/28 - 6/30	3
Oct. 10	7/1 - 9/30	12
Oct. 10 Amend.	12/8	12
Jan. 31	10/1 - 12/31	6
Tift County Republican Party		
Jan. 31	1/75 - 12/75	2
HAWAII -		
Republican Party of Hawaii Federal Campaign Fund		
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Oct 10	7/1 - 9/30	2
Jan. 31	0/0	2
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Amendment	1/1 - 2/28	4
R/A	6/9	2
R/A	6/25	1
July 10	3/1 - 6/30	14
Oct. 10	7/1 - 9/30	14
Oct. 10 Amend.	11/13	8
July 10 Amend.	11/13	5
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Termination	10/1 - 12/31	7
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July 10 Amend.	6/1 - 6/30	7
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Lake County Republican Federation		
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Term.	11/28	2
Telethon Three Committee of Illinois		
March 10	1/1 - 2/28	6
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July 10	3/1 - 6/30	5
Telethon Four Committee of Illinois		
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R/A	11/19	2
Oct. 10	7/1 - 9/30	9
Oct. 10 Amend.	11/19	12
Jan. 31	10/1 -12/31	5
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March 10	1/1 - 2/28	32
Amendment	1/1 - 2/28	2
July 10	3/1 - 6/30	28
Oct. 10	7/1 - 9/30	12
Jan. 31	10/1 - 12/31	17
1976 Socialist Workers Illinois Campaign Committee		
Registration	12/19	3
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Local Level -		
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Suspension	9/11	
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Lake County Republican Federation		
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Peoria County United Republican Fund		
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March 10	1/1 - 2/28	6
Amendment	1/1 - 2/28	1
July 10	3/1 - 6/30	11
July 10 Amend.	3/1 - 6/30	8
Oct. 10	7/1 - 9/30	7
Oct. 10 Amend	7/1 - 9/30	6
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March 10	1/1 - 2/28	2
March 10 Amend.	1/1 - 2/28	3
July 10	3/1 - 6/30	4
July 10 Amend.	3/1 - 6/30	3
Oct. 10	7/1 - 9/30	4
Oct. 10 Amend.	7/1 - 9/30	4
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Jan. 31	10/1 - 12/31	3
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Women's Republican Club of Lake Forest - Lake Bluff		
March 10	1/1 - 2/28	2
Termination	7/14	1
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INDIANA -		
Greater Indianapolis Republican Finance Committee		
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Amendment	1/1 - 2/28	2
July 10	3/1 - 6/30	23
Oct. 10	7/1 - 9/30	27
July 10 Amend.	12/8	7
Oct. 10 Amend.	12/8	9
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Amendment	1/1 - 2/28	3
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Oct. 10	7/1 - 9/30	7
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Local Level -		
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March 10	1/31 - 2/28	9
Jan. 31	7/10 - 12/31	9
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March 10	1/1 - 2/28	10
July 10	3/1 - 6/30	21
Oct. 10	7/1 - 9/30	18
July 10 Amend.	11/7	13
Oct. 10 Amend.	11/10	7
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Bartholomew County Republican Central Committee		
Oct. 10	6/1 - 11/15	10
Benton County Republican Central Committee		
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Waiver	3/3	1
Cass County Republican Central Committee		
March 10	1/1 - 2/28	8
July 10	3/1 - 6/30	7
July 10 Amend.	12/17	8
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Jan. 31 Amend.	7/1 - 12/31	7
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July 10	3/1 - 6/30	5
July 10 Amend.	12/10	3
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Waiver	6/19	2
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Hancock County Republican Central Committee		
R/A	0/0	1
Hendricks County Republican Committee		
Letter	1/10	3
Letter	3/10	1
Indiana 2nd District Republican Central Committee		
Suspension	1/11	2
Indiana 3rd District Republican Committee		
March 10	1/1 - 2/28	3
July 10	3/1 - 6/30	4
Jackson County Democratic Central Committee		
Registration	7/18	2
Jay County Republican Central Committee		
March 10	12/31 - 2/28	3
15 - Day	2/28 - 4/21	2
5 - Day	4/21 - 5/1	3
July 10	5/1 - 6/30	3
Jan. 31	6/30 - 1/31/76	4
Jasper County Republican Central Committee		
Registration	5/13	5
Johnson County Republican Central Committee		
R/A	6/6	2
Klen Boosters, Inc.		
R/A	1/30	3
March 10	1/1 - 2/28	10
Termination	1/1 - 2/28	8
Amendment	1/1 - 2/28	1
Amendment	1/1 - 2/28	9
Amendment	1/1 - 2/28	3
Madison County Republican Central Committee		
March 10	1/1 - 2/28	8
Letter	3/25	2
May 20	1/1 - 5/15	4
June 10	3/1 - 5/31	9
Jan. 31	3/1 - 12/31	7
Marion County Republican Central Committee		
March 10	1/1 - 2/28	16
July 10	3/1 - 6/30	33
Oct. 10	7/1 - 9/30	33
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Porter County Republican Central Committee		
Letter	3/7	1
March 10	1/1 - 2/28	4
July 10	3/1 - 6/30	8
Registration	10/24	2
Oct. 10	7/1 - 9/30	9
10 Day Pre	10/1 - 10/25	8
30 Day Post	10/26 - 12/1	6
Jan. 31	12/2 - 12/31	7
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Letter	2/26	3
Randolph County Republican Central Committee		
March 10	1/1 - 2/28	6
July 10	3/1 - 6/30	5
Termination	7/1 - 12/31	6
Republican Central Committee of Grant County Indiana		
Termination	2/7	2
Republican Central Committee of St. Joseph County		
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July 10	1/1 - 6/30	6
Oct. 10	7/1 - 9/30	6
July 10 Amend.	11/28	3
Oct. 10 Amend.	11/28	3
R/A	12/15	2
Jan. 31	10/1 - 12/31	6
Stark County Republican Organization		
Jan. 31	1/1 - 12/31	2
Sullivan County Republican Central committee		
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Letter	3/27	1
Tippecande County Republican Central Committee		
R/A	9/8	1
R/A	10/24	2
Vanderburgh County Lincoln Republican Committee		
March 10	1/1 - 2/28	8
July 10	12/30 - 6/30	8
Jan. 31	7/10 - 12/31	8
Wayne County Republican Central Committee		
March 10	1/1 - 2/28	4
July 10	2/28 - 6/30	8
Waiver	7/10	2
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Wells County Republican Central Committee		
January 31	11/1 - 1/31	6
March 10	1/31 - 3/10	6
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March 10	1/1 - 2/28	3
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March 10	1/31 - 3/10	4
15 - Day	3/10 - 4/16	2
5 - Day	4/16 - 4/26	2
R/A	6/20	2
Ninth District Democratic Central Committee		
March 10	1/1 - 2/28	2
July 10	3/1 - 6/30	2
R/A	8/1	2
July 10 Amend.	8/1	2
10th District Republican Committee		
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June 10	3/6 - 5/31	3
IOWA -		
Democratic State Central Committee (Federal Division)		
March 10	1/1 - 3/10	3
Amendment	1/1 - 2/28	6
July 10	1/1 - 6/30	7
Oct. 10	6/30 - 9/30	5
July 10 Amend.	10/17	6
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Jan. 31	10/1 - 12/31	5
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Oct. 10	7/1 - 9/30	1
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R/A	2/20	2
R/A	3/17	1
Jan. 31	10/17 - 1/17/76	3
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Jan. 31	1/1 - 12/31	9
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September 10	7/10 - 9/30	4
October 10	9/10 - 10/10	4
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Mahaska County Republican Central Committee		
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Madison County Republican Central Committee		
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March 10	1/1 - 2/28	2
July 10	3/1 - 6/30	3
Oct. 10	7/1 - 9/30	2
Jan. 31 & Term.	10/1 - 12/31	5
Sixth District Democrats of Iowa		
March 10	11/14 - 3/10	2
Termination	3/14	2
Third District Congressional Fund		
January 31	10/24 - 1/13	6
R/A	1/30	1
March 10	1/13 - 2/28	7
R/A	3/28	1
July 10	3/1 - 6/30	7
Voter Identification Program Committee		
March 10	1/1 - 2/28	6
Termination	1/1 - 2/28	1
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Oct. 10	7/1 - 9/30	3
Jan. 31	10/1 - 12/31	54
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R/A	3/11	2
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Oct. 10	7/1 - 9/30	3
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Jan. 31	10/10 - 1/10/76	3
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Amendment	1/1 - 2/28	3
Amendment	1/1 - 2/28	3
Amendment	1/1 - 2/28	3
June 10	3/1 - 5/31	23
R/A	6/3	1
July 10	6/1 - 6/30	16
R/A	7/12	2
Oct. 10	7/1 - 9/30	30
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Oct. 10 Amend.	11/21	22
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Oct. 10	6/30 - 9/30	17
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Jan. 31 Amend	10/1 - 12/31	4
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R/A	1/27	1
March 10	1/1 - 2/28	7
R/A	5/5	1
R/A	6/13	1
July 10	3/1 - 6/30	11
July 10 Amend.	7/1 - 6/30	3
R/A	7/17	1
Oct. 10	7/1 - 9/30	10
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July 10 Amend.	12/8	7
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Jan. 31	10/1 - 12/31	8
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15 - Day	8/1/74 - 1/31/75	6
Termination	8/1/74 - 1/31/75	1
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March 10	1/1 - 2/28	2
Jan. 31	1/1 - 12/31	4
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March 10	1/1 - 3/10	16
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Amendment	1/10- 2/28	5
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March 10	10/1 - 2/28	73
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Registration	4/24	3
R/A	5/20	2
Local Level -		
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July 10	3/1 - 7/10	2
Registration	7/24	3
Oct. 10	7/1 - 9/30	3
Jan. 31	1/1 - 12/31	9
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March 10	12/31 - 3/10	2
July 10	3/11 - 6/30	4
First Congressional District Republican Committee		
March 10	1/1 - 2/28	4
April 10	3/1 - 3/31	2
July 10	4/1 - 6/30	2
Montgomery County Democratic Campaign Committee		
March 10	1/1 - 2/28	13
July 10	3/1 - 6/30	11
Oct. 10	3/1 - 9/30	10
Montgomery County Democratic Central Committee		
R/A	1/31	2
March 10	12/31 - 2/28	7
Amendment	12/31 - 2/28	1
July 10	2/28 - 6/30	44
Oct. 10	7/1 - 9/30	9
Oct. 10 Amend.	7/1 - 9/30	6
July 10 Amend.	3/1 - 6/30	5
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July 10	3/1 - 6/30	18
July 10 Amend.	12/16	18
Oct. 10	7/1 - 9/30	17
Oct. 10 Amend.	12/16	17
Jan. 31	10/1 - 12/31	16
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Massachusetts Democratic State 1974 Telethon Committee		
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March 10	2/1 - 3/10	6
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MICHIGAN -		
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July 10	3/1 - 6/30	49
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R/A	12/19	3
Oct. 10	7/1 - 9/30	15
Oct. 10 Amend.	12/19	1
Jan. 31	10/1 - 12/31	17
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March 10	1/1 - 2/28	5
R/A	7/10	3
July 10	3/1 - 6/30	3
Termination	7/15	5
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Jan. 31	1/75 - 12/31	4
Roscommon County Republican Committee		
Jan. 31	0/0	3
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1976 Michigan Socialist Workers Campaign Committee		
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July 10	1/24 - 6/30	11
July 10 Amend.	1/24 0 6/30	2
R/A	7/14	1
R/A	10/1	1
Oct. 10	7/1 - 9/30	9
Oct. 10 Amend.	7/1 - 9/30	7
Jan. 31	10/1 -12/31	6
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July 10	3/1 - 6/30	6
Oct. 10	7/1 - 9/30	6
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Oct. 10 Amend.	11/24	2
Jan. 31	10/1 - 12/31	6
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Eaton County Republican Committee		
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Oct. 10	7/1 - 9/30	3
Termination	0/0	3
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R/A	3/11	2
R/A	3/11	2
March 10	1/1 - 2/28	9
R/A	4/21	2
July 10	3/1 - 6/30	17
Oct. 10	7/1 - 9/30	15
July 10 Amend.	12/12	6
Oct. 10 Amend.	12/12	4
Jan. 31	10/1 - 12/31	13
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July 10	3/1 - 6/30	9
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Oct. 10	7/1 - 9/30	8
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March 10	1/1 - 2/28	4
July 10	3/1 - 6/30	3
September 10	7/1 - 8/31	6
Oct. 10	9/1 - 9/30	3
Oct. 10 Amend.	11/21	3
Jan. 31	10/1 - 12/31	5
Kent County Republican Finance Committee		
R/A	2/28	2
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Amendment	1/1 - 2/28	10
Amendment	1/1 - 2/28	2
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Sept. 10	6/1 - 8/31	12
Registration	10/11	2
Oct. 10	7/1 - 9/30	12
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R/A	11/3	2
Jan. 31	0/0	9
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Registration	7/15	5
R/A	7/28	1
Oct. 10	7/10 - 10/10	4
Jan. 31	10/10 - 1/10	5
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Registration	7/15	5
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July 10	3/1 - 6/1	2
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July 10	3/1 - 6/30	3
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Registration	7/7	4
July 10	3/1 - 6/30	5
July 10 Amend	3/1 - 6/30	2
Oct. 10	7/1 - 9/30	2
Jan. 31	10/1 - 12/31	9
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Amendment	1/1 - 2/28	6
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March 10	1/1 - 2/28	2
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Registration	10/10	2
Oct. 10	7/1 - 10/10	3
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Oct. 10	7/1 - 9/30	6
Jan. 31	10/1 - 12/31	3
Oct. 10 Amend.	12/8	7
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March 10	1/1 - 2/28	2
July 10	3/1 - 6/30	2
18th Congressional District Republican Committee		
Registration	11/18	5
Letter	12/9	1
19th Congressional District Democratic Committee		
R/A	3/5	2
March 10	1/1 - 2/28	2
R/A	6/26	1
R/A	7/10	2
July 10	3/1 - 6/30	2
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March 10	1/1 - 3/1	6
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'76 Democratic Campaign Committee		
Registration	7/21	3
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MINNESOTA -		
Minnesota Democratic Telethon Committee		
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July 10	6/1 - 6/30	5
Oct. 10	7/1 - 9/30	6
July 10 Amend.	11/26	3
Oct. 10 Amend.	10/16	3
Jan. 31	10/1 - 12/31	3
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July 10	6/1 - 6/30	5
R/A	11/17	2
Oct. 10	7/1 - 9/30	17
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McLeod County Republican Committee		
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Nicollet County DFL		
January 31	10/22 - 1/31	6
March 10	2/1 - 3/10	1
July 10	3/10 - 6/30	2
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Suspension	1/1 - 1/29	3
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R/A	1/20	1
March 10	3/31	2
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R/A	1/10	1
March 10	12/31 - 3/10	3
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Oct. 10	9/10 - 9/30	3
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March 10	1/1 - 2/28	15
March 10	1/1 - 2/28	10
Amendment	1/1 - 2/28	14
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Gala Dinner Committee		
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March 10	1/1 - 2/28	6
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July 10	3/1 - 6/30	2
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July 10	3/1 - 6/30	4
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Oct. 10 Report	7/1 - 9/30	4
Jan. 31 Report	10/1 - 12/31	4
ALABAMA MEDICAL POLITICAL ACTION COMMITTEE		
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Letter	4/4	2
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Registration Amendment	2/11	1
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July 10 Report	3/1 - 6/30	4
July 10 Amendment	3/1 - 6/30	3
Oct. 10 Report	7/1 - 9/30	3
Registration Amendment	10/14	2
ALASKA DRIVE VOLUNTARY COMMITTEE (See Alaska ALIVE Voluntary Committee)		
ALASKAN SKIES ASSOCIATION - NATIONAL		
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Registration	1/27	5
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March 10 Amendment		3
July 10 Report	3/10 - 6/30	5
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Oct. 10 Report	8/23 - 9/30	5
Oct. 10 Amendment	7/1 - 9/30	4
Jan. 31 Report	10/1 - 12/31	5
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July 10 Report	3/1 - 6/30	4
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30 Day Post-Amendment	10/1- 10/6	
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AMERICAN APPAREL MANUFACTURES POLITICAL ACTION COMMITTIE		
March 10 Report	1/1 - 2/28	4
July 10 Report	3/1 - 6/30	4
Oct. 10 Roport	7/1 - 9/30	4
Jan. 31 Report	10/1 - 12/31	4
AMERICAN BOOK PUBLISHERS POLITICAL ACTION COMMITTEE		
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July 10 Report	3/1 - 6/30	5
Oct. 10 Report	7/1 - 9/30	6
Oct. 10 Amendment	7/1 - 9/30	5
Jan. 31 Report	10/1 - 12/31	5
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AMERICAN CONSERVATIVE UNION		
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Registration Amendment	2/28	1
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March 10 Amendment	4/7	1
July 10 Report	6/1 - 6/30	10
July 10 Amendment	0/0	11
Jan. 31 Report	10/1 - 12/31	35
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AMERICAN DENTAL POLITICAL ACTION COMMITTEE		
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Registration Amendment	1/16	1
Registration Amendment	1/28	1
Registration Amendment	2/3	1
Registration Amendment	2/3	1
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Registration Amendment	3/20	1
Registration Amendment	6/9	1

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Oct. 10 Report	7/1 - 9/30	2
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Registration Amendment	5/5	2
Registration Amendment	8/29	3
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July 10 Report	3/1 - 6/30	7
Registration Amendment	2/27	1
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Registration Amendment	7/18	2
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CWA DISTRICT #3 POLITICAL ACTION COMMITTEE		
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CWA DISTRICT #4 POLITICAL ACTION COMMITTEE		
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Jan. 31 Report	9/30 - 12/31	4
CWA DISTRICT #5 POLITICAL ACTION COMMITTEE		
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March 10 Amendment	1/1 - 2/28	2
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Registration Amendment	4/14	2
July 10 Report	3/1 - 6/30	4
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Oct. 10 Amendment	11/3	3
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January 31 Report	10/1 - 12/31	5
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July 10 Amendment	11/17	27
Oct. 10 Report	7/1 - 9/30	9
Registration	10/14	4
January 31 Report	10/1 - 12/31	9
January 31 Amendment	10/1 - 12/31	5
KENTUCKY COMMITTEE FOR POLITICAL ACTION		
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July 10 Report	3/1 - 6/30	6
Registration Amendment	8/19	2
Oct. 10 Report	7/1 - 9/30	6
Registration Amendment	11/10	2
Registration Amendment	12/4	2
January 31 Report	10/1 - 12/31	6
KENTUCKY DENTAL POLITICAL ACTION COMMITTEE		
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March 10 Report	1/31 - 3/1	2
5-Day Pre-Primary	5/12 - 5/22	2
15-Day Pre-Primary	3/10 - 5/12	2
July 10 Report	3/1 - 6/30	4
Sept. 10 Report	6/30 - 8/30	3
Oct. 10 Report	9/1 - 9/30	3
January 31 Report	1/1 - 12/31	5
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July 10 Report	3/1 - 6/30	6
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KENTUCKY STATE AFL-CIO COMMITTEE ON POLITICAL EDUCATION		
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Registration Amendment	12/17	2
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July 10 Report	3/1 - 6/30	6
Oct. 10 Report	7/1 - 9/30	5
LABOR COMMITTEE FOR POLITICAL ACTION IN NEW YORK STATE		
Registration	8/21	6
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January 31 Report	10/1 - 12/31	7
LABOR'S INVESTMENT IN VOTER EDUCATION		
Registration Amendment	1/27	1
March 10 Report	1/1 - 2/28	9
March 10 Amendment	1/1 - 2/28	2
Registration Amendment	3/19	1
Registration Amendment	3/31	1
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Oct. 10 Report	7/1 - 9/30	3
Oct. 10 Amendment	7/1 - 9/30	2
January 31 Report	10/1 - 12/31	3
LABORERS POLITICAL LEAGUE		
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March 10 Amendment	1/1 - 2/28	1
July 10 Report	3/1 - 6/30	4
10-Day Pre-Special Election	7/1 - 9/1	18
July 10 Amendment	11/20	2
30-Day Post-Election	9/2 - 10/6	17
January 31 Report	10/7 - 12/31	20
LACEY CO-PLY ASSOCIATION, INC. POLITICAL ACTIVITY COMMITTEE		
March 10 Report	1/1 - 2/28	1
Registration Amendment	4/21	1
Registration Amendment	4/29	1
Registration Amendment	5/21	1
Registration Amendment	6/16	1
Registration Amendment	7/9	1
Registration Amendment	7/22	1
LAWYERS & CLIENTS FOR GOOD GOVERNMENT OF ORANGE COUNTY		
Suspension Report	11/1/74 - 1/15/75	2
LEAGUE OF CONSERVATION VOTERS		
March 10 Report	1/1 - 2/28	8
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Oct. 10 Report	7/1 - 9/30	9
July 10 Amendment	2/5	4
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Oct. 10 Report	7/1 - 9/30	2
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July 10 Amendment	11/3	1
Oct. 10 Amendment	7/1 - 9/30	6
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LETTER CARRIERS POLITICAL ACTION FUND		
March 10 Report	1/1 - 2/28	4
July 10 Report	3/1 - 6/30	12
Registration Amendment	7/12	2
Oct. 10 Report	7/1 - 9/30	8
LEVITAS CAMPAIGD COMMITTEE		
July 10 Amendment	9/4	7
LIFE UNDERWRITERS POLITICAL ACTION COMMITTEE, LUPAC		
Registration Amendment	1/8	3
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Registration Amendment	2/27	2
Registration Amendment	3/?	1
Registration Amendment	4/14	1
Registration Amendment	4/17	1
Registration Amendment	5/1	2
Registration Amendment	5/12	1
Registration Amendment	6/3	2
Registration Amendment	6/18	1
July 10 Report	3/1 - 6/30	22
July 10 Amendment	3/1 - 6/30	3
Registration Amendment	7/9	1
Registration Amendment	7/21	1
Registration Amendment	7/23	2
Registration Amendment	8/20	1
Registration Amendment	9/8	3
Oct. 10 Report	7/1 - 9/30	9
Registration Amendment	9/19	2
Registration Amendment	10/3	2
Registration Amendment	10/10	2
Registration Amendment	10/14	2
Registration Amendment	10/20	2
Registration Amendment	10/24	2
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July 10 Report	3/1 - 6/30	7
Oct. 10 Report	7/1 - 9/30	5
January 31 Report	10/1 - 12/31	6
January 31 Amendment	10/1 - 12/31	7
LITTLETON COMMITTEE FOR POLITICAL EDUCATION		
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Registration Amendment	4/8	2
Registration Amendment	5/13	2
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Oct. 10 Report	7/1 - 9/30	5
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LLINC - POLITICAL LEO-LOCK, INC.		
January 31 Report	1/1 - 12/31	3
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July 10 Report	3/1 - 6/30	3
Oct. 10 Report	7/1 - 9/30	3
January 31 Report	10/1 - 12/31	3
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January 31 Report	11/1/74 - 1/31	3
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July 10 Report	7/1 - 9/30	3
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Oct. 10 Report	6/30 - 9/30	3
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Oct. 10 Amendment	11/10	2
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Oct. 10 Report	7/1 - 9/30	9
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January 31 Report	10/1 - 12/31	9
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January 31 Report	0/0 - 0/0	5
January 31 Amendment	10/1 - 12/31	5
LOCKHEED GOOD GOVERNMENT PROGRAM		
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Registration Amendment	9/30	
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Oct. 10 Report	7/1 - 9/30	3
Oct. 10 Amendment	11/17	3
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Registration Amendment	19/17	2
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July 10 Report	3/1 - 6/30	5
Oct. 10 Report	7/1 - 9/30	8
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March 10 Report	1/1 - 2/28	5
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Registration Amendment	8/19	2
Oct. 10 Report	7/1 - 9/30	3
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July 10 Amendment	3/1 - 6/30	2
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June 10 Report	3/1 - 5/31	6
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Oct. 10 Report	7/1 - 9/30	11
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LYKES - YOUNGSTOWN PAC		
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Registration Amendment	5/12	2
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Registration Amendment	6/26	7
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Oct. 10 Report	7/1 - 9/30	5
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July 10 Report	3/1 - 6/30	6
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Oct. 10 Amendment	12/4	2
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MACHINISTS NON-PARTISAN POLITICAL LEAGUE OF THE IOWA STATE COUNCIL		
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Registration Amendment	2/26	2
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Registration	4/9/75	5
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Oct. 10 Report	12/5	2
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