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WEDNESDAY, SEPTEMBER 15, 1976



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Monday	Tuesday	Wednesday	Thursday	Friday
NRC	USDA/ASCS		NRC	USDA/ASCS
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Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

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

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

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Title 3—The President

PROCLAMATION 4460

Citizenship Day and Constitution Week, 1976

By the President of the United States of America

A Proclamation

With the signing of the United States Constitution on September 17, 1787, the founding fathers approved for the people of this Nation an effective plan of self-government, which has, with its subsequent amendments—including the Bill of Rights—preserved the principles of the Declaration of Independence. It is the responsibility of the citizens of the United States to uphold, support and defend those ideals.

An understanding and appreciation of the events and hardships which produced that great document is indispensable to a rededication to the preservation of its ideals.

To that end, the Congress, by a joint resolution of February 29, 1952 (36 U.S.C. 153), designated September 17 as Citizenship Day, in commemoration of the formation and signing of the Constitution of the United States on September 17, 1787, and authorized the President to issue annually a proclamation calling upon officials of the Government to display the flag on all Government buildings on that day. By a joint resolution of August 2, 1956 (36 U.S.C. 159), Congress authorized the President to designate the period beginning September 17 and ending September 23 of each year as Constitution Week and to issue a proclamation calling for the observance of that week.

The commemoration during the year 1976 assumes special significance, because it also marks the Bicentennial anniversary of the founding on July 4, 1776, of our country as an independent Nation. This is a time for reflection upon our history and upon our future, and a time for commitment to the goals that have made America great.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, call upon appropriate Government officials to display the flag of the United States on all Government buildings on Citizenship Day, September 17, 1976. I urge Federal, State and local officials, as well as leaders of all religious, civic, educational and other organizations, to conduct meaningful ceremonies and observances on that day to commemorate the formation and signing of the Constitution and to extend recognition to those persons who during the year acquired the status of citizenship, either by coming of age or by naturalization.

I also designate the period beginning September 17 and ending September 23, 1976, as Constitution Week, and I urge the people of the United States to observe that week with appropriate ceremonies and activities in their schools and churches and in other suitable places, to the end that our citizens may have a better understanding of the Constitution and of the rights and responsibilities of United States citizenship.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of September, in the year of our Lord nineteen hundred and seventy-six, and of the Independence of the United States of America the two hundred and first.

Gerald R. Ford

[FR Doc.76-27090 Filed 9-13-76;12:49 pm]

rules and regulations

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

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

Title 7—Agriculture

CHAPTER I—AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTION, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—United States Standards for Grades of Pecans in the Shell [1]

On June 7, 1976, a notice of proposed rulemaking was published in the FEDERAL REGISTER (41 FR 22832) regarding the revision of the United States Standards for Grades of Pecans In The Shell (7 CFR 51.1400–51.1415). These grade standards are issued under authority of the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621–1627), which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use of producers, buyers and consumers. Official grading services are also provided under this act upon request of any financially interested party and upon payment of a fee to cover the cost of such services.

Statement of considerations leading to the revision of the grade standards. Following publication of the proposal in the FEDERAL REGISTER, June 7, 1976, copies were widely distributed to individuals and industry organizations representing growers, shippers, wholesalers and retailers. Information concerning the proposal was also carried in newspapers and trade publications. Department representatives also discussed the proposal at several producers meetings.

The period for comment ended on July 15 and four comments were received in response to the proposal. One letter from a horticulturist and another from an Extension Specialist commented in favor of the proposal except for increasing the tolerances for serious kernel defects. Both letters were against lowering any U.S. quality standards and both urged development of a premium quality grade, U.S. Fancy. Another comment, from a southwestern pecan growers' organization, requested development of a premium quality grade and did not comment on other changes proposed.

The Grades and Standards Committee of the Pecan Distributors Association, Inc., who originated the request to revise the standards, commented in favor of the proposal with one exception: they requested a one percent increase in the proposed serious damage tolerances for both U.S. No. 1 and U.S. No. 2 grades, in line with their original request. The Department surveyed previous inspection records and proposed tolerances one percent less than required. The proposal, as published, has been accepted by the Grades Committee, however, they have requested a field study during this crop season to evaluate the need for additional serious damage tolerances. The field study of serious damage tolerances will include study of the development of a U.S. Fancy grade.

After consideration of all relevant matters presented by interested persons, including the proposal set forth in the aforesaid notice, the United States Standards for Grades of Pecans In The Shell promulgated pursuant to the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621–1627) are hereby revised to read as follows:

GRADES

Sec.

51.1400 U.S. No. 1.
51.1401 U.S. No. 2.

SIZE CLASSIFICATION

51.1402 Size classification.

KERNEL COLOR CLASSIFICATION

51.1403 Kernel color classification.

TOLERANCES

51.1404 Tolerances.

APPLICATION OF TOLERANCES

51.1405 Application of tolerances.

SAMPLE FOR GRADE OR SIZE DETERMINATION

51.1406 Sample for grade or size determination.

DEFINITIONS

51.1407 Fairly uniform in color.
51.1408 Loose extraneous or foreign material.
51.1409 Well developed.
51.1410 Fairly well developed.
51.1411 Poorly developed.
51.1412 Well cured.
51.1413 Damage.
51.1414 Serious damage.
51.1415 Inedible kernel.

OPTIONAL DETERMINATIONS

51.1416 Optional determinations.

AUTHORITY: Secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; (7 U.S.C. 1622, 1624).

GRADES

§ 51.1400 U.S. No. 1.

"U.S. No. 1" consists of pecans in the shell which meet the following requirements:

(a) Free from loose extraneous or foreign material.

(b) Shells are: (1) Fairly uniform in color; and, (2) Free from damage by any cause.

(c) Kernels are: (1) Free from damage by any cause.

(d) For tolerances see § 51.1404.

§ 51.1401 U.S. No. 2.

The requirements for this grade are the same as for U.S. No. 1 except for:

(a) No requirement for uniformity of color of shells; and,

(b) Increased tolerances for defects see § 51.1404.

SIZE CLASSIFICATION

§ 51.1402 Size classification.

Size of pecans may be specified in connection with the grade in accordance with one of the following classifications. To meet the requirements for any one of these classifications, the lot must conform to both the specified number of nuts per pound and the weight of the 10 smallest nuts per 100 nut sample.

Size classification	Number of nuts per pound	Minimum weight of the 10 smallest nuts in a 100-nut sample
Oversize	55 or less	In each classification, the 10 smallest nuts per 100 must weigh at least 7 pct of the total weight of a 100-nut sample
Extra large	56 to 63	
Large	64 to 77	
Medium	78 to 95	
Small	96 to 120	

KERNEL COLOR CLASSIFICATION

§ 51.1403 Kernel color classification.

(a) The skin color of pecan kernels may be described in terms of the color classifications provided in this section. When the color of kernels in a lot generally conforms to the "light" or "light amber" classification, that color classification may be used to describe the lot in connection with the grade.

(1) "Light" means that the outer surface of the kernel is mostly golden color or lighter, with not more than 25 percent of the outer surface darker than golden, none of which is darker than light brown.

(2) "Light amber" means that more than 25 percent of the outer surface of the kernel is light brown, with not more than 25 percent of the outer surface darker than light brown, none of which is darker than medium brown.

(3) "Amber" means that more than 25 percent of the outer surface of the kernel is medium brown, with not more than 25 percent of the outer surface darker than medium brown, none of which is darker than dark brown (very dark-brown or blackish-brown discoloration).

(4) "Dark amber" means that more than 25 percent of the outer surface of the kernel is dark brown, with not more than 25 percent of the outer surface darker than dark brown (very dark-brown or blackish-brown discoloration).

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

(b) U.S. Department of Agriculture kernel color standards, Pec-MC-1, consisting of plastic models of pecan kernels, illustrate the color intensities implied by the terms "golden," "light brown," "medium brown" and "dark brown" referred to in paragraph (a) of this section. These color standards may be examined in the Fruit and Vegetable Divison, AMS, U.S. Department of Agriculture, South Building, Washington, D.C. 20250; in any field office of the Fresh Fruit and Vegetable Inspection Service; or upon request of any authorized inspector of such service. Duplicates of the color standards may be purchased from NASCO, Fort Atkinson, Wisconsin 53538.

TOLERANCES

§ 51.1404 Tolerances.

In order to allow the variations incident to proper grading and handling in each of the foregoing grades, the following tolerances are provided as specified:

(a) *U.S. No. 1*—(1) *For shell defects, by count.* (i) 5 percent for pecans with damaged shells, including therein not more than 2 percent for shells which are seriously damaged.

(2) *For kernel defects, by count.* (i) 12 percent for pecans with kernels which fail to meet the requirements for the grade or any specified color classification, including therein not more than 7 percent for kernels which are seriously damaged: *Provided,* That not more than six-sevenths of this amount, or 6 percent, shall be allowed for kernels which are rancid, moldy, decayed or injured by insects: *And provided further,* That included in this 6 percent tolerance not more than one-half of one percent shall be allowed for pecans with live insects inside the shell.

(ii) In addition, 8 percent for kernels which fail to meet the color requirements for the grade or for any specified color classification, but which are not seriously damaged by dark discoloration of the skin: *Provided,* That these kernels meet the requirements for the grade other than for skin color.

(3) *For loose extraneous or foreign material, by weight.* (i) 0.5 percent (one-half of 1 percent).

(b) *U.S. No. 2*—(1) *For shell defects, by count.* (i) 10 percent for pecans with damaged shells, including therein not more than 3 percent for shells which are seriously damaged.

(2) *For kernel defects, by count.* (i) 30 percent for pecans with kernals which fail to meet the requirements of the U.S. No. 1 grade, including therein not more than 10 percent for pecans with kernals which are seriously damaged: *Provided,* That not more than seven-tenths of this amount, or 7 percent, shall be allowed for kernels which are rancid, moldy, decayed or injured by insects: *And provided further,* That included in this 7 percent tolerance not more than one-half of one percent shall be allowed for pecans with live insects inside the shell.

(3) *For loose extraneous or foreign material, by weight.* (i) 0.5 percent (one-half of 1 percent).

APPLICATION OF TOLERANCES

§ 51.1405 Application of tolerances.

Individual 100-count samples shall have not more than one and one-half times a specified tolerance of 5 percent or more and not more than double a tolerance of less than 5 percent, except that at least one pecan which is seriously damaged by live insects inside the shell is permitted: *Provided,* That the averages for the entire lot are within the tolerances specified for the grade.

SAMPLE FOR GRADE OR SIZE DETERMINATION

§ 51.1406 Sample for grade or size determination.

Each sample shall consist of 100 pecans. The individual sample shall be drawn at random from a sufficient number of packages to form a 100-count composite sample. The number of such individual 100-count samples drawn for grade or size determination will vary with the size of the lot. When practicable, at point of packaging the sample may be obtained from the grading belt after sorting has been completed.

DEFINITIONS

§ 51.1407 Fairly uniform in color.

"Fairly uniform in color" means that the shells do not show sufficient variation in color to materially detract from the general appearance of the lot.

§ 51.1408 Loose extraneous or foreign material.

"Loose extraneous or foreign material" means loose hulls, empty broken shells, or any substance other than pecans in the shell or pecan kernels.

§ 51.1409 Well developed.

"Well developed" means that the kernel has a large amount of meat in proportion to its width and length (see Figure 1).

§ 51.1410 Fairly well developed.

"Fairly well developed" means that the kernel has at least a moderate amount of meat in proportion to its width and length. Shriveling and hollowness shall be considered only to the extent that they have reduced the meatiness of the kernel (see Figure 1).

§ 51.1411 Poorly developed.

"Poorly developed" means that the kernel has a small amount of meat in proportion to its width and length (see Figure 1).

PECAN CROSS SECTION ILLUSTRATION



1. WELL DEVELOPED

Lower limit. Kernels having less meat content than these are not considered well developed.



2. FAIRLY WELL DEVELOPED

Lower limit for U.S. No. 1 grade. Kernels having less meat content than these are not considered fairly well developed and are classed as damaged.



3. POORLY DEVELOPED

Lower limit, damaged but not seriously damaged. Kernels having less meat content than these are considered undeveloped and are classed as seriously damaged.

Figure 1.

§ 51.1412 Well cured.

"Well cured" means that the kernel separates freely from the shell, breaks cleanly when bent, without splintering, shattering, or loosening the skin; and the kernel appears to be in good shipping or storage condition as to moisture content.

§ 51.1413 Damage.

"Damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, or any other defect, or any combination of defects, which materially detracts from the appearance or the edible or marketing quality of the individual pecan or the general appearance of the pecans in the lot. The following defects shall be considered as damage:

(a) Adhering hull material or dark stains affecting an aggregate of more than 5 percent of the surface of the individual shell;

(b) Split or cracked shells when the shell is spread apart or will spread upon application of slight pressure;

(c) Broken shells when any portion of the shell is missing;

(d) Kernels which are not well cured;

(e) Poorly developed kernels;

(f) Kernels which are dark amber in color;

(g) Kernel spots when more than one dark spot is present on either half of the kernel, or when any such spot is more than one-eighth inch (3 mm) in greatest dimension;

(h) Adhering material from the inside of the shell when firmly attached to more than one-third of the outer surface of the kernel and contrasting in color with the skin of the kernel; and,

(i) Internal flesh discoloration of a medium shade of gray or brown extending more than one-fourth inch (6 mm) lengthwise beneath the center ridge, or any equally objectionable amount in other portions of the kernel; or lesser areas of dark discoloration affecting the appearance to an equal or greater extent.

§ 51.1414 Serious damage.

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

(a) Adhering hull material or dark stains affecting an aggregate of more than 20 percent of the individual shell;

(b) Broken shells when the missing portion of shell is greater in area than a circle one-fourth inch (6 mm) in diameter;

(c) Worm holes when penetrating the shell;

(d) Rancidity when the kernel is distinctly rancid to the taste. Staleness of flavor shall not be classed as rancidity;

(e) Mold, on the surface or inside the kernel, which is plainly visible without magnification;

(f) Decay affecting any portion of the kernel;

(g) Insect injury when the insect, web or frass is present inside the shell, or the kernal shows distinct evidence of insect feeding;

(h) Kernal spots when more than three dark spots on either half of the kernel, or when any spot or the aggregate of two or more spots on one of the halves of the kernel affects more than 10 percent of the surface;

(i) Dark discoloration of the skin which is darker than dark amber over more than 25 percent of the outer surface of the kernel;

(j) Internal flesh discoloration of a dark shade extending more than one-third the length of the kernel beneath the ridge, or an equally objectionable amount of dark discoloration in other portions of the kernel; and,

(k) Undeveloped kernels having practically no food value, or which are blank (complete shell containing no kernel).

§ 51.1415 Inedible kernels.

"Inedible kernels" means that the kernel or pieces of kernels are rancid, moldy, decayed, injured by insects or otherwise unsuitable for human consumption.

OPTIONAL DETERMINATIONS

§ 51.1416 Optional determinations.

The determinations set forth herein are not requirements of these standards. They may be performed upon request in connection with the grade determination or as a separate determination. Samples of pecans for these determinations shall be taken at random from a composite sample drawn throughout the lot.

(a) *Edible kernel content.* A minimum sample of at least 500 grams of in-shell pecans shall be used for determination of edible kernel content. After the sample is weighed and shelled, edible appearing half kernels and pieces of kernels shall be separated from shells, center wall, and other non-kernel material, and inedible kernels (see § 51.1415) and pieces of kernels, and weighed to determine edible kernel content for the lot.

(b) *Poorly developed kernel content.* A minimum sample of at least 500 grams of in-shell pecans shall be used for determination of poorly developed kernel content. The amount of poorly developed kernels and pieces of kernels shall be weighed to determine poorly developed kernel content of the lot (see § 51.1411 and Figure 1).

(c) *Edible kernel content color classification.* The amount of "Light," "Light amber," "Amber," "Dark amber" and darker shades of skin color shall be determined according to § 51.1403, Kernel Color Classification. The total weight of edible kernels and pieces of kernels shall be the basis for determining color classification content for the lot.

(d) *Kernel moisture content.* The sample of pecans for determination of kernel moisture content shall be shelled immediately before analysis and all shells, center wall and other non-kernel material removed. The air-oven or other methods or devices which give equivalent results shall be used for moisture content determination.

These standards shall become effective on October 15, 1976, and will thereupon supersede the United States Standards for Pecans In The Shell which has been in effect since September 15, 1972, (7 CFR 51.1400–51.1415).

Dated: September 9, 1976.

DONALD E. WILKINSON,
Administrator.

[FR Doc.76-26886 Filed 9-14-76;8:45 am]

Title 13—Business Credit and Assistance

CHAPTER I—SMALL BUSINESS ADMINISTRATION

PART 121—SMALL BUSINESS SIZE STANDARDS

Definition of Small Petroleum Refiner for Purpose of Bidding on Government Procurements

By publication in the FEDERAL REGISTER of October 30, 1975 (40 FR 50518), the Small Business Administration adopted a new definition of a small petroleum refiner for the purpose of SBA assistance. The size standard adopted was 50,000 barrels-per-day capacity and 1,500 employees for the purpose of bidding on Government procurements and obtaining SBA loans and 45,000 barrels-per-day capacity and 1,500 employees for the purpose of sales of Government property, including royalty oil.

Subsequently, objections were received that the 50,000 barrels-per-day capacity standard for procurement purposes (rather than the 75,000 barrels-per-day capacity standard originally proposed in the notice of proposed rulemaking) was based upon an incomplete consideration of the issues involved, specifically, the Agency's finding that the category requiring SBA assistance in order to remain competitively viable for procurement purposes was those concerns having a barrels-per-day capacity not exceeding 50,000.

Under the circumstances, SBA determined to hold a further hearing solely on the issue whether the petroleum refinding capacity standard for the purpose of Government procurement should be increased from the current 50,000 barrels per day to 75,000 barrels per day or any level between.

Interested parties were permitted to file written comments and a public hearing was held in the Central Office of the Small Business Administration at 9:00 a.m. on June 9, 1976. It was well-attended and various points of view were presented. Interested parties were given until June 30, 1976, to file additional comments for the record.

On the basis of all the evidence received, both written comments and testimony at the public hearing, it has been determined that the current standard of 50,000 barrels per day for the purpose of bidding on Government procurements remains the most appropriate standard

to effectuate the purposes of the Small Business Act. Accordingly, the findings of fact and determinations set forth in the previous promulgation of this Regulation in the FEDERAL REGISTER on October 30, 1975 (40 FR 50518), are hereby confirmed.

(Catalog of Federal Domestic Assistance Program No. 59.009, Procurement Assistance to Small Businesses.)

MITCHELL P. KOBELINSKI,
Administrator.

[FR Doc.76-26934 Filed 9-14-76;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-12160]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Extension of Temporary Rules 23a-1(T) and 23a-2(T); Adoption of Amendments to SECO Rules; Correction

In FR Doc. 76-7157 appearing at page 10599 in the FEDERAL REGISTER of March 12, 1976, the following change should be made:

1. On page 10602 in paragraph (d), the last sentence, which begins "Paragraph (e) is designated * * *" should be deleted.

GEORGE A. FITZSIMMONS,
Secretary.

SEPTEMBER 7, 1976.

[FR Doc.76-26943 Filed 9-14-76;8:45 am]

[Release No. 34-12468A]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Municipal Securities Professionals and Transactions in Municipal Securities; Correction

Amendments to Rule 15b9-1 announced in Securities Exchange Act Release No. 12468 (May 20, 1976),[1] 9 SEC Docket 681 (June 2, 1976), inadvertently excluded a paragraph contained in the rule as adopted. The following changes should be made in FR Doc. 76-16127 appearing at page 22820 in the FEDERAL REGISTER of June 7, 1976:

1. On page 22825 paragraph (e) should be designated as paragraph (f).

2. Add paragraph (e), as follows:

* * * * *

(e) Any nonmember broker or dealer who is a member of a national securities exchange shall be exempt from this rule if (1) he carries no accounts of customers, and (2) his annual gross income derived from purchases and sales of securities otherwise than on a national securities exchange of which he is a member is in an amount no greater than $1,000: *Provided, however,* That gross income derived from transactions otherwise than on such national securities exchange which are effected for his own account with or through another registered broker or dealer shall not be subject to such limitation.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

SEPTEMBER 7, 1976.

[FR Doc.76-26944 Filed 9-14-76;8:45 am]

[1] Another correction to the amendment adopted in Release No. 12468 was made in Securities Exchange Act Release No. 12602 (July 7, 1976), 9 SEC Docket 1045 (July 21, 1976.

Title 20—Employees' Benefits

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

[Regs. No. 5, further amended]

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED (1965-)

Subpart T—Health Maintenance Organizations

CONTRACT APPEAL PROCEDURES UNDER TITLE XVIII OF SOCIAL SECURITY ACT

The following regulations of the Social Security Administration provide an appeals procedure on Health Maintenance Organization (HMO) contract matters (i.e., denial of contract, termination of contract, and nonrenewal of contract). The regulations implement legislation and provide additional appeals procedures in the interest of equity. They will apply to a relatively small number of organizations that are interested in participating in the Medicare program as HMO's and will have little effect on individuals. The regulations are expected to have no significant effect on the financial situation or outlays of the organizations concerned. They will be effective on or before October 15, 1976.

Section 1876(i)(4) of the Social Security Act (42 U.S.C. 1395mm(i)(4)), which was added to title XVIII by section 226 of Pub. L. 92-603 provides that the Secretary may terminate his contract with an HMO at any time, after giving reasonable notice and opportunity for hearing, if the Secretary finds that the HMO has failed substantially to carry out the contract, is carrying out the contract in a manner inconsistent with the efficient and effective administration of this section, or no longer substantially meets the applicable conditions necessary to qualify as an HMO within the meaning of section 1876 of the Social Security Act. On November 3, 1975, there was published in the FEDERAL REGISTER (40 FR 51055) a notice of proposed Rulemaking with proposed amendments to Part 405 of Chapter III of Title 20 of the Code of Federal Regulations regarding procedures to be followed by HMO's in appealing termination notices from the Secretary, or notices that the Secretary will not renew the HMO's contract under Medicare. Additionally, the proposed regulations set forth the appeal procedures for an organization dissatisfied with the Secretary's determination that it is ineligible to enter into a contract as an HMO in the Medicare program.

The proposed regulations, which implement section 1876 of the Act, would comply with the aforesaid requirements. In addition, even though not required by the Act, the Secretary would afford hearing rights in two other situations. One involves the situation in which the Secretary determines that an organization is not eligible to enter into a contract under which it would qualify for participation as an HMO in the Medicare program. The other is a case where the Secretary refuses to renew a contract with an HMO—such contracts are term agreements renewable automatically in the absence of notice by either party of intention not to renew. The appeal rights in such a case would extend to situations only where the Secretary's reason for nonrenewal is a reason which would have sufficed to terminate the contract. Thus, the HMO's right to a hearing would not be diminished where the Secretary felt it was more advisable not to renew, rather than to terminate for cause.

In termination or nonrenewal cases, the HMO would be given notice of such action at least 90 calendar days before the effective date of the Secretary's determination and would have until such effective date to file a request for a hearing. In the case of a termination, the filing of such request would postpone the effective date of the determination until the hearing officer renders a decision. In a nonrenewal case, the Secretary would have the power to extend the contract where he is satisfied that such extension is consistent with the purposes of section 1876 of the Act.

The HMO's right to a hearing would flow directly from the initial determination of the Secretary to terminate or to not renew. The step of reconsideration usually utilized in such a process would be eliminated in order to expedite action. In this regard the proposed regulations follow similar regulations in Subpart O, Regulations No. 5, dealing with the termination of a provider's participation in this program.

The hearing would be conducted by a hearing officer appointed by the Secretary. Because of the absence of specific authorization in the Act, no provision is made for judicial review.

Like policies and procedures would apply to a determination of the Secretary that an organization is not eligible to participate in the program as an HMO, except that the organization would be required to go through reconsideration before it has a right to a hearing. Since the organization is not participating in the Medicare program, the need for expedited action is not as great as in the case of termination or nonrenewal of a contract. Reconsideration would afford the Secretary an opportunity to review his decision and, to the extent that he reverses the initial determination, the

organization would be spared the expense and time of a hearing. Again, this is the process followed in Subpart O, Regulations No. 5, where the Secretary finds that an institution or facility in ineligible to participate as a provider of services under the Medicare program. Here, too, since there is no statutory provision for judicial review of a determination that an organization does not qualify as an HMO, the regulations would make no provision for judicial review.

Interested persons were given the opportunity to submit in writing on or before December 3, 1975, any data, views, or arguments on the notice of proposed rulemaking and proposed amendments. The comments and suggestions subsequently received, responses thereto, and changes made in the amendments as proposed are discussed below.

Comments were received from three organizations interested in the procedures to be followed under the proposed regulations. These organizations were the American Hospital Association, the Blue Cross Association, and the Federation of American Hospitals. All comments received have been carefully considered and many comments which suggested clarification of terms and greater specificity of language have, whenever appropriate, been reflected in the regulations as set forth herein. Some comments could not be adopted, because they were contrary to requirements of the statute.

The major changes made as a result of the comments or for other reasons are as follows:

1. The period for requesting a reconsideration or hearing has been changed to 60 days from the date of receipt of the notice of an initial or revised determination. This is in harmony with recent legislation (Pub. L. 94-202) concerning hearings and policies concerning most other appeal procedures under Social Security.

2. For ascertaining the date of receipt of a notice, it will be presumed that receipt was five days following the date of the notice unless there is a reasonable showing to the contrary.

3. Prehearing conferences and discovery procedures are provided for if the hearing officer considers them appropriate.

4. The suggestion was made that members of the HMO's should be allowed to attend hearings regardless of the hearing officer's judgment. The regulations now clearly state that hearings shall be open to the parties and to the public.

The major comments not accepted are in substance as follows:

1. One organization recommended that an HMO should have a reconsideration before a hearing on a decision to terminate or to not renew its contract. This suggestion was not accepted since the objective of an expedited final decision would not be served.

2. One comment pointed out that § 405.2066 does not provide any objective standards against which to measure the "efficient and effective administration" of section 1876 of the Social Security Act. No change was made in § 405.2066, because objective standards in the form of specific criteria would introduce undesirable inflexibility at the outset of the HMO's participation in the health insurance program. At a later date when HMO's have experience in operating with the program, more detailed standards may be developed.

3. One organization felt that an HMO should have the right to appeal any decision not to renew its contract, rather than just those decisions based on the reasons enumerated in § 405.2066. Further appeal rights were not provided since the objective is simply to provide appeal rights when the nonrenewal is equivalent to a termination for cause. The HMO does not have the right to appeal the administrative actions described in § 405.2069. Nor does an HMO have the right to appeal the Secretary's decision regarding its request to withdraw from the health insurance program.

4. A question was raised whether the expression "authorized official of the organization" (see, e.g., § 405.2071), refers to an official authorized by the Secretary or an official authorized by the organization itself. The term refers to an official who has been authorized by the organization to act, and is consistent with the terminology used elsewhere in Regulations No. 5.

5. The suggestion was made that the effective date of all determinations not to renew a contract should be postponed until after a decision is rendered by a hearing officer. As noted above, a hearing is not available for all types of nonrenewal. However, § 405.2078(b) provides that, in nonrenewal cases subject to hearing, the contract may be extended unless such an extension would be contrary to the purposes of section 1876 of the Social Security Act. It is expected that extension of the contract ordinarily would be made until a decision is rendered by a hearing officer, unless there are unusual circumstances.

6. The suggestion was made that a hearing board with some non-federal personnel should be established to hear appeals under these regulations. This change would not be appropriate at this time, because there is no indication that the number of appeals under these regulations would justify the appointment of such a board and its necessary support staff. Should the volume of such appeals grow substantially, further consideration may be given to alternative arrangements for hearing them.

7. The suggestion was made that the notice of hearing should be given at least 30 days prior to the hearing date itself and a suggestion was made that the requesting party should specify the hearing time. These changes would be unnecessarily inflexible. The regulation provides that the time and place of the hearing shall be reasonably convenient to the requesting party.

8. The suggestion was made that the HMO, or organization, should have the right to request a reopening of a determination of the Secretary or of a hearing officer. The HMO, or organization, may request reopening of a determination. However, the Secretary or hearing officer, as appropriate, will determine whether circumstances and evidence justify reopening the determination.

9. A suggestion was made that a time limit be placed on the rendition of the hearing officer's decision, but that is considered impractical since there may be post-hearing actions (e.g., the filing of briefs, which would make an inflexible time frame impractical.

The amendments as announced under the notice of proposed rulemaking (40 FR 51055) are, therefore, adopted with the changes noted and various editorial changes made in the interest of clarity, and are set forth below.

Additional regulations dealing with HMO's and section 1876 of the Social Security Act have been or are being prepared and have been or will be published separately in the FEDERAL REGISTER.

(Sec. 1102, 1871, 1876, Social Security Act, 49 Stat. 647, as amended, 79 Stat. 331, 86 Stat. 1396 (42 U.S.C. 1302, 1395hh, 1395mm).)

Effective date: These amendments shall be effective on or before October 15, 1976.

(Catalog of Federal Domestic Assistance Programs No. 13.800, Health Insurance for the Aged and Disabled—Hospital Insurance; No. 13.801, Health Insurance for the Aged and Disabled—Supplementary Medical Insurance.)

Dated: June 7, 1976.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: September 8, 1976.

DAVID MATHEWS,
Secretary of Health, Education, and Welfare.

Part 405 of Chapter III of Title 20 of the code of Federal Regulations, as amended, is further amended as set forth below:

1. The table of sections for Subpart T is amended by adding the following numbers and headings:

Sec.	
405.2065	Health maintenance organizations contract appeals; determinations and appeals procedures.
405.2066	Initial determinations.
405.2067	Notice of initial determination.
405.2068	Effect of initial determination.
405.2069	Administrative actions which are not initial determinations.
405.2070	Reconsideration; right to reconsideration; time and place of filing request for reconsideration.
405.2071	Proper party for filing request for reconsideration.
405.2072	Extension of time to request reconsideration.
405.2073	Withdrawal of request for reconsideration.
405.2074	Reconsidered determination.
405.2075	Submission of evidence.
405..2076	Notice and effect of reconsidered determination.
405.2077	Hearing; right to hearing; time and manner of filing request for hearing.
405.2078	Postponement of effective date of initial determination.
405.2079	Parties to the hearing.
405.2080	Hearing officer.

Sec.
405.2081 Disqualification of hearing officer.
405.2082 Location of hearing.
405.2083 Notice of hearing.
405.2084 Conduct of hearing.
405.2085 Record of hearing.
405.2086 Authority of hearing officer.
Sec.
405.2087 Hearing decision and notice.
405.2088 Effect of hearing decision.
405.2089 Appointment of representative.
405.2090 Authority of representative.
405.2091 Reopening of initial or reconsidered determination and decision of a hearing officer.
405.2092 Notice of reopening and revision.

2. Subpart T is amended by adding §§ 405.2065–405.2092 reading as follows:

§ 405.2065 Health maintenance organizations contract appeals; determinations and appeals procedures.

(a) The provisions contained in this section and §§ 405.2066–405.2092 shall govern the procedures for making and reviewing determinations with respect to whether:

(1) An organization is eligible to enter into a contract with the Secretary under which such organization would qualify for participation as a health maintenance organization (hereinafter referred to as an "HMO") within the meaning of section 1876 of the Social Security Act, and

(2) The Secretary's agreement with the HMO should be terminated for cause, pursuant to section 1876 of such Act, and

(3) The Secretary's agreement with the HMO should not be renewed.

(b) Any organization dissatisfied with an initial determination that it is ineligible to enter into a contract with the Secretary as an HMO under section 1876 of the Social Security Act may request a reconsideration of that determination (see § 405.2070) and, if dissatisfied with the reconsidered determination, may request a hearing. An organization which has a contract with the Secretary to participate as an HMO is entitled to a hearing if it is dissatisfied with the Secretary's initial determination to terminate the contract as specified in § 405.2066. In addition, any such organization is, under certain circumstances, also entitled to a hearing if it is dissatisfied with the Secretary's initial determination not to renew the contract (see § 405.2066(c)).

(c) To be a participating HMO, eligible for payment, an HMO must be in compliance with title VI of the Civil Rights Act of 1964 and must enter into a contract with the Secretary under § 405.2028. The provisions of this Subpart T do not govern in any respect the adjudication of issues related to the compliance of an HMO with title VI of the Civil Rights Act of 1964, or the implementing regulation (45 CFR Part 80) promulgated by the Secretary of Health, Education, and Welfare.

§ 405.2066 Initial determinations.

The Secretary shall make an initial determination with respect to:

(a) Whether an organization which has applied to enter into a contract with the Secretary under section 1876 of the Social Security Act (§ 405.2028) is eligible to enter into such a contract;

(b) The termination of a contract with an HMO because the HMO:

(1) Has failed substantially to carry out the terms of the contract entered into pursuant to § 405.2028, or

(2) Is carrying out the contract in a manner which is inconsistent with the efficient and effective administration of section 1876 of the Social Security Act, or

(3) No longer meets the applicable conditions necessary to qualify as an HMO under section 1876 of such Act (§ 405.2028);

(c) The nonrenewal of a contract with an HMO, but only if such nonrenewal is for a reason stated in paragraph (b)(1), (2), or (3) of this section.

§ 405.2067 Notice of initial determination.

(a) Written notice of an initial determination specified in § 405.2066(a) shall be mailed to the organization filing the request for such determination and specifically advise the organization:

(1) As to whether it is eligible for participation as an HMO in the health insurance program; and

(2) If not so eligible, the reasons why the organization is ineligible to participate in the program.

(b) Written notice of an initial determination specified in § 405.2066(b) shall be mailed to the HMO at least 90 calendar days before the effective date of such determination.

(c) Written notice of an initial determination specified in § 405.2066(c) shall be mailed to the HMO at least 90 calendar days before the end of the contract period.

§ 405.2068 Effect of initial determination.

The initial determination shall be final and binding upon the parties to the determination unless it is reconsidered in accordance with § 405.2074 (in the case of a determination described in § 405.2067(a)) or revised in accordance with § 405.2091, or a request for hearing is filed (in the case of a determination described in § 405.2066 (b) or (c)).

§ 405.2069 Administrative actions which are not initial determinations.

Administrative actions which shall not be considered initial determinations under any provision of the regulations in this subpart include, but shall not be limited to, the following:

(a) The refusal of the Secretary to renew a contract with an HMO where the reasons for such refusal are not among the causes specified in paragraph (b)(1), (2), or (3) of § 405.2066 (e.g., a refusal to renew because the HMO no longer complies with title VI of the Civil Rights Act of 1964).

(b) The finding by the Secretary that an HMO is not eligible to enter into a risk-sharing contract as specified in section 1876(i)(2)(A) of the Social Security Act.

§ 405.2070 Reconsideration; right to reconsideration; time and place of filing request for reconsideration.

Any organization which is dissatisfied with an initial determination (§ 405.2066(a)) that it is ineligible to enter into a contract with the Secretary under section 1876 of the Social Security Act (§ 405.2028) may request the Secretary to reconsider such determination. The Secretary shall reconsider an initial determination if a written request for reconsideration is filed by the organization within 60 calendar days after the date of receipt of the notice of initial determination (§ 405.2067), or later if the time for filing is extended (§ 405.2072). For purposes of this section, the date of receipt of the notice of initial determination shall be presumed to be 5 days after the date of such notice, unless there is a reasonable showing to the contrary. The request for reconsideration is to be filed with the Bureau of Health Insurance or with any other office of the Department of Health, Education, and Welfare.

§ 405.2071 Proper party for filing request for reconsideration.

Only an authorized official of the organization which was a party to an initial determination may file the request for reconsideration of such determination (§ 405.2070).

§ 405.2072 Extension of time to request reconsideration.

If a party to an initial determination desires to file a request for reconsideration after the time for filing has passed (§ 405.2070), such party may file a petition with the Secretary for an extension of the time. The petition shall be in writing and shall state the reasons why the request for reconsideration was not filed within the required time. For good cause shown, the Secretary may extend the time for filing a request for reconsideration.

§ 405.2073 Withdrawal of request for reconsideration.

A request for reconsideration may be withdrawn at any time prior to the mailing of notice of the reconsidered determination (see § 405.2076) if a written request for withdrawal is filed with the Secretary by the organization which filed the request for reconsideration and if the Secretary approves the request for withdrawal.

§ 405.2074 Reconsidered determination.

When a request for reconsideration has been filed (§ 405.2070), the Secretary shall reconsider the initial determination in question and the findings on which the initial determination is based. The Secretary shall make a reconsidered determination, affirming or reversing the initial determination (§ 405.2066).

§ 405.2075 Submission of evidence.

The Secretary shall accept in evidence any documents or written statements which are relevant and material to the matters at issue and which are submitted within a reasonable time after the filing of a request for reconsideration. The reconsidered determination shall be based on the evidence considered in making the initial determination and whatever other written evidence may be submitted prior to the time of the reconsidered determination, even taking into account facts relating to the status of the organization subsequent to the initial determination.

§ 405.2076 Notice and effect of reconsidered determination.

(a) *Notice of reconsidered determination.* Written notice of the reconsidered determination (§ 405.2074):

(1) Shall be mailed to the organization concerned;

(2) Shall contain findings with respect to whether the organization is eligible to enter into a contract with the Secretary under section 1876 of the Social Security Act (§ 405.2028);

(3) Shall contain a statement of the reasons for the determination; and

(4) Shall inform the organization of its right to a hearing (§ 405.2077) if it is dissatisfied with the reconsidered determination.

(b) *Effect of reconsidered determination.* The reconsidered determination shall be final and binding upon the parties to the determination unless it is revised in accordance with § 405.2091, or a hearing is requested in accordance with § 405.2077.

§ 405.2077 Hearing; right to hearing; time and manner of filing request for hearing.

(a) *Right to hearing.* An organization which has been determined in a reconsidered determination to be not eligible to enter into a contract with the Secretary under section 1876 of the Social Security Act (§ 405.2028), shall be entitled to a hearing with respect to such determination. Likewise, an HMO whose contract with the Secretary has been terminated or has not been renewed as a result of an initial determination of the Secretary as provided in § 405.2066(b) or (c) shall be entitled to a hearing with respect to that initial determination.

(b) *Time and manner of filing request for hearing specified in paragraph (a) of this section.* The request for a hearing specified in paragraph (a) of this section shall be in writing and filed by an authorized official of the organization or HMO, as the case may be, which was the party to the reconsidered determination (in the case of a determination under § 405.2066(a)) or the initial determination (in the case of a determination under § 405.2066(b) or (c)). The request must be filed within 60 calendar days after the date of receipt of the notice of reconsidered or initial determination, as the case may be, unless such time is extended as provided in § 405.2072 or in paragraph (d) of this section. For purposes of this section, the date of receipt shall be presumed to be 5 days after the date of such notice, unless there is a reasonable showing to the contrary. The request for a hearing is to be filed with the Bureau of Health Insurance or with any other office of the Department of Health, Education, and Welfare.

(c) *Time and manner of filing request for hearing with respect to certain revised determinations.* A request for a hearing with respect to a revised determination provided for in § 405.2091, must be filed within 60 calendar days after the date of receipt of written notice of a revised determination, by the organization which is the party to such determination.

(d) *Exception to time of filing request for hearing.* For good cause shown, the 60-day period referred to in paragraphs (b) and (c) of this section may be extended.

§ 405.2078 Postponement of effective date of initial determination.

Where a request for a hearing with respect to a determination provided for in § 405.2066(b) or (c) is timely filed:

(a) the effective date of the initial determination to terminate a contract with the HMO shall be postponed until a decision is rendered by the hearing officer;

(b) the contract with the HMO may be extended at the end of a contract period, in the case of an initial determination not to renew the contract, but only if prior to the end of the contract period the Secretary finds that an extension of the contract will be consistent with the purposes of section 1876 of the Social Security Act. (Where such a finding is made the contract may be extended only for such period as the Secretary and HMO shall mutually agree.)

§ 405.2079 Parties to the hearing.

The party(ies) to the hearing on an appeal filed pursuant to § 405.2077 shall be:

(a) The organization which was a party to the reconsidered determination (see § 405.2070) or the HMO which was a party to the initial determination (in the case of such a determination specified in § 405.2066(b) or (c));

(b) At the discretion of the hearing officer, any interested party(ies) who makes a showing that his (their) rights may be prejudiced by the decision to be rendered at the hearing; and

(c) The Bureau of Health Insurance representing the Secretary.

§ 405.2080 Hearing officer.

Any hearing provided for in § 405.2077 shall be conducted by a hearing officer designated by the Secretary.

§ 405.2081 Disqualification of hearing officer.

A hearing officer shall not conduct a hearing in any case in which he is prejudiced or partial with respect to any party, or if he has an interest in the matter before him. Notice of any objection with respect to the hearing officer who will conduct the hearing shall be made by the objecting party at his earliest opportunity. The hearing officer shall consider such objection and shall, at his discretion, withdraw. If the hearing officer withdraws, the Secretary shall designate another hearing officer to conduct the hearing. If the hearing officer does not withdraw, the objecting party may present his objections to the Secretary at any time prior to the issuance of a decision. The Secretary shall review the request and take appropriate action.

§ 405.2082 Location of hearing.

(a) *Time and place.* The hearing officer shall fix a time and place for the hearing reasonably convenient to the requesting party and not inconsistent with the public interest.

(b) *Adjournment or postponement.* The hearing officer may, for a good and sufficient reason, fix a new time or place for the hearing; he may change the time and place for the hearing or adjourn the hearing on his own motion upon reasonable notification to the parties.

§ 405.2083 Notice of hearing.

The notice of hearing shall include notice of the time and place of the hearing; information as to the specific issues to be determined; and the matters on which findings shall be made and conclusions shall be reached. The notice shall also contain sufficient information about the hearing procedure (including the party's right to representation) for effective preparation for the hearing.

§ 405.2084 Conduct of hearing.

(a) *General.* Hearings shall be open to the parties and to the public. The hearing officer shall inquire fully into the matters at issue and shall accept in evidence the testimony of witnesses and any documents which are relevant and material to such matters. The parties shall be provided an opportunity to enter any objection to the inclusion of any document. The order in which evidence and allegations shall be presented and the procedure at the hearing, except as this subpart otherwise expressly provides, shall be at the discretion of the hearing officer and of such nature as to afford the parties a proper hearing.

(b) *Evidence.* Evidence may be accepted at the hearing even though inadmissible under rules of evidence applicable to court procedures. The hearing officer shall rule on the admissibility of evidence.

(c) *Witnesses.* The hearing officer may examine the witnesses and shall allow the parties or their representatives to do so. Parties to the proceedings may also cross-examine witnesses.

(d) *Discovery.* Prehearing discovery shall be permitted upon timely request of a party. To be timely, a request for discovery and inspection shall be made before the beginning of the hearing. A reasonable time for inspection and reproduction of documents shall be provided by order of the hearing officer. The hearing officer's order on all discovery matters shall be final.

(e) *Prehearing.* If, in the discretion of the hearing officer, the purpose of defining the issues more clearly would be

served, the hearing officer may schedule a prehearing conference.

§ 405.2085 Record of hearing.

A complete record of the proceedings at the hearing shall be made and transcribed in all cases. It shall be made available to the parties upon request. The record shall not be closed until a decision (see § 405.2087) has been issued.

§ 405.2086 Authority of hearing officer.

The hearing officer in exercising his authority must comply with all the provisions of title XVIII of the Social Security Act and regulations issued thereunder as well as with general instructions issued by the Social Security Administration in implementing such Act and regulations.

§ 405.2087 Hearing decision and notice.

The hearing officer shall render a decision in writing based on the evidence in the record. In such decision he shall cite applicable law, regulations, and Social Security Administration general instructions as well as findings on all the matters at issue in the hearing. A copy of the decision shall be provided all parties to the hearing.

§ 405.2088 Effect of hearing decision.

The hearing decision provided for in § 405.2087 shall be final and binding upon all parties to the hearing unless it is reopened and revised in accordance with § 405.2091.

§ 405.2089 Appointment of representative.

A party may appoint as its representative at the proceedings conducted in accordance with § 405.2084 any individual except an individual disqualified or suspended from acting as a representative in proceedings before the Secretary or otherwise prohibited by law.

§ 405.2090 Authority of representative.

A representative appointed by a party may accept or give on behalf of the party he represents any request or notice relative to any proceeding affecting such party. A representative shall be entitled to present evidence and allegations as to facts and law in any such proceeding and to obtain information with respect to a request for hearing made in accordance with § 405.2077 to the same extent as the party he represents. Notice to a party of any action, determination, or decision which is sent to the representative of the party shall have the same force and effect, as if it had been sent to the party represented.

§ 405.2091 Reopening of initial or reconsidered determination and decision of a hearing officer.

(a) *Initial or reconsidered determination.* An initial or reconsidered determination which is unfavorable to one or more parties to such determination and is otherwise final (see § 405.2068 and § 405.2076) may be reopened and revised by the Secretary upon his own motion within one year of the date of the notice of determination.

(b) *Decision of a hearing officer.* A decision of a hearing officer which is unfavorable to one or more of the parties to the hearing identified in § 405.2079(a) or (b) and is otherwise final (see § 405.2088) may be reopened and revised by the hearing officer upon his own motion within one year of the date of the notice of the decision or by another hearing officer designated by the Secretary if the hearing officer who issued the decision is unavailable.

§ 405.2092 Notice of reopening and revision.

(a) *Notice.* When any determination or decision is reopened as provided in § 405.2091, notice of such reopening shall be mailed to the parties to such determination or decision at their last known addresses. A notice of revision, following a reopening of a determination or a decision, shall be mailed to the parties and shall state the basis or reasons for the revised determination or revised decision.

(b) *Effect of revised determination.* The revision of a determination shall be binding upon the parties thereto unless a party files a written request for a hearing with respect to a revised determination.

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Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER F—PROCEDURE AND ADMINISTRATION

[T.D. 7433]

PART 403—DISPOSITION OF SEIZED PERSONAL PROPERTY

Preamble: The regulations in 26 CFR Part 172 in effect on March 14, 1974 are reinstated, recodified and amended in this document. The allocation of responsibility for administration of the part between the Internal Revenue Service and the Bureau of Alcohol, Tobacco and Firearms and certain procedures taken to accomplish that allocation make this action necessary.

The Bureau of Alcohol, Tobacco and Firearms was established by Treasury Department Order 221, dated June 6, 1972, effective July 1, 1972, which was published in the FEDERAL REGISTER for Saturday, June 6, 1972 at 37 FR 11696. The purpose of that order was to transfer the functions, powers and duties of the Internal Revenue Service arising under laws relating to alcohol, tobacco, firearms, and explosives (including the Alcohol, Tobacco and Firearms Division of the Internal Revenue Service) to the Bureau of Alcohol, Tobacco and Firearms. (As subsequently explained, most of the functions, powers and duties of the Internal Revenue Service relating to wagering were later also transferred to the Bureau.)

On March 15, 1974, Treasury Decision ATF-9 was published in the FEDERAL REGISTER at 39 FR 9953. That Treasury Decision recodified the regulations from 26 CFR Part 172 and prescribed the recodified regulations as 27 CFR Part 72. However, the Treasury Decision recognized that the Internal Revenue Service would continue to rely on 26 CFR Part and provided:

> The regulations in this part shall supersede regulations in 26 CFR Part 172 insofar as such regulations relate to activities administered by the Bureau of Alcohol, Tobacco, and Firearms. Such regulations shall remain in effect to the extent that they deal with activities administered by the Internal Revenue Service.

Thus, it was intended that the Treasury Decision leave 26 CFR Part 172 in force for the administration of those provisions of the Internal Revenue Code of 1954 (Title 26 of the United States Code) implemented by 26 CFR Part 172 which were not transferred to the Bureau of Alcohol, Tobacco and Firearms.

In recodifying or transferring the regulations related to the activities of the Bureau, the recodified 27 CFR Part 72 generally followed 26 CFR Part 172 but certain changes were made. The changes reflect the new status of the Bureau and a change in Treasury policy, along with changes for such purposes as simplifying terminology and correcting clerical errors.

Under Treasury Department Order 221-3, dated and effective December 24, 1974, which was published in the FEDERAL REGISTER at 40 FR 1084 for January 6, 1975, the responsibility for the administration and enforcement of the wagering tax laws contained in Chapter 35 of the Internal Revenue Code of 1954 and certain other provisions of the Internal Revenue Code of 1954 as they relate to activities administered and enforced with respect to Chapter 35 were transferred from the Internal Revenue Service to the Bureau of Alcohol, Tobacco and Firearms. That Order was subsequently revised by Treasury Department Order 221-3 (Rev. 1), dated and effective February 21, 1976, published in the FEDERAL REGISTER at 41 FR 10079 for March 9, 1976. However, the revised Order did not amend the original order in any way pertinent to this Treasury decision. The responsibility transferred by these Treasury Department orders included forfeiture matters relating to wagering violations.

In the 1974 publication of the Code of Federal Regulations Title 26—Internal Revenue Service, Department of the Treasury, revised as of April 1, 1974, 26 CFR Part 172 was inadvertently omitted. Further, Bureau of Alcohol, Tobacco and Firearms regulations (Reg. No. 1) published at 40 FR 16835 on April 15, 1975, effective April 15, 1975, redesignated the regulations formerly codified as 26 CFR Parts 170 through 299 (Subchapter E Alcohol, Tobacco and Other Excise Taxes, of Chapter 1) as 27 CFR Parts 170 through 299 (Subchapter M—Alcohol, Tobacco and Other Excise Taxes). The purpose of that redesignation was to assure orderly development of the Code of Federal Regulations (1 CFR 8.2). However, that published document effected the transfer of 26 CFR Part 172 to Title 27 of the Code of Federal Regulations

and redesignated that Part as 27 CFR Part 172. This action placed the jurisdiction for the administration of the part in the Bureau.

To the extent that 26 CFR Part 172 related to personal property and carriers seized as subject to forfeiture as being used, or intended to be used, to violate Chapters 35 (wagering), 51 distilled spirits), 52 (tobacco) and 53 (firearms) of the internal revenue laws (26 U.S.C., and Chapters 35, 51, 52 and 53), administrative responsibility for the part was placed in the Bureau at the time those functions were transferred to that organization. However, the Internal Revenue Service retained, and still has, responsibility for the administration of forfeiture of personal property seized as subject to forfeiture as being used, or intended to be used, to violate the internal revenue laws other than Chapters 35 (wagering), 51 (distilled spirits), 52 (tobacco) and 53 (firearms) (26 U.S.C., Chapters 35, 51, 52 and 53). Regulations implementing that responsibility are necessary.

To correct the omission of 26 CFR Part 172 from the Code of Federal Regulations, as revised April 1, 1974, and the recodification of the part as 27 CFR Part 172, the provisions of 26 CFR Part 172 as they appear immediately prior to March 15, 1974 are hereby reinstated and recodified as 26 CFR Part 403. To reflect accurately the responsibility of the Internal Revenue Service in the administration of 26 CFR Part 403, as reinstated and recodified, it is necessary to amend the part. Also, other technical amendments are necessary. These are discussed below.

CHANGES

The changes described below refer to changes made to old 26 CFR Part 172 which has been recodified in this document as 26 CFR Part 403. Thus, a change described with respect to a section of 26 CFR Part 172 will be reflected in the corresponding section of 26 CFR Part 403. For example, if a change to § 172.1 is discussed below, it will be found in the document at § 403.1. However, in the case of § 403.2 there is no corresponding section of 26 CFR Part 172. Therefore, the change in § 172.2 is reflected in § 403.3, and definitions in §§ 172.5 through 172.20, if not eliminated, are all included in § 403.5 with the exception of the term "commercial crimes" defined in § 403.38.

Necessity for inquiry. Amendments to § 172.38 reflect a change in Treasury policy as contained in the notice of change in policy as to remission and mitigation decisions on vehicle forfeitures issued in the FEDERAL REGISTER for December 15, 1971 (36 FR 23800) relating to the necessity for inquiry. In addition, § 172.38(b) has been amended by substituting the word "administrative" for the word "summary" and deleting the words "or condemnation".

Changes relating to responsibility of certain officials. The regulations have been amended to change the responsibilities of certain officials. Thus, the term "Commissioner or his delegate" has been substituted for the phrase "duly authorized officers of the Internal Revenue Service" in § 172.25; for the term "seizing officer" wherever it appeared in § 172.26; for the term "Supervisor in Charge" wherever it appeared in §§ 172.26(a)(3), 172.27, 172.44(b), 172.55, 172.57(c)(2) and 172.65; for the phrase "officers of the Internal Revenue Service concerned" in § 172.38; for the term "Director, Alcohol, Tobacco and Firearms Division" wherever it appeared in §§ 172.43(a); for the term "Assistant Regional Commissioner" wherever it appeared in §§ 172.43; and for the term "Regional Commissioner" wherever it appeared in § 172.44(b). The term "District Director for the internal revenue district in which the property was seized" has been substituted for the term "Supervisor in Charge" in §§ 172.30, 172.62 and 172.26(a)(6) (now § 403.26 (a)(4)), and for the term "Director, Alcohol, Tobacco and Firearms Division" in §§ 172.36 and 172.37. The term "District Director" has been substituted for the term "Supervisor in Charge" in § 172.40. The "Director, General Legal Services Division, Office of Chief Counsel, Internal Revenue Service or his delegate" has been substituted for the term "Regional Counsel" in § 172.26(b).

Changes relating to the present responsibility of the Internal Revenue Service for administration. Section 172.1 has been changed to accurately reflect the role of the Internal Revenue Service in the administration of the amended part, § 403.2 has been added to describe the role of the Bureau of Alcohol, Tobacco, and Firearms in the administration of 27 CFR Part 72 and § 172.2 has been renumbered § 403.3. The definition of "Carrier" has been eliminated because such term is applied only with respect to 49 U.S.C. Chapter 11 seizures which are no longer covered by the part and the term "Carrier" has been stricken wherever it appeared in former §§ 172.26, 172.27, 172.36, 172.38, 172.39, 172.43, 172.44, 172.45, 172.55, 172.57, 172.60, 172.61 and 172.62. The term "Director, Alcohol, Tobacco and Firearms Division" has been replaced by the term "Internal Revenue Service." In § 172.25 references to laws other than internal revenue laws not covered by the part have been deleted and the term "internal revenue laws" is modified to make it clear that the part does not extend to property seized with respect to 26 U.S.C. Chapters 35 (wagering), 51 (distilled spirits), 52 (tobacco) and 53 (firearms) violations. In § 172.57 (c)(2), reference to cigars, cigarettes and cigarette papers and tubes has been deleted and § 172.57(c)(3), which pertains only to such materials, has been deleted. The language in § 172.59 has been deleted because it related to tobacco, and the section has been reserved.

Other changes. In § 172.5 flush material preceding the definitions has been broadened to specifically provide that plural words include singular, and vice versa, that the masculine gender includes the feminine and that the terms "includes" and "including" do not exclude things not enumerated which are in the same general class. Definitions which formerly appeared in §§ 172.6 through 172.20 of carrier; contraband firearms; Director, Alcohol, Tobacco and Firearms Division; supervisor in charge; Assistant Regional Commissioner; IRC; Region; person; reappraisal; Regional Commissioner; and U.S.C. have been eliminated, and § 403.5 provides revised definitions of "appraised value," and "equity." The definition of "commercial crimes" has been deleted from the definition section and added to § 403.38(d) relating to remission and mitigation. It was also changed to simplify terminology and to eliminate the reference to gambling or wagering offenses in order to conform to the Treasury Department's definition of commercial crimes which recognizes that such offenses include "offenses against the revenue laws."

In subparagraphs (1) and (2) of § 172.26(a) the words "and this part" have been added following the words "internal revenue laws" in order to limit the application of the part to internal revenue laws other than those contained in Chapters 35, 51, 52, and 53. Section 172.26(a)(1) has been changed by the addition of the words "except as otherwise provided in this section" to indicate that property which is valued at less than $2,500.00 may be the subject of judicial condemnation proceedings if a bond has been filed with respect to it. Subparagraph (a)(2) has also been amended, in accordance with 26 U.S.C. 7325, to provide that the list of property required thereby be prepared in duplicate. Other minor wording changes have been made to subparagraphs (2) and (3) of paragraph (a). Also in § 172.26(b) the numeral "(1)" has been eliminated, the word "libel" has been replaced by the word "forfeiture" and minor word changes have been made.

Several minor wording changes have been made to §§ 172.27 and 172.28. Further, the word "delivered" has been changed to the word "filed" whenever it occurs. The last sentence has been eliminated because it is repetitious of a sentence in § 172.26(a)(4). In § 172.29, minor wording changes have been made and the reference to United States Savings Bonds has been eliminated as unnecessary.

The heading of § 172.30 has been changed to "Special disposition of perishable goods." The first sentence of such section has been eliminated and the third sentence has been amended by the inclusion therein of a reference to the appraisal procedures set forth in § 172.26 (a)(2). Several minor wording changes have also been made.

In Subpart D, which relates to remission and mitigation, minor wording changes have been made to all sections other than §§ 172.36 and 172.40, and § 172.35 has been amended by the addition of a reference to the applicable customs laws. Section 172.37 has been amended by deleting the term "Department" and substituting therefore the term "Department of the Treasury." In § 172.36, the term "under this part" has been added after the word "forfeiture" in

order to limit the application of the part. Section 172.38(b) has been amended by the deletion of the last clause relating to the circumstances of the petitioner which has been incorporated into the new words "and could not have known" which now appear before the phrase "of the seizure." In § 172.38(c), the required statement of the petitioner that he did not intend to defraud the revenue has been changed to a statement that he did not intend that the property be involved or used in violation of the internal revenue laws, which is more in keeping with the wording of section 7302 of the Internal Revenue Code. Section 172.38(d) has been reworded and the definition of "commercial crimes" which was formerly found in the definition section has been included therein. Sections 172.39, 172.41, and 172.42, have been rewritten but no major changes have been made and in § 172.40 the term "internal revenue district" has been substituted for the phrase "the State or other territorial jurisdiction" to better reflect the organizational structure of the Internal Revenue Service.

Paragraph (b) of § 172.43 and paragraphs (a) and (b) of § 172.44 have been amended by the elimination of the numeral (1). Also, § 172.44(b) was amended to make clear that the costs referred to are those incident to the seizure, forfeiture, and sale of the property.

In § 172.50, relating to the rate of compensation of appraisers, the word "day" which formerly appeared immediately after "$3.00 per" has been replaced by the phrase "hour or portion thereof" and the words "and this part" have been added after "internal revenue laws."

In section 172.55, the words "based upon which method in his sound judgment is most advantageous to the best interests of the United States" and the words "advertised for sale, and" have been eliminated. Minor wording changes have also been made to this section as well as § 172.56. In § 172.57(c)(1), the words "and all" and the words "received at public auction and is sealed, competitive bid sales" have been deleted and in § 172.57(c)(2) a minor wording change has been made and a reference to § 172.55 included. In § 172.57(d), the words "offered at public auction or in sealed, competitive bid sales" and "considered to be and treated as" have been eliminated as unnecessary. Section 172.58 has been retitled "Acceptable forms of payment" and the section itself has been changed to recognize this fact. In § 172.60, the words "and authentic" and "on a form to be provided for that purpose" have been deleted. Minor wording changes have been made to §§ 172.61 and 172.62.

It is determined that these amendments are minor and make no substantive change in 26 CFR Part 172 as the part relates to activities of the Internal Revenue Service. Therefore, because the public would not have particular reason to comment, it is found, pursuant to 5 U.S.C. 553(b) that notice and public procedure thereon are unnecessary. Accordingly, 26 CFR Part 172 is reinstated, amended and recodified as 26 CFR Part 403 to read as follows:

REINSTATEMENT, RECODIFICATION, AND AMENDMENT OF REGULATIONS

1. The regulations in this part shall not affect any act done or any liability or right accruing or accrued, or any suit or proceeding had or commenced before the effective date of these regulations.

2. The regulations in this part shall become effective on September 15, 1976.

Subpart A—Scope of Regulations

Sec.

403.1 Personal property seized by the Internal Revenue Service.
403.2 Personal property seized by the Bureau of Alcohol, Tobacco and Firearms.
403.3 Forms prescribed.

Subpart B—Definitions

403.5 Meaning of terms.

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403.25 Personal property subject to seizure.
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403.35 Laws applicable.
403.36 Interest claimed.
403.37 Form of the petition.
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403.41 Discontinuance of administrative proceedings.
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403.45 Re-appraisal of property involved in an allowed petition.

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403.50 Rate of compensation.

Subpart F—Administrative Sale of Personal Property

403.55 Alternative methods of sale.
403.56 All bids on unit basis.
403.57 Conditions of sale.
403.58 Acceptable forms of payment.
403.59 [Reserved]
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403.61 Sale on open, competitive bids.
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Subpart G—Disposal of Forfeited Coin-Operated Gaming Devices

403.65 Authority for destruction.

AUTHORITY: Sec. 7805, 68A Stat. 917; 26 U.S.C. 7805, unless otherwise noted.

Subpart A—Scope of Regulations

§ 403.1 Personal property seized by the Internal Revenue Service.

Regulations in this part relate to personal property seized by officers of the Internal Revenue Service as subject to forefeiture as being involved, used, or intended to be used, as the case may be in any violation of the internal revenue laws other than Chapters 35 (wagering), 51 (distilled spirits), 52 (tobacco) and 53 (firearms), of the Internal Revenue Code of 1954 (I.R.C.).

§ 403.2 Personal property seized by the Bureau of Alcohol, Tobacco and Firearms.

Regulations in 27 CFR Part 72 relate to personal property seized by officers of the Bureau of Alcohol, Tobacco and Firearms as subject to forfeiture as being involved, used, or intended to be used, as the case may be, in any violation of Chapters 35 (wagering), 51 (distilled spirits), 52 (tobacco) and 53 (firearms), of the I.R.C., as well as certain other federal laws. (Treasury Dept. Order No. 221 (June 6, 1972), 37 FR 11696; Treasury Dept. Order No. 221–3 (December 24, 1974), 40 FR 1084.)

§ 403.3 Forms prescribed.

The Commissioner of Internal Revenue or his delegate is authorized to prescribe all forms required by or necessary for the administration of this part. Information required by this part shall be furnished in accordance with the instructions issued with respect thereto.

Subpart B—Definitions

§ 403.5 Meaning of terms.

As used in this part, and unless the context otherwise requires, the following terms shall have the meanings set forth in this section. In this part words in the plural form shall include the singular, and vice versa, and words importing the masculine gender shall include the feminine. The terms "includes" and "including" do not exclude things not enumerated which are in the same general class.

(a) *Appraised value.* The value placed upon seized property by the appraisers pursuant to § 403.26(a)(2) for the purpose of determining whether the property may be forfeited administratively.

(b) *Equity.* For purposes of Subpart D of this part, the petitioner's interest in the subject personal property at the time of final administrative action on the petition, but not including: (1) Any unearned finance charges accruing from the later of the date of seizure or the date of default; (2) any amount rebatable on account of paid insurance premiums; (3) attorney's fees for collection; (4) any amount identified as dealer's reserve; or (5) any amount in the nature of liquidated damages that may have been agreed upon by the buyer and the petitioner.

Subpart C—Seizures and Forfeitures

§ 403.25 Personal property subject to seizure.

Personal property may be seized by the Commissioner of Internal Revenue or his delegate for forfeiture to the United States when involved, used, or intended to be used, in violation of the internal revenue laws, other than Chapters 35 (wagering), 51 (distilled spirits), 52 (tobacco) and 53 (firearms) of the I.R.C. (Sec. 7321, 68A Stat. 869; 26 U.S.C. 7321.)

§ 403.26 Forfeiture of seized personal property.

(a) *Administrative forfeiture.* (1) Personal property seized as subject to

forfeiture under the internal revenue laws and this part which has an appraised value of $2,500.00 or less shall be forfeited to the United States in administrative forfeiture proceedings except as otherwise provided in this section.

(2) If the Commissioner or his delegate seizes personal property which is forfeitable under the internal revenue laws and this part and which in his opinion is valued at $2,500.00 or less, he shall cause a list containing a particular description of the seized property to be prepared in duplicate and an appraisal thereof to be made by three sworn appraisers, selected by the Commissioner or his delegate, who shall be respectable and disinterested citizens of the United States residing within the internal revenue district wherein the seizure was made. Such list and appraisement shall be properly attested by the Commissioner or his delegate and such appraisers.

(3) If such forfeitable personal property is found by the appraisers to be of the value of $2,500.00 or less, the Commissioner or his delegate shall publish a notice once a week for three consecutive weeks, in some newspaper of the judicial district where property was seized, describing the articles and stating the time, place, and cause of their seizure, and requiring any person claiming them to appear and make such claim within 30 days from the date of the first publication of such notice.

(4) Any person claiming the personal property so seized, within the time specified in the notice, may file with the District Director of the internal revenue district in which the property was seized a claim, stating his interest in the articles seized, and may execute a bond to the United States in the penal sum of $250.00, conditioned that, in case of condemnation of the articles so seized, the obligors shall pay all the costs and expenses of the proceedings to obtain such condemnation. Before the expiration of 10 days after the date on which the claim is filed, the District Director shall transmit such claim, together with the duplicate list or description of the property seized, to the United States Attorney for the district in which such property was seized. Both the claim and the cost bond should be executed in quadruplicate.

(See 7325, 68A Stat. 870, amended; (26 U.S.C. 7325))

(b) *Judicial condemnation.* Personal property seized as subject to forfeiture under the internal revenue laws and this part which has an appraised value of more than $2,500.00 and such seized property which has an appraised value of $2,500.00 or less with respect to which a bond has been filed pursuant to paragraph (a)(4) of this section, shall be forfeited to the United States in judicial condemnation proceedings, as authorized by the Director, General Legal Services Division, Office of Chief Counsel, Internal Revenue Service, or his delegate.

(Sec. 7323, 7325, 7401, 68A Stat. 869, 870, 873, as amended; (26 U.S.C. 7323, 7325, 7401))

§ 403.27 Type and conditions of cost bond.

The cost bond filed by a claimant pursuant to § 403.26(a)(4) shall be a corporate surety bond. However, upon a showing to the satisfaction of the Commissioner or his delegate that such claimant is unable to furnish a corporate surety bond, such claimant may file a cost bond with individual sureties acceptable to the Commissioner or his delegate or, in lieu of such cost bond with corporate or individual sureties, he may deposit collateral pursuant to § 403.29.

§ 403.28 Corporate surety bonds.

A corporate surety bond may be filed only if the surety company issuing such bond holds a certificate of authority from the Secretary of the Treasury certifying that such company is an acceptable surety on Federal bonds, subject to the limitations prescribed by Treasury Department Circular 570 as amended.

(Sec. 6, 61 Stat. 648, as amended, sec. 7101, 68A Stat. 847, as amended; (6 U.S.C. 6, 26 U.S.C. 7101))

§ 403.29 Deposit of collateral.

Cash, postal money orders, certified or cashiers' or treasurers' checks, and bonds or notes of the United States, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States, may be pledged and deposited by claimants as collateral security in lieu of corporate surety bonds in accordance with the provisions of Treasury Department Circular No. 154, revised (31 CFR Part 225).

(Sec. 15, 61 Stat. 650, sec. 7101, 68A Stat. 847, as amended; (6 U.S.C. 15, 26 U.S.C. 7101))

§ 403.30 Special disposition of perishable goods.

The proceedings to enforce forfeiture of perishable goods shall, as is the case with proceedings to enforce forfeiture of nonperishable goods, be in the nature of proceedings in rem in the United States District Court for the district wherein such seizure is made. When any seized property is liable to perish or become greatly reduced in price or value by keeping, or when it cannot be kept without great expense, the Commissioner or his delegate shall advise the owner, when known, of the seizure thereof. The owner of the seized property may apply to the District Director of the internal revenue district in which the property was seized to examine the property at any time prior to referral of the property to the U.S. Marshal for disposition. If, in the opinion of the Commissioner or his delegate it is necessary that such property be sold to prevent waste or expense, the Commissioner or his delegate shall cause the property to be appraised in accordance with the procedures set forth in § 403.26(a)(2). The owner shall have such property returned to him upon giving a corporate surety bond pursuant to § 403.28 in an amount equal to the appraised value of the property, to abide the final order, decree, or judgment of the court having cognizance of the case. The bond shall be conditioned to pay the amount of the appraised value to the Commissioner or his delegate, the U.S. Marshal, or otherwise, as may be ordered and directed by the court. The bond shall be filed by the Commissioner or his delegate with the U.S. Attorney for the district in which the proceedings may be commenced. If the owner of such property neglects or refuses to give such bond within a reasonable time considering the condition of the property, the Commissioner or his delegate shall request the U.S. Marshal to proceed to sell the property at public sale as soon as practicable and to pay the proceeds of sale, less reasonable costs of the seizure and sale, to the court to abide its final order, decree, or judgment.

(Sec. 7322, 7323, 7324, 68A Stat. 869, 870, as amended; (26 U.S.C. 7322, 7323, 7324))

Subpart D—Remission or Mitigation of Forfeitures

§ 403.35 Laws applicable.

Remission or mitigation of forfeitures shall be governed by the customs laws applicable to remission or mitigation of penalties as contained in 19 U.S.C. 1613 and 19 U.S.C. 1618.

(Sec. 613, 46 Stat. 756, as amended, sec. 618, 46 Stat. 757, as amended, sec. 7327, 68A Stat. 871; (19 U.S.C. 1613, 1618, 26 U.S.C. 7327))

§ 403.36 Interest claimed.

Any person claiming an interest in property seized by an officer of the Internal Revenue Service as subject to administrative forfeiture under this part may file a petition addressed to the District Director of the internal revenue district in which the property was seized for remission or mitigation of the forfeiture of such property.

§ 403.37 Form of the petition.

There is no standardized form provided or required by the Department of the Treasury for use in filing a petition for remission or mitigation of forfeiture. However, the petition should be typewritten on legal size paper; and must be executed under oath, prepared in triplicate, and addressed to the District Director of the internal revenue district in which the property was seized. All copies of original documents submitted as exhibits in support of allegations of the petition should be certified as true and accurate copies of originals. Each copy of the petition must contain a complete set of exhibits.

§ 403.38 Contents of the petition.

(a) *Description of the property.* The petition should contain such a description of the property and such facts of the seizure as will enable the Commissioner or his delegate to identify the property.

(b) *Statement regarding knowledge of seizure.* In the event the petition is filed for the restoration of the proceeds derived from sale of the property pursuant to an administrative forfeiture, it should contain, or be supported by, satisfactory proof that the petitioner did not know and could not have known of the seizure prior to the declaration of forfeiture. (See also § 403.39)

(c) *Interest of petitioner.* The petition should clearly and concisely indicate the nature and amount of his interest in the property on the date the petition is filed, and the facts relied upon to show that the petitioner was not willfully negligent and did not intend that the property be involved or used in violation of the internal revenue laws. Such petition may allege such other circumstances which in the opinion of the petitioner would justify the remission or mitigation of the forfeiture.

(d) *Petitioner innocent party.* If the petitioner did not commit the act which caused the seizure of his property, the petition should state how the property came into the possession of the person whose act did cause the seizure, and it should also state that the petitioner had no knowledge or reason to believe that the property would be involved or used in violation of the internal revenue laws. If the petitioner knows, at the time he files the petition, that the person in whose possession the seized property was at the time of the seizure had a record or reputation for committing commercial crimes, the petitioner should state in the petition whether the petitioner knew of such record or reputation before the petitioner acquired his interest in the property or before such other person came into possession of the property, whichever occurred later. For purposes of this paragraph, the term "commercial crimes" includes, but is not limited to any of the following federal or state crimes:

(1) Offenses against the revenue laws; burglary; counterfeiting, forgery; kidnapping; larceny; robbery; illegal sale or possession of deadly weapons; prostitution (including soliciting, procuring, pandering, white slaving, keeping house of ill fame, and like offenses); extortion; swindling and confidence games; and attempting to commit, conspiring to commit, or compounding any of the foregoing crimes. Addiction to narcotic drugs and use of marihuana will be treated as commercial crimes.

(e) *Documents supporting claim.* The petition should be accompanied by copies, certified by the petitioner under oath as correct, of contracts, bills of sale, chattel mortgages, reports of investigators or credit reporting agencies, affidavits, and any other documents that would support the claims made in the petition.

(f) *Costs.* The petition should contain an undertaking to pay any costs assessed as a condition of allowance of the petition. Such costs include but are not limited to all expenses incurred in seizing and storing the property; the costs borne or to be borne by the United States; the taxes, if any, payable by the petitioner or imposed in respect of the property to which the petition relates; the penalty, if any, asserted by the Internal Revenue Service; and, if the property has been sold, or is in the course of being sold, the expenses incurred relating to such sale.

§ 403.39 Time of filing petition.

A complete petition for remission or mitigation must be filed before the expiration of three months after the sale or other disposition of the property with respect to which the petition is filed. For purposes of this part, the term "sale or other disposition" includes acquisition of the property for official use.

(Sec. 613, 46 Stat. 756, sec. 306, 49 Stat. 880; (19 U.S.C. 1613, 40 U.S.C. 304(k))

§ 403.40 Place of filing.

The petition should be filed in triplicate with the District Director for the internal revenue district in which the property was seized.

§ 403.41 Discontinuance of administrative proceedings.

If the petition is filed prior to sale or other disposition of the property, proceedings to effect such sale or other disposition will be discontinued until the petition is either allowed or denied.

§ 403.42 Return of defective petition.

If the petition is defective in some correctable respect, the original of the petition will be returned by letter to the petitioner who will be allowed to submit a corrected petition, in triplicate, within a reasonable time.

§ 403.43 Final action.

(a) *Petitions for remission or mitigation of forfeiture.* (1) The Commissioner or his delegate shall either allow or deny any petition filed pursuant to these regulations. Such allowance or denial will constitute final action. If he allows the petition, the Commissioner or his delegate shall state the conditions, if any, of the allowance.

(2) If he allows the petition, the Commissioner or his delegate may order the property returned to the petitioner, sold for the account of the petitioner, or, pursuant to agreement with the petitioner, acquired for official use.

(3) The Commissioner or his delegate shall notify the petitioner of the allowance or denial of the petition and, in the case of allowance, the conditions, if any, under which the Commissioner or his delegate allowed the petition.

(b) *Offers in compromise of liability to forfeiture.* The Commissioner or his delegate shall accept or reject any offer in compromise of the liability to forfeiture of personal property seized pursuant to § 403.25 and such acceptance or rejection shall be a final action with respect to the offer.

§ 403.44 Acquisition for official use and sale for account of petitioner in the case of an allowed petition.

(a) *Acquisition for official use.* The seized property may be purchased by the United States pursuant to agreement and retained for official use. Where the petitioner is the owner, the purchase price is the appraised value of the property less all costs. Where the petitioner is a creditor, the purchase price is the smaller of: (1) The petitioner's equity, or (2) the appraised value of the property less the amount of all costs.

(b) *Sale for account of petitioner.* If the petitioner elects not to comply with the conditions, if any, set for the return of the property, the Commissioner or his delegate is authorized to sell the property. If the petitioner is the owner of the property, there is deducted from the proceeds of the sale all costs incident to the seizure, forfeiture, and sale. The Commissioner or his delegate shall pay to the petitioner, out of the proper appropriation, an amount equal to the balance, if any. Where the petitioner is a creditor, there is deducted from the proceeds of the sale all costs incident to the seizure, forfeiture, and sale, and the Commissioner or his delegate shall pay to the petitioner, out of the proper appropriation, an amount equal to the smaller of: (1) The balance, if any, or (2) the equity of the petitioner.

§ 403.45 Re-appraisal of property involved in an allowed petition.

In determining the nature and extent of the relief to be afforded a petitioner pursuant to § 403.44 the value of the property with respect to which the petition has been allowed is the value of such property as determined by the appraisal thereof made pursuant to § 403.26(a)(2) but if the petitioner desires reappraisal of the property, after notification as to the conditions of allowances of the petition, and makes written request therefor, undertaking in such request to pay, or to be liable for, the total costs of such re-appraisal, the property shall be re-appraised in the manner in which the original appraisal was made, and the conditions of allowance of the petition shall be modified to the extent required by such re-appraisal.

Subpart E—Appraiser's fees

§ 403.50 Rate of compensation.

Each appraiser selected under § 403.26(a)(2) shall receive compensation of $3.00 per hour or portion thereof for the performance of his duties in appraising property seized as subject to forfeiture under the internal revenue laws and this part.

(Sec. 7325, 68A Stat. 870, as amended; (26 U.S.C. 7325))

Subpart F—Administrative Sale of Personal Property

§ 403.55 Alternative methods of sale.

When personal property forfeited administratively is to be sold, the Commissioner or his delegate shall cause a notice of sale to be placed in a newspaper of general circulation published in the judicial district wherein the seizure was made. The sale shall occur not less than 10 days from the date of the publication of the notice. At the discretion of the Commissioner or his delegate the forfeited personal property may be sold at public auction to the highest bidder on open, competitive bids, or sold to the highest bidder on sealed, competitive bids.

(Sec. 7325, 68A Stat. 870, as amended; (26 U.S.C. 7325))

§ 403.56 All bids on unit basis.

All competitve bids shall be on a unit basis. Thus, for example, if a number of forfeited automobiles are advertised for

sale at the same date, hour and place, whether or not in the same notice of sale, a separate individual bid is required as to each automobile. The Commissioner or his delegate will not accept one blanket bid to cover the entire group of automobiles offered for sale.

§ 403.57 Conditions of sale.

(a) *No recourse.* All personal property to be sold shall be offered for sale "as is" and without recourse against the United States.

(b) *No guarantee.* No guarantee or warranty, expressed or implied, shall be given or understood in respect of any forfeited property offered for sale.

(c) *No sale.* (1) The United States reserves the right to reject any bids.

(2) In a case in which all bids are rejected the Commissioner or his delegate shall re-advertise the property for sale in the manner prescribed in § 403.55.

(d) *One bid.* When only one bid is received for a single unit property such bid shall be the highest bid received for such property.

§ 403.58 Acceptable forms of payment.

The only acceptable forms of payment shall be cash, cashier's check, certified check, or postal money order, in the amount of the accepted bid.

§ 403.59 [Reserved]

§ 403.60 Purchaser entitled to bill of sale.

Each purchaser of administratively forfeited property is entitled to receive a suitable bill of sale.

§ 403.61 Sale on open, competitive bids.

If forfeited property is to be sold at public auction to the highest bidder on open, competitive bids, the notice of sale shall so specify, and state the date, hour, and place of such sale.

§ 403.62 Sale on sealed, competitive bids.

If the property is to be sold to the highest bidder on sealed, competitive bids, the notice of sale shall so specify, and shall state the date, hour, and place of sale, and the date, hour, and place prior to the sale when and where prospective bidders may view the property and obtain necessary information. All sealed bids must be filed with the district director of the internal revenue district in which the property was seized before the sale. No bids will be accepted after the sale starts. At the appointed date, hour, and place of sale, all sealed bids timely filed shall be opened in the presence of all bidders attending the sale, who shall have the privilege of inspecting the bids if they so desire.

Subpart G—Disposal of Forfeited Coin-Operated Gaming Devices

§ 403.65 Authority for destruction.

The Commissioner or his delegate is authorized to order the destruction of any coin-operated gaming device as defined in I.R.C. section 4462 upon which a tax is imposed by I.R.C. section 4461, after the expiration of three months from the date of consummation of administrative forfeiture under any provision of the I.R.C.

(Sec. 7326, 72 Stat. 1429, as amended (26 U.S.C. 7326).)

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

Approved: September 8, 1976.

CHARLES M. WALKER,
Assistant Secretary of the Treasury.

[FR Doc.76-27024 Filed 9-14-76;8:45 am]

Title 32—National Defense

CHAPTER XII—DEFENSE SUPPLY AGENCY

[DSAR 5400.21: RCS DD(A&AR) 1379]

PART 1286—PERSONAL PRIVACY AND RIGHTS OF INDIVIDUALS REGARDING THEIR PERSONAL RECORDS

Exempted Records Systems

On August 2, 1976 there was published in the FEDERAL REGISTER (41 FR 32231) a notice of proposed amendment to Appendix C, Exempted Record Systems (41 FR 18844, May 7, 1976) of its final rules (41 FR 18836, May 7, 1976) by adding paragraph D to Appendix C containing an additional exempted system. Interested parties were given the opportunity to submit on or before September 1, 1976, comments regarding the proposed amendment.

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

Effective date: September 2, 1976.

By order of the director.

WILLIAM A. SMITH,
Chief, Administrative Management Division, Office of Administration.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

SEPTEMBER 9, 1976.

APPENDIX C—EXEMPTED RECORDS SYSTEMS

* * * * *

D. ID: S155.53 DCAS-NS. (SPECIFIC EXEMPTIONS)

Sysname: Industrial Personnel Security Clearance File.

Exemption: This system of records is exempt from the following provisions of title 5, United States Code, section 552a; subsection (d).

Authority: 5 U.S.C. 552a(k)(5).

Reasons: Investigatory material is exempt to the extent that the disclosure of such material would reveal the identity of a source who furnished the information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975 under an implied promise that the identity of the source would be held in confidence. This exemption will protect the identities of certain sources who would be otherwise unwilling to provide information to the Government.

[FR Doc.76-27017 Filed 9-14-76;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[FRL 616-5]

PART 55—ENERGY RELATED AUTHORITY

Iowa; Compliance Date Extensions

● *Purpose.* The purpose of this promulgation is to issue compliance date extensions (CDEs) to Iowa Electric Light and Power Company, Sutherland Station, Units 1, 2, and 3, Marshalltown, Iowa (hereinafter referred to as "the sources"), for Iowa Department of Environmental Quality (IDEQ) Regulation 4.3(2)b which limits emissions of particulate matter. ●

PROVISIONS

On May 13, 1976 (41 FR 19654), the Administrator of the Environmental Protection Agency proposed to amend 40 CFR Part 55 by adding a new § 55.820 to subpart O by issuing the CDEs as stated under "Purpose" above.

Due to an oversight, the May 13, 1976, proposal (41 FR 19654, second paragraph under "Background") included the date "January 1, 1979," rather than January 1, 1985, as extended by Pub. L. 94-163 (EPCA).

The May 13, 1976, proposal (41 FR 19656, paragraph iii(a) under "Findings under section 119") constituted a finding that the sources were not eligible for CDEs for sulfur oxides. This paragraph was misplaced and could have led to the implication that a CDE for sulfur oxides was a condition for granting a CDE for particulates. No CDE for sulfur oxides is necessary since the sources can comply with the SO_2 emission limitation immediately.

The May 13, 1976, proposal (41 FR 19657, paragraph (ii) under "Public Participation") referred to visible emissions control requirements. This was in error in that the source has not been found in violation of visible emissions limitations.

PUBLIC COMMENT

A thirty-day public comment period accompanied the May 13, 1976, FEDERAL REGISTER proposal. No comments or requests for a public hearing have been received by the Agency regarding the proposed rulemaking.

The Administrator finds that good cause exists for making this regulation effective immediately on September 15, 1976, as its purpose is to grant an extension of time to the sources for compliance with IDEQ Regulation 4.3(2)b, and a delay in the date of its effectiveness would be unnecessary and contrary to public interest.

The Administrator, based upon information submitted pursuant to 40 CFR Part 55, and other information available to him, proposed to issue a compliance date extension to Iowa Electric Light and Power Company, Sutherland Generating Station, Units 1, 2, and 3, located at Marshalltown, Iowa (hereinafter re-

ferred to as "the sources"), for Iowa Department of Environmental Quality Regulation 4.3(2)b which limits emissions of particulate matter based upon these preliminary findings:

(i) The sources are subject to section 2(a) FEA prohibition orders Nos. 002, 003, and 004, respectively, and will convert after September 15, 1973, to coal as their primary energy source;

(ii) The Administrator, pursuant to section 119(c)(2)(A), finds that the sources cannot burn coal available to them in compliance with Iowa Department of Environmental Quality Regulation 4.3(2)b;

(iii) The sources can comply with all conditions upon which a compliance date extension may be granted for Iowa Department of Environmental Quality Regulation 4.3(2)b in that:

(a) EPA has determined, after consultation with the State of Iowa Department of Environmental Quality, that the sources are burning, and will continue to burn, coal which will emit no more than six (6) pounds of sulfur oxides per million BTU per hour heat input, assuring compliance with IDEQ Regulation 4.3(3)a which limits the emissions of sulfur oxides.

(b) The Administrator finds that the compliance plans, pursuant to the section 113 Order issued to the source on March 31, 1975, and resubmitted under Part 55 by the source on November 25, 1975, provide for compliance with Iowa Department of Environmental Quality Regulation 4.3(2)b on the basis of coal usage by December 31, 1976, that the compliance plans provide for compliance as soon as practicable, and that the compliance plans are therefore approvable under section 119(c);

(iv) The sources can comply with all conditions upon which a compliance date extension may be granted for Iowa Department of Environmental Quality Regulation 4.3(2)b in that:

(a) The regional limitation for particulate matter is applicable since the NPAAQS for total suspended particulate matter is being exceeded in the ACQR in which the sources are situated; and

(b) The sources can burn coal and comply with Iowa Department of Environmental Quality Regulation 4.3(2)b to satisfy the regional limitation requirement by December 31, 1976, by the terms of compliance plans submitted by the sources, such compliance is as soon as practicable and the compliance plans are therefore approvable.

(Secs. 110, 301, Clean Air Act of 1970, as amended (42 U.S.C. 1857c-5, 1857c-10, 1857g).)

Dated: September 3, 1976.

JOHN QUARLES,
Acting Administrator.

Part 55 of Chapter I, Title 40 of the Code of Federal Regulations is amended by adding a new § 55.820 to Subpart Q as follows:

Subpart Q—Iowa

§ 55.820 Compliance date extension.

(a) The Administrator issues a Compliance Date Extension to Iowa Electric Light and Power Company, Sutherland Station, Units 1, 2, and 3 (hereinafter referred to as "the sources"), located on East Main Street in Marshalltown, Iowa, upon the following conditions:

(1) *Regional Limitation.* Units 1, 2, and 3 shall comply with Iowa Department of Environmental Quality (IDEQ) Regulation 4.3(2)b by December 31, 1976.

(2) Test procedures to determine compliance with paragraph (a)(1) of this section shall be in accordance with IDEQ Regulations, Chapter 7—*Measurement of Emissions.*

(3) The sources shall not, until January 1, 1979, be prohibited from burning coal which is available to such source by reason of the application of any air pollution requirement except as provided in section 119(d)(3) of the Clean Air Act (42 U.S.C. 1857, et seq.).

(b) [Reserved]

[FR Doc.76-27041 Filed 9-14-76;8:45 am]

[FRL 616-6]

PART 55—ENERGY RELATED AUTHORITY

Iowa; Compliance Date Extension

● *Purpose.* The purpose of this promulgation is to issue a compliance date extension (CDE) to Iowa Public Service Company, George Neal Station, Unit 1, Salix, Iowa (hereinafter referred to as "the source") for Iowa Department of Environmental Quality (IDEQ) Regulation 4.3(2)b which limits emissions of particulate matter, and IDEQ Regulation 4.3(2)d which limits visible emissions. ●

PROVISIONS

On May 13, 1976 (41 FR 19651), the Administrator of the Environmental Protection Agency proposed to amend 40 CFR Part 55 by adding a new § 55.821 to subpart Q by issuing the CDE as stated under "Purpose" above.

The May 13, 1976, proposal (41 FR 19653, paragraph (iii)(a) under "Findings under Section 119") constituted a finding that the source was not eligible for a CDE for sulfur oxides. This paragraph was misplaced and could have led to the implication that a CDE for sulfur oxides was a condition for granting a CDE for particulates. No CDE for sulfur oxides is necessary since the source can comply with the SO_2 emission limitation immediately.

Due to an oversight, the May 13, 1976, proposal (41 FR 19654, second paragraph under "Public Participation") referred to a "proposed PSC" (Primary Standard Condition). This was an error, since no PSC is being proposed.

PUBLIC COMMENT

A thirty-day public comment period accompanied the May 13, 1976, FEDERAL REGISTER proposal. No comments or requests for a public hearing have been received by the Agency regarding the proposed rulemaking.

The Administrator finds that good cause exists for making this regulation effective immediately on September 15, 1976, as its purpose is to grant an extension of time to the source for compliance with IDEQ Regulations 4.3(2)b and 4.3(2)d, and a delay in the date of its effectiveness would be unnecessary and contrary to public interest.

The Administrator, based upon information submitted pursuant to 40 CFR Part 55, and other information available to him, proposed to issue a compliance date extension to Iowa Public Service Company, George Neal Station, Unit 1, Salix, Iowa (hereinafter referred to as "the source"), for Iowa Department of Environmental Quality (IDEQ) Regulation 4.3(2)b, which limits emissions of particular matter, and IDEQ Regulation 4.3(2)d which limits visible emissions, based upon these preliminary findings:

(i) The source is subject to a section 2(a) FEA prohibition order, No. 007, and will convert after September 15, 1973, to coal as its primary energy source;

(ii) The Administrator, pursuant to section 119(c)(2)(A), finds that the source cannot burn coal available to it in compliance with Iowa Department of Environmental Quality Regulations 4.3(2)b and 4.3(2)d;

(iii) The source can comply with all conditions upon which a compliance date extension may be granted for IDEQ 4.3(2)b and 4.3(2)d in that:

(a) EPA has determined, after consultation with the State of Iowa Department of Environmental Quality, that the source is burning, and will continue to burn, coal which will emit no more than six (6) pounds of sulfur oxides per million BTU per hour heat input, assuring compliance with IDEQ Regulation 4.3(3)a, which limits the emissions of sulfur oxides.

(b) The Administrator finds that the compliance plans pursuant to the section 113 Order issued to the source on August 5, 1975, and resubmitted under Part 55 by the source on November 29, 1975, provide for compliance with IDEQ 4.3(2)b and 4.3(2)d on the basis of coal usage by October 1, 1978, that the compliance plans provide for compliance as soon as practicable, and that the compliance plans are therefore approvable under section 119(c).

(iv) The source can comply with all conditions upon which a compliance date extension may be granted for IDEQ 4.3(2)b and 4.3(2)d in that:

(a) The regional limitation for particulate matter is applicable since the NPAAQS for total suspended particulate matter is being exceeded in the AQCR in which the source is situated; and

(b) The source can burn coal and comply with IDEQ 4.3(2)b and 4.3(2)d to satisfy the regional limitation requirement by October 1, 1978, by the terms of

a compliance plan submitted by the source, such compliance is as soon as practicable and the compliance plan is therefore approvable. Gas conditioning studies underway at the source may enable the source to achieve compliance by August 1, 1976. If this becomes apparent, this CDE will be revised at that time to reflect the changed compliance status of the source.

(Sec. 110, 119, 301, the Clean Air Act of 1970, as amended (42 U.S.C. 1857c–5, 1857c–10, 1857g).)

Dated: September 3, 1976.

JOHN QUARLES,
Acting Administrator.

Part 55 of Chapter I, Title 40 of the Code of Federal Regulations is amended by adding a new § 55.821 to Subpart Q as follows:

Subpart Q—Iowa

§ 55.821 Compliance date extension.

(a) The Administrator issues a Compliance Date Extension to Iowa Public Service Company, George Neal Station, Unit #1, located in Salix, Iowa [hereinafter referred to as "the source"], upon the following conditions:

(1) Regional limitation. Unit 1 shall comply with IDEQ Regulations 4.3(2)b and 4.3(2)d by October 1, 1978.

(2) Test procedures to determine compliance with paragraph (a)(1) of this section shall be in accordance with IDEQ Regulations, Chapter 7—Measurement of Emissions.

(3) The source shall not, until January 1, 1979, be prohibited from burning coal which is available to such source by reason of the application of any air pollution requirement except as provided in section 119(d)(3) of the Clean Air Act (42 U.S.C. 1857, et seq.).

(b) [Reserved.]

[FR Doc.76–27042 Filed 9–14–76;8:45 am]

[FRL 616–7]

PART 55—ENERGY RELATED AUTHORITY

Kansas; Compliance Date Extension

● *Purpose.* The purpose of this promulgation is to issue a compliance date extension (CDE) to The Kansas Power and Light Company, Tecumseh Station, Units 9 and 10, Tecumseh, Kansas (hereinafter referred to as "the source"), for Kansas Air Pollution Control Regulation 28–19–31A which limits emissions of particulate matter. ●

PROVISIONS

On May 13, 1976 (41 FR 19661), the Administrator of the Environmental Protection Agency proposed to amend 40 CFR Part 55 by adding a new § 55.871 to Subpart R by issuing the CDE as stated under "Purpose" above.

In the May 13, 1976, proposal (41 FR 19663, paragraph (iii) under "Findings under section 119"), the statement that the source will continue to be able to comply with sulfur oxides emission limitations was inadvertently omitted.

PUBLIC COMMENT

A thirty-day public comment period accompanied the May 13, 1976, FEDERAL REGISTER proposal. No comments or requests for a public hearing have been received by the Agency regarding the proposed rulemaking.

The Administrator finds that good cause exists for making this regulation effective immediately on September 15, 1976, as its purpose is to grant an extension of time to the source for compliance with Kansas Air Pollution Control Regulation 28–19–31A, and a delay in the date of its effectiveness would be unnecessary and contrary to public interest.

The Administrator, based upon information submitted pursuant to 40 CFR Part 55, and other information available to him, proposed to issue a compliance date extension to The Kansas Power and Light Company, Tecumseh Station, Units 9 & 10, Tecumseh, Kansas [hereinafter referred to as "the sources"], for Kansas Air Pollution Emission Control Regulation 28–19–31A, which limits emissions of particulate matter based upon these preliminary findings:

(i) The sources are subject to section 2(a) FEA prohibition orders Nos. 020 and 021, respectively, and converted (or will convert) after September 15, 1973, to coal as their primary energy source;

(ii) The Administrator, pursuant to section 119(c)(2)(A), finds that the sources cannot burn coal available to them in compliance with Kansas Air Pollution Emission Control Regulation 28–19–31A;

(iii) The sources are presently in compliance with Kansas Regulation 28–19–31C, which limits emission of sulfur oxides;

(iv) The sources can comply with all conditions upon which a compliance date extension may be granted for Kansas Air Pollution Emission Control Regulation 28–19–31A, in that:

(a) The regional limitation for particulate matter is applicable since the NPAAQS for total suspended particulate matter is being exceeded in the AQCR in which the sources are situated; and

(b) The sources can burn coal and comply with Kansas Air Pollution Emission Control Regulation 28–19–31A to satisfy the regional limitation requirement by December 31, 1977, by the terms of compliance plans submitted by the sources, such compliance is as soon as practicable and the compliance plans are therefore approvable.

(Sec. 110, 119, 301, Clean Air Act of 1970, as amended (42 U.S.C. 1857c–5, 1857c–10, 1857g).)

Dated: September 3, 1976.

JOHN QUARLES,
Acting Administrator.

Part 55 of Chapter I, Title 40 of the Code of Federal Regulations is amended by adding a new § 55.871 to Subpart R as follows:

Subpart R—Kansas

§ 55.871 Compliance date extension.

(a) The Administrator issues a Compliance Date Extension to The Kansas Power and Light Company, Tecumseh Station, Units 9 and 10, Tecumseh, Kansas (the source), upon the following conditions:

(1) *Regional limitation.* Units 9 and 10 shall comply with Kansas Air Pollution Emission Control Regulation 28–19–31A by December 31, 1977.

(2) Test procedures to determine compliance with paragraph (a)(1) of this section, shall be in accordance with EPA Test Method 5.

(3) The source shall not, until January 1, 1979, be prohibited from burning coal which is available to such source by reason of the application of any air pollution requirement except as provided in section 119(d)(3) of the Clean Air Act (42 U.S.C. 1857, et seq.).

(b) [Reserved.]

[FR Doc.76–27043 Filed 9–14–76;8:45 am]

[FRL 616–8]

PART 55—ENERGY RELATED AUTHORITY

Kansas; Compliance Date Extensions

● *Purpose.* The purpose of this promulgation is to issue compliance date extensions (CDEs) to The Kansas Power and Light Company, Lawrence Energy Center, Units 3 and 5, and Unit 4, Lake View Road, Lawrence, Kansas (hereinafter referred to as "the sources"), for Kansas Air Pollution Control Regulation 28–19–31A, which limits emissions of particulate matter. ●

PROVISIONS

On May 13, 1976 (41 FR 19658), the Administrator of the Environmental Protection Agency proposed to amend 40 CFR Part 55 by adding a new § 55.870 to subpart R by issuing the CDEs as stated under "Purpose" above.

Due to an oversight, the May 13, 1976, proposal (41 FR 19658, second paragraph under "Background") included the date "January 1, 1979," rather than January 1, 1985, as extended by Pub. L. 94–163 (EPCA).

The May 13, 1976, proposal (41 FR 19660, paragraphs (iii)(a) and (iii)(b) under "Findings under Section 119") contained a discussion of PSC and CDE for sulfur oxides control, which was unnecessary and confusing. No CDE for sulfur oxides is necessary since the sources can comply with the SO_2 emission limitation immediately.

In the May 13, 1976, proposal (41 FR 19660, paragraph A under "Compliance with Conditions upon which CDEs are Granted"), the date for adding a precipitator to Unit 3 is December 1, 1977. The correct date is December 31, 1977.

PUBLIC COMMENT

A thirty-day public comment period accompanied the May 13, 1976, FEDERAL REGISTER proposal. No comments or requests for a public hearing have been

received by the Agency regarding the proposed rulemaking.

The Administrator finds that good cause exists for making this regulation effective immediately on September 15, 1976, as its purpose is to grant an extension of time to the source for compliance with Kansas Air Pollution Control Regulation 28–19–31A and a delay in the date of its effectiveness would be unnecessary and contrary to public interest.

The Administrator, based upon information submitted pursuant to 40 CFR Part 55, and other information available to him, proposed to issue a compliance date extension to The Kansas Power and Light Company, Lawrence Energy Center, Units 3, 4, and 5, Lake View Road, Lawrence, Kansas (hereinafter referred to as "the sources"), for Kansas Air Pollution Emission Control Regulation 28–19–31A, which limits emissions of particulate matter based upon these preliminary findings:

(i) The sources are subject to section 2(a) FEA prohibition orders Nos. 017, 018, and 019, respectively, and converted (or will convert) after September 15, 1973, to coal as their primary energy source;

(ii) The Administrator, pursuant to section 119(c)(2)(A), finds that the sources cannot burn coal available to them in compliance with Kansas Air Pollution Emission Control Regulation 28–19–31A;

(iii) The sources can comply with all conditions in Kansas Air Pollution Emission Control Regulation 28–19–31C which limits emissions of sulfur oxides in that:

(a) EPA has determined, after consultation with the State of Kansas Department of Health and Environment, that the sources can burn coal of the sulfur content specified in the existing coal contract with assurance (throughout the period that the compliance date extension will be in effect) that the burning of said coal by such sources will not result in emissions which cause or contribute to concentrations of sulfur oxides in excess of the national primary standard for sulfur oxides; and finds that such coal was available to the sources for burning on January 1, 1975.

(b) The Administrator finds that the compliance plans submitted by the source on September 24, 1975, provide for compliance with Kansas Air Pollution Emission Control Regulation 28–19–31C on the basis of coal usage as of January 1, 1975, and that the compliance plans are therefore approvable under section 119(c).

(iv) The sources can comply with all conditions upon which a compliance date extension may be granted for Kansas Air Pollution Emission Control Regulation 28–19–31A in that:

(a) The regional limitation for particulate matter is applicable since the NPAAQS for total suspended particulate matter is being exceeded in the AQCR in which the sources are situated; and

(b) The sources can burn coal and comply with Kansas Air Pollution Emission Control Regulation 28–19–31A to satisfy the regional limitation requirement by December 31, 1977, for Units 3 and 5, and November 30, 1977, for Unit 4, by the terms of compliance plans submitted by the sources, such compliance is as soon as practicable and the compliance plans are therefore approvable.

(Sec. 110, 119, 301, the Clean Air Act of 1970, as amended (42 U.S.C. 1857c–5, 1857c_10, 1857g).)

Dated: September 3, 1976.

JOHN QUARLES,
Acting Administrator.

Part 55 of Chapter I, Title 40 of the Code of Federal Regulations, is amended by adding a new § 55.870 to Subpart R as follows:

Subpart R—Kansas

§ 55.870 Compliance date extension.

(a) The Administrator issues a Compliance Date Extension to The Kansas Power and Light Company, Lawrence Energy Center, Units 3 and 5, Lake View Road, Lawrence, Kansas (the source) upon the following conditions:

(1) *Regional limitation.* The source shall comply with Kansas Air Pollution Emission Control Regulation 28–19–31A by December 31, 1977.

(2) Test procedures to determine compliance with paragraph (a)(1) of this section, shall be in accordance with EPA Test Method 5.

(3) The source shall not, until January 1, 1979, be prohibited from burning coal which is available to such source by reason of the application of any air pollution requirement except as provided in section 119(d)(3) of the Clean Air Act (42 U.S.C. 1857, et seq.).

(b) The Administrator issues a Compliance Date Extension to The Kansas Power and Light Company, Lawrence Energy Center, Unit 4, Lake View Road, Lawrence, Kansas (the source), upon the following conditions:

(1) *Regional limitation.* The source shall comply with Kansas Air Pollution Emission Control Regulation 28–19–31A by November 30, 1977.

(2) Test procedures to determine compliance with paragraph (a)(1) of this section, shall be in accordance with EPA Test Method 5.

(3) The source shall not, until January 1, 1979, be prohibited from burning coal which is available to such source by reason of the application of any air pollution requirement except as provided in section 119(d)(3) of the Clean Air Act (42 U.S.C. 1857, et seq.).

(c) [Reserved.]

[FR Doc.76-27044 Filed 9-14-76;8:45 am]

[FRL 616-3]

PART 55—ENERGY RELATED AUTHORITY

Missouri; Compliance Date Extension

● *Purpose.* The purpose of this promulgation is to issue a compliance date extension to City Utilities of Springfield, James River Station, Units 3 and 4, South Fremont Road, Springfield, Missouri (hereinafter referred to as "the source"), for Missouri Air Pollution Control (MAPC) Regulation III for the Springfield-Greene County Area, which limits emissions of particulate matter. ●

PROVISIONS

On May 13, 1976 (41 FR 19667, the Administrator of the Environmental Protection Agency proposed to amend 40 CFR Part 55 by adding a new § 55.1321 to subpart AA by issuing the CDE as stated under "Purpose" above.

Due to an oversight, the May 13, 1976, proposal (41 FR 19669, paragraph "B" under "Compliance with Conditions upon which CDEs are Granted") contained a statement relating PSC to SIP Limitations. The reason no PSC applies is that the Regional Limitation applies.

PUBLIC COMMENT

A thirty-day public comment period accompanied the May 13, 1976, FEDERAL REGISTER proposal. No comments or requests for a public hearing have been received by the Agency regarding the proposed rulemaking.

The Administrator finds that good cause exists for making this regulation effective immediately on September 15, 1976, as its purpose is to grant an extension of time to the source for compliance with MAPC Regulation III for the Springfield-Greene County Area, and a delay in the date of its effectiveness would be unnecessary and contrary to public interest.

The Administrator, based upon information submitted pursuant to 40 CFR Part 55, and other information available to him, proposed to issue a compliance date extension to City Utilities of Springfield, James River Station, Units 3 and 4, South Fremont Road, Springfield, Missouri (hereinafter referred to as "the sources"), for Missouri Air Pollution Control (MAPC) Regulation III for the Springfield-Greene County Area, which limits emissions of particulate matter based upon these preliminary findings:

(i) The sources are subject to section 2(a) FEA prohibition orders Nos. 024 and 025, respectively, and converted (or will convert) after September 15, 1973, to coal as their primary energy source;

(ii) The Administrator, pursuant to section 119(c)(2)(A), finds that the sources cannot burn coal available to them in compliance with MAPC Regulation III for the Springfield-Greene County Area;

(iii) The sources can comply with all conditions upon which a compliance date extension may be granted for Regulation III in that:

(a) The regional limitation for particulate matter is applicable since the NPAAQS for total suspended particulate matter is being exceeded in the AQCR in which the sources are situated; and

(b) The sources can burn coal and comply with Regulation III by September 30, 1976, for Unit 4, and December 31, 1977, for Unit 3, by the terms of compliance plans, such compliance is as soon as practicable and the compliance plans are therefore approvable.

(iv) There is no sulfur oxide emission limitation in the SIP for the Springfield-Greene County Area.

(Sec. 110, 119, 301, Clean Air Act of 1970, as amended (42 U.S.C. 1857c-5, 1857c-10, 1857g))

Dated: September 3, 1976.

JOHN QUARLES,
Acting Administrator.

Part 55 of Chapter I, Title 40, of the Code of Federal Regulations, is amended by adding a new § 55.1321 to Subpart AA as follows:

Subpart AA—Missouri

§ 55.1321 Compliance date extension.

(a) The Administrator issues a Compliance Date Extension to City Utilities of Springfield, James River Station, Units 3 and 4, South Fremont Road, Springfield, Missouri (the source), upon the following conditions:

(1) The source shall comply with MAPC Regulation III for the Springfield-Greene County Area by September 30, 1976, for Unit 4, and December 31, 1977, for Unit 3.

(2) Test procedures to determine compliance with paragraph (a)(1) of this section, shall be in accordance with ASME PTC 27.

(3) The source shall not, until January 1, 1979, be prohibited from burning coal which is available to such source by reason of the application of any air pollution requirement except as provided in section 119(d)(3) of the Clean Air Act (42 U.S.C. 1857, et seq.).

(b) [Reserved]

[FR Doc.76-27039 Filed 9-14-76;8:45 am]

[FRL 616-4]

PART 55—ENERGY RELATED AUTHORITY

Missouri; Compliance Date Extension

● *Purpose.* The purpose of this promulgation is to issue a compliance date extension (CDE) to Kansas City Power & Light Company, Hawthorne Station, Unit 3, 8700 Hawthorne Road, Kansas City, Missouri (hereinafter referred to as "the source"), for Missouri Air Pollution Control (MAPC) Regulation III, which limits emissions of particulate matter, and MAPC Regulation V, which limits visible emissions.●

PROVISIONS

On May 13, 1976 (41 FR 19664), the Administrator of the Environmental Protection Agency proposed to amend 40 CFR Part 55 by adding a new § 55.1320 to Subpart AA by issuing the CDE as stated under "purpose" above.

PUBLIC COMMENT

A thirty-day public comment period accompanied the May 13, 1976, FEDERAL REGISTER proposal. No comments or requests for a public hearing have been received by the Agency regarding the proposed rulemaking.

The Administrator finds that good cause exists for making this regulation effective immediately on September 15, 1976, as its purpose is to grant an extension of time to the source for compliance with MAPC Regulations III and V, and a delay in the date of its effectiveness would be unnecessary and contrary to public interest.

The Administrator, based upon information submitted pursuant to 40 CFR Part 55, and other information available to him, proposed to issue a compliance date extension to Kansas City Power & Light Company, Hawthorne Road, Kansas City, Missouri (hereinafter referred to as "the source"), for Missouri Air Pollution Control (MAPC) Regulation V, which limits visible emissions of air contaminants, and for MAPC Regulation III, which limits emissions of particulate matter based upon these preliminary findings:

(i) The sources are subject to section 2(a) FEA prohibition order No. 014, and converted (or will convert) after September 15, 1973, to coal as their primary energy source;

(ii) The Administrator, pursuant to section 119(c)(2)(A), finds that the source can burn coal available to it in compliance with Missouri Air Pollution Control Regulation XV, Restriction of Emission of Sulfur Compounds, and that the source cannot burn coal available to it in compliance with Missouri Air Pollution Control Regulations III and V;

(iii) The sources can comply with all conditions upon which a compliance date extension may be granted for MAPC Regulations III and V, in that:

(a) The regional limitations for particulate matter and visible emissions are applicable since the NPAAQS for total suspended particulate matter is being exceeded in the AQCR in which the source is situated; and

(b) The sources can burn coal and comply with MAPC III and V requirements by January 1, 1977, by the terms of compliance plans submitted by the source, such compliance is as soon as practicable and the compliance plans are therefore approvable.

(Sec. 110, 119, 301, Clean Air Act of 1970, as amended (42 U.S.C. 1857c-5, 1857c-10, 1857g))

Dated: September 3, 1976.

JOHN QUARLES,
Acting Administrator.

Part 55 of Chapter I, Title 40, of the Code of Federal Regulations, is amended by adding a new Subpart AA as follows:

Subpart AA—Missouri

§ 55.1320 Compliance date extension.

(a) The Administrator issues a Compliance Date Extension to Kansas City Power & Light Company, Hawthorne Station, Unit 3, 8700 Hawthorne Road, Kansas City, Missouri, upon the following conditions:

(1) *Regional limitation.* The source shall comply with MAPC Regulations III and V by January 1, 1977.

(2) Test procedures to determine compliance with paragraph (a)(1) of this section, shall be in accordance with EPA Test Methods 5 and 9.

(3) The source shall not, until January 1, 1979, be prohibited from burning coal which is available to such source by reason of the application of any air pollution requirement except as provided in section 119(d)(3) of the Clean Air Act (42 U.S.C. 1857, et seq.).

(b) [Reserved]

[FR Doc.76-27040 Filed 9-14-76;8:45 am]

[FRL 602-1]

SUBCHAPTER H—OCEAN DUMPING

PART 227—CRITERIA FOR THE EVALUATION OF PERMIT APPLICATIONS

Transportation for Dumping and Dumping of Material Into Ocean Waters, Final Designation of Site

Section 102(c) of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended, (33 U.S.C. 1401 et seq.), hereinafter, "the Act", gives the Administrator of the Environmental Protection Agency (EPA) the authority to designate sites where ocean dumping may be permitted. The EPA Ocean Dumping Regulations (40 CFR Chapter I, Subchapter H, § 220.4(d)) state that ocean dumping sites will be designated by publication in this Part 227.

On Friday, April 30, 1976, EPA published (41 FR 18094) a proposed designation of an ocean dumping site in the southwestern part of the Gulf of Mexico for use in the high temperature incineration of highly toxic chemical wastes.

Public comment period for the proposed site designation expired on June 14, 1976. The only comment received was from the National Marine Fisheries Service indicating no objection to the establishment of this site provided it is used only for high temperature incineration.

A Draft Environmental Impact Statement (EIS) entitled "Designation of a Site in the Gulf of Mexico for Incineration of Chemical Wastes" was prepared in accordance with EPA policy which provides for the voluntary preparation of EISs for certain specific regulatory actions. The Draft EIS was made available to the Council on Environmental Quality on April 16, 1976, and a notice of availability was published in the FEDERAL REGISTER on April 23, 1976. The public comment period expired on June 7, 1976. A Final EIS has been prepared based on an evaluation of comments received on the Draft EIS and on additional information pertinent to this action. The Final EIS was published on July 14, 1976.

The designation of the site will be limited to a period of five years. The decision to make this limitation is based on the information presented in the EIS and on the comments received from the reviewers; in particular, the need for further information on the long-term effects on the environment as reflected in Section VI of the EIS and the comments from the National Wildlife Federation, the Louisiana Air Control Commission, the Department of Commerce, the Department of the Interior, and the Department of Health, Education, and Welfare. The five-year period was selected to allow sufficient time to obtain additional data on this new technology, to coordinate with the international community under the Ocean Dumping Convention,

and to further evaluate the potential long-term impacts of incineration at the site.

In addition, a restriction will be placed on the site to allow only one ship to burn wastes at a time, except under extreme emergencies.

The proposed site designation is hereby adopted with the addition of the five-year limitation on its use and the single-ship restriction and is set forth below, effective on September 15, 1976.

(33 U.S.C. 1412, 1418.)

Dated: September 7, 1976.

JOHN QUARLES,
Acting Administrator.

In consideration of the foregoing, Subchapter H of Chapter I of Title 40 is amended by adding a new listing in Part 227 entitled "Approved Ocean Dumping Sites," and adding to that listing an ocean incineration site as follows:

APPROVED OCEAN DUMPING SITES

REGION VI

Location: Latitude and Longitude—27d 06'12" N, 93d 24'15" W; 26d 32'24" N, 93d 15'30" W; 26d 19'00" N, 93d 56'00" W; 26d 52'40" N, 94d 04'40" W.
Size: (square miles) 1892.
Depth: (feet) 4500.
Primary Use: At sea incineration primarily for organochlorine wastes. Incineration of other wastes will require research studies or equivalent technical documentation to determine acceptability for ocean incineration.
Period of Use: Five years from this date of publication.
Restriction: Only one ship will be permitted to burn wastes at a time, except under extreme emergencies.

[FR Doc.76-26906 Filed 9-14-76;8:45 am]

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 615-5]

PART 458—CARBON BLACK MANUFACTURING POINT SOURCE CATEGORY

Second Extension of Comment Period and Availability From an Inspection Standpoint Only—Supplements A and B to Development Document

On May 18, 1976 the Agency published a notice of interim final rulemaking (41 FR 20496) establishing effluent limitations and guidelines for the carbon black manufacturing point source category, based upon use of best practicable control technology currently available. The due date for comments provided in the notice was June 17, 1976.

At that time the Agency anticipated that the document entitled "Development Document for Interim Final Effluent Limitations, Guidelines and Proposed New Source Performance Standards for the Carbon Black Manufacturing Point Source Category," which contains information on the analysis undertaken in support of the regulations, would be available to the public throughout the comment period. Production difficulties delayed the availability of this document. Accordingly, the date for submission of comments was extended to August 25, 1976.

Supplements A and B to the Development Document mentioned above, which present additional design calculations and field survey data, were not available during the extended comment period. These supplements were placed on file in the EPA Public Information Reference Unit, Rm. 2922 (EPA Library), Waterside Mall, 401 M St., SW., Washington, D.C. 20460, on August 9, 1976 and are now available for public inspection at that location. To allow the public a reasonable period in which to evaluate this material and to submit additional comments, the comment period must be extended. The EPA Information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

Accordingly, the date for submission of comments is hereby extended to October 25, 1976.

Dated: September 8, 1976.

ANDREW W. BREIDENBACH,
Assistant Administrator for Water and Hazardous Materials.

[FR Doc.76-26905 Filed 9-14-76;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 7—AGENCY FOR INTERNATIONAL DEVELOPMENT, DEPARTMENT OF STATE

[AIDPR Notice 77-1]

EXTRAORDINARY CONTRACTUAL ACTIONS

To Protect Foreign Policy Interests of the United States

This Notice contains the following amendments to the AID Procurement Regulations (41 CFR Part 7):

1. Inclusion of a cross-reference to the new Subpart 7-50 (Extraordinary Contractual Actions to Protect Foreign Policy Interests of the United States) in Subpart 7-17 (Extraordinary Contractual Actions to Facilitate the National Defense); and

2. Establishment of a new Subpart 7-50. AID is not among the Agencies authorized to undertake extraordinary contractual actions to facilitate the national defense pursuant to Pub. L. 85-804, as implemented under 41 CFR Part 1-17. However, AID does have the authority to undertake extrordinary contractual actions to protect the United States' foreign policy interests pursuant to sections 3 and 4 of Executive Order 11223. This AIDPR Notice will formalize and codify AID's procedures for processing such extraordinary contractual actions.

PART 7-17—EXTRAORDINARY CONTRACTUAL ACTIONS TO FACILITATE THE NATIONAL DEFENSE

Subpart 7-17.1—General

1. Section 7-17.101 is revised as follows:

§ 7-17.101 Authority.

AID is not among the agencies named in the Act or authorized by the President to take actions under it; however, see Part 7-50—Extraordinary Contractual Action to Protect Foreign Policy Interests of the United States.

PART 7-50—EXTRAORDINARY CONTRACTUAL ACTIONS TO PROTECT FOREIGN POLICY INTERESTS OF THE UNITED STATES

2. A new Part 7-50 is added as follows:

Subpart 7-50.1—General

Sec.

7-50.101 Authority.
7-50.102 General policy.
7-50.103 Definitions.
7-50.104 Types of actions.

Subpart 7-50.2—Requests for Contractual Adjustment

7-50.200 Scope of subpart.
7-50.201 Authority.
7-50.202 [Reserved].
7-50.203 [Reserved].
7-50.204 Standards for deciding cases.
7-50.204-1 General.
7-50.204-2 Amendments without consideration.
7-50.204-3 Mistakes.
7-50.204-4 Informal commitments.
7-50.205 Limitations upon exercise of authority.
7-50.206 Contractual requirements.
7-50.207 Submission of requests by contractors.
7-50.207-1 Filing requests.
7-50.207-2 Form of requests by contractors.
7-50.207-3 [Reserved]
7-50.207-4 Facts and evidence.
7-50.208 Processing cases.
7-50.208-1 Investigation.
7-50.208-2 Intra-agency coordination.
7-50.208-3 Submission of cases to the approving authority.
7-50.208-4 Processing by approving authority.
7-50.208-5 Records.
7-50.208-6 Inter-agency coordination.

AUTHORITY: Sec. 633, 75 Stat. 454 (22 U.S.C. 2393) as amended; E.O. 11223, May 12, 1965 (30 FR 6635) as amended; sec. 621, 72 Stat. 445 (22 U.S.C. 2381) as amended; E.O. 10973, Nov. 3, 1961 (26 FR 10469); 3 CFR 1959-63 Comp.

Subpart 7-50.1—General

§ 7-50.101 Authority.

Pursuant to section 633 of the Foreign Assistance Act of 1961, 75 Stat. 454 (22 U.S.C. 2393) as amended, Executive Order 11223, dated May 12, 1965 (30 FR 6635) an amended, and State Department Delegation of Authority No. 104, dated November 3, 1961 (26 FR 10608) as amended, the Administrator of the Agency for International Development has been granted authority to provide extraordinary contractual relief. The authority is set forth in Sections 3 and 4 of the Executive Order as follows:

SEC. 3. With respect to cost-type contracts heretofore or hereafter made with non-profit institutions under which no fee is charged or paid, amendments or modifications of such contracts may be made with or without consideration and may be utilized to accomplish the same things as any original contract could have accomplished, irrespective of the time or circumstances of the making, or the form of the contract amended or modified, or the amending or modifying contract and irrespective of rights which may have accrued under the contract or the amendments or modifications thereof.

SEC. 4. With respect to contracts heretofore or hereafter made, other than those described in Section 3 of this Order, amendments and

modifications of such contracts may be made with or without consideration and may be utilized to accomplish the same things as any original contract could have accomplished, irrespective of the time or circumstances of the making, or the form of the contract amended or modified, or of the amending or modifying contract, and irrespective of rights which may have accrued under the contract or the amendments or modifications thereof, if the Secretary of State determines in each case that such action is necessary to protect the foreign policy interests of the United States.

§ 7–50.102 General policy.

Extra-contractual claims arising from Foreign Assistance contracts will be processed in accordance with this part, which is similar to that utilized to process claims for extraordinary relief under the FPR Part 1–17, as modified to meet the circumstances involved under the Foreign Assistance Act, and the different authority involved. See Subpart 7–50.2.

§ 7–50.103 Definitions.

(a) The term "approving authority" as used in this part means an officer or official having been delegated authority to approve actions under the Executive Order. This authority is distinguished from authority to take appropriate contractual action pursuant to such approval.

(b) The term "the Executive Order" shall mean Executive Order 11223 (30 FR 6635) as amended.

(c) The term "the Delegation of Authority" shall mean State Department Delegation of Authority No. 104 (26 FR 10608).

(d) The term "Administrator" means the Administrator or Deputy Administrator of the Agency for International Development.

(e) The term "the Act" shall mean the Foreign Assistance Act of 1961, as amended.

§ 7–50.104 Types of actions.

Three types of actions may be taken by or pursuant to the direction of an approving authority under the Executive Order. These are contractual adjustments such as amendments without consideration, corection of mistakes and formalization of informal commitments (see Subpart 7–50.2).

Subpart 7–50.2—Requests for Contractual Adjustment

§ 7–50.200 Scope of subpart.

This Subpart sets forth the standards and the procedures for disposition of requests for extraordinary contractual actions under the Executive Order.

§ 7–50.201 Authority.

The authority delegated to the Secretary of State under the Executive Order has been redelegated by him to the Administrator, Agency for International Development, under State Department Delegation 104, with power to redelegate.

§ 7–50.202 [Reserved]

§ 7–50.203 [Reserved]

§ 7–50.204 Standards for deciding cases.

§ 7–50.204–1 General.

The mere fact that losses occur under a Government contract is not, by itself, a sufficient basis for the exercise of the authority conferred by the Executive Order. Whether, in a particular case, appropriate action such as amendment without consideration, correction of a mistake or ambiguity in a contract, or formalization of an informal commitment, will protect the foreign policy interests of the United States is a matter of sound judgment to be made on the basis of all of the facts of such case. Although it is obviously impossible to predict or enumerate all the types of cases with respect to which action may be appropriate, examples of certain cases or types of cases where action may be proper are set forth in §§ 7–50.204–2 through 7–50.204–4. Even if all of the factors contained in any of the examples are present, other factors or considerations in a particular case may warrant denial of the request. These examples are not intended to exclude other cases where the approving authority determines that the circumstances warrant action.

§ 7–50.204–2 Amendments without consideration.

(a) Where an actual or threatened loss under a Foreign Assistance contract, however caused, will impair the productive ability of a contractor whose continued performance on any Foreign Assistance contract or whose continued operation as a source of supply is found to be essential to protect the foreign policy interests of the United States, the contract may be adjusted but only to the extent necessary to avoid such impairment to the contractor's productive ability.

(b) Where a contractor suffers a loss (not merely a diminution of anticipated profits) on a Foreign Assistance contract as a result of Government action, the character of the Government action will generally determine whether any adjustment in the contract will be made and its extent. Where the Government action is directed primarily at the contractor and is taken by the Government in its capacity as the other contracting party, the contract may be adjusted if fairness so requires; thus where such Government action, although not creating any liability on its part, increases the cost of performance, considerations of fairness may make appropriate some adjustment in the contract.

§ 7–50.204–3 Mistakes.

A contract may be amended or modified to correct or mitigate the effect of a mistake, including the following examples:

(a) A mistake or ambiguity which consists of the failure to express or to express clearly in the written contract the agreements as both parties understood them;

(b) A mistake on the part of the contractor which is so obvious that it was or should have been apparent to the contracting officer; and

(c) A mutual mistake as to a material fact.

Amending contracts to correct mistakes with the least possible delay normally will protect the foreign policy interests of the United States by expediting the procurement program and by giving contractors proper assurance that such mistakes will be corrected expeditiously and fairly.

§ 7–50.204–4 Informal commitments.

Informal commitments may be formalized under certain circumstances to permit payment to persons who have taken action without a formal contract; for example, where any person, pursuant to written or oral instructions from an officer or official of the Agency and relying in good faith upon the apparent authority of the officer or official to issue such instructions, has arranged to furnish or has furnished property or services to the Agency and/or to a Foreign Assistance contractor or subcontractor without formal contractual coverage for such property or services. Formalization of commitments under such circumstances normally will protect the foreign policy interests of the United States by assuring persons that they will be treated fairly and paid expeditiously.

§ 7–50.205 Limitations upon exercise of authority.

(a) The Executive Order is not authority for:

(1) The use of the cost-plus-a-percentage-of-cost system of contracting;

(2) The making of any contract in violation of existing law relating to limitation on profit or fees;

(3) The negotiation of purchases of or contracts for property or services required by law to be procured by formal advertising and competitive bidding; or

(4) The waiver of any bid, payment, performance or other bond required by law.

(b) No amendments, or modifications shall be entered into under the authority of the Executive Order:

(1) Unless, with respect to cases falling within section 4 of the Executive Order, a finding is made that the action is necessary to protect the foreign policy interests of the United States;

(2) Unless other legal authority in the Agency is deemed to be lacking or inadequate;

(3) Except within the limits of the amounts appropriated and the statutory contract authorization.

(c) No contract shall be amended or modified unless the request therefor has been filed before all obligations (includ-

ing final payment) under the contract have been discharged.

(d) No informal commitment shall be formalized unless:

(1) A request for payment has been filed within six months after arranging to furnish or furnishing property or services in reliance upon the commitment; and

(2) It is found that at the time the commitment was made it was impracticable to use normal procurement procedures.

§ 7–50.206 Contractual requirements.

Every contract amended or modified pursuant to this Part shall contain:

(a) A citation of the Act and Executive Order;

(b) A brief statement of the circumstances justifying the action;

(c) A recital of the finding, with respect to cases falling within section 4 of the Executive Order, that the action is necessary to protect the foreign policy interests of the United States.

§ 7–50.207 Submission of requests by contractors.

§ 7–50.207–1 Filing requests.

Any person (hereinafter called the "contractor") seeking an adjustment under standards set forth in § 7–50.204 may file a request in duplicate with the cognizant contracting officer or his duly authorized representative. If such filing is impracticable, requests will be deemed to be properly filed if filed with the Director, Office of Contract Management of the Agency for forwarding to the cognizant contracting officer.

§ 7–50.207–2 Form of requests by contractors.

The contractor's request shall normally consist of a letter to the contracting officer stating:

(a) The precise adjustment requested;

(b) The essential facts summarized in chronological narrative form;

(c) The contractor's conclusions based on such facts and showing, in terms of the standards set forth in § 7–50.204, why the contractor considers himself entitled to the adjustment requested;

(d) Whether all obligations have been discharged under the contracts involved;

(e) Whether final payment has been made under the contracts involved;

(f) Whether any proceeds from the request will be subject to any assignment or other transfer, and to whom; and

(g) Whether the contractor has sought the same, or a similar or related, adjustment from the General Accounting Office or any part of the Government, or anticipates doing so.

§ 7–50.207–3 [Reserved]

§ 7–50.207–4 Facts and evidence.

(a) *General.* The contracting officer or the approving authority may, where considered appropriate, request the contractor to furnish the facts and evidence as described in this paragraph (a), and in addition, where applicable, as described in paragraphs (b), (c), (d), or (e) of this section. In complying with such requests, the contractor may also submit other statements and evidence which he may consider helpful to the case.

(1) If written contracts are involved, a brief description of the contracts, indicating the dates of execution and amendments thereto, the items being procured, the price or prices and delivery schedule and revisions thereof, and such other special contractual provisions as may be relevant to the request.

(2) A history of performance indicating when work under the contracts or commitments was begun, the progress made to the present, an exact statement of the contractor's remaining obligations, and the contractor's expectations regarding completion thereof.

(3) A statement of payments received, payments due, and payments yet to be received or to become due, including advance and progress payments, and amounts withheld by the Government, and information as to other obligations of the Government, if any, which are yet to be performed under the contract.

(4) A statement giving a detailed analysis of the monetary elements of the request including precisely how the actual or estimated dollar amount of the request was arrived at, the effect of approval or denial on the contractor's profits before Federal income taxes, and whether the costs for which reimbursement is requested have been included as a part of his gross costs in the statutory renegotiation proceedings, together with the contractor's renegotiation status for the relevant years.

(5) If a written contract is involved, a statement of the contractor's understanding of why the subject matter of the request cannot now, and could not at the time it arose, be disposed of under the terms of the contract itself.

(6) The best evidence available to the contractor in support of any facts alleged by the contractor, including contemporaneous memoranda, correspondence, affidavits, and any other material tending to establish matters of fact.

(7) Relevant financial statements, cost analyses, or other such data, preferably certified by a certified public accountant, including such additional financial data as is necessary to explain fully and to support the monetary elements of the request for adjustment.

(8) A list of persons (either within the Agency, in the employ of the contractor, or otherwise connected with the contract) who have some factual knowledge of the subject matter, including where possible the name, office or title, address and telephone number of each such person.

(9) A statement and evidence of steps to mitigate loss and reduce claims to a minimum.

(10) Such other statements or evidence as may be requested by the contracting officer.

(b) *Amendments without consideration under § 7–50.204–2(a).* In addition to the facts and evidence listed in paragraph (a) of this section, where a request involves possible amendment without consideration, the contractor may be asked to furnish such of the following as is deemed appropriate to the request:

(1) A statement and evidence of the contractor's original breakdown of estimated costs, including contingency allowances and profit;

(2) A statement and evidence of the contractors' present estimate of total costs under the contracts involved if enabled to complete, broken down between costs accrued to date of request, and runout costs, and as between costs for which the contractor has made payment and those for which he is indebted at the time of the request;

(3) A statement and evidence of the contractor's estimate of the final price of the contracts involved giving effect to all escalation, changes, extras and the like, known or contemplated by the contractor;

(4) A statement of any claims known or contemplated by the contractor against the Government involving the contracts in question, other than those stated in response to paragraph (b)(3) of this section.

(5) An estimate of the contractor's total profit or loss under contracts involved if enabled to complete at the estimated final contract price (see paragraph (b)(3) of this section) broken down between profit or loss to date, and runout profit or loss;

(6) An estimate of the total profits from other Government business, and all other sources, during the period from the date of the first contract involved to the estimated date of completion of all the contracts involved;

(7) A statement of the amount of any tax refunds and an estimate of those anticipated during or for the period from the date of the first contract involved through the estimated completion date of all the contracts involved;

(8) A statement in detail as to efforts the contractor has made to obtain funds from commercial sources to enable him to complete performance of the contracts involved;

(9) A statement of the minimum amount necessary as an amendment without consideration to enable the contractor to complete performance of the contracts involved, and the detailed basis for that amount;

(10) An estimate of the time required to complete each contract, if the request is granted;

(11) A statement of the factors which have caused the loss under the contracts involved;

(12) A statement as to the course of events anticipated if the request is denied;

(13) Balance sheets, preferably certified by a certified public accountant, as of the end of the contractor's fiscal year preceding the date of the first contract, as of the end of each subsequent fiscal year, as of the date of the request, and projected as of the date of completion of all the contracts involved assuming the contractor is enabled to complete the contracts at the final prices estimated pursuant to paragraph (b)(3)

of this section, together with income statements for annal periods subsequent to the date of the first balance sheet (balance sheets and income statements should be both consolidated, and by affiliates, and should show all transactions between the contractor and his affiliates, stockholders, and partners, including loans to the contractor guaranteed by any stockholder or partner); and

(14) A list of all salaries, bonuses and all other forms of compensation of the principal officers or partners and of all dividends and other withdrawals, and all payments to stockholders in any form since the date of the first contract involved.

(c) *Amendments without consideration under § 7–50.204–2(b).* In addition to the facts and evidence listed in paragraph (a) of this section, where a request involves possible amendment without consideration because of Government action, the contractor may be asked to furnish such of the following as is deemed appropriate to the request:

(1) A clear statement of the precise Government action which the contractor considers caused a loss under the contract with evidence to support each essential fact;

(2) A statement and evidence of the contractor's original breakdown of estimated costs, including contingency allowances and profit;

(3) The estimated total loss suffered under the contract, with detailed supporting analysis; and

(4) The estimated loss resulting from the Government action, with detailed supporting analysis.

(d) *Correction of mistakes.* In addition to the facts and evidence listed in paragraph (a) of this section, where a request involves possible correction of a mistake, the contractor may be asked to furnish such of the following as is deemed appropriate to the request:

(1) A statement and evidence of the precise mistake or error that was made, the ambiguity that exists, or the misunderstanding that arose, showing of what it consisted and how it occurred, and the intention of the parties;

(2) A statement explaining when the mistake was discovered, when notice of mistake was given to the contracting officer, and whether given before completion of work under, or the effective date of termination of the contract;

(3) An estimate of loss of profit under the contract with detailed supporting analysis; and

(4) An estimate of the increase in cost to the Government resulting from the adjustment requested with detailed supporting analysis.

(e) *Formalization of informal commitments.* In addition to the facts and evidence listed in paragraph (a) of this section, where a request involves possible formalization of an informal commitment, the contractor may be asked to furnish such of the following as is deemed appropriate to the request:

(1) Copies of any written instructions or assurances, or a statement under oath as to any oral instructions or assurances made to the contractor, with identification of the Government officer or official making such statement;

(2) A statement as to when the property or services were furnished or arranged to be furnished, and to whom;

(3) Evidence that the contractor relied upon the instructions or assurances, with a full description of the circumstances which led him so to rely, and that the contractor intended, at the time of performing the work, to be compensated directly for it by the Government and did not anticipate recovery of the costs in some other way;

(4) A cost breakdown supporting the amount claimed as a fair compensation for the work performed; and

(5) A statement and evidence of why it was impracticable to provide for the work performed in an appropriate contractual instrument.

§ 7–50.208 Processing cases.

§ 7–50.208–1 Investigation.

The Director, Office of Contract Management, shall be responsible for assuring that the cognizant contracting officer in all cases shall make a thorough investigation of all facts and issues relevant to each case. Facts and evidence shall be obtained from contractor and Government personnel, and shall include signed statements of material facts within the knowledge of the individuals where documentary evidence is lacking, and audits where considered necessary to establish financial or cost facts. The investigation shall establish both the facts essential to meeting the standards for deciding the particular case and the essential facts as to who has authority to approve the request.

§ 7–50.208–2 Intra-agency coordination.

Prior to the submission of a case to the approving authority recommending extraordinary contractual relief, the claim will be fully developed by the Office of Contract Management and concurrences or comments obtained from the Office of General Counsel and the Auditor General for the proposed relief to be granted. Such concurrences or comments shall be incorporated in or accompany the action memorandum submitted for consideration to the approving authority in accordance with § 7–50.208–3.

§ 7–50.208–3 Submission of cases to the approving authority.

Cases to be submitted for consideration shall be forwarded by means of an action memorandum signed by the Director, Office of Contract Management. The action memorandum shall state:

(a) The nature of the case;

(b) The basis for authority to act under § 7–50.201;

(c) The findings of fact essential to the case (see § 7–50.207–4) arranged chronologically with cross references to supporting enclosures;

(d) The conclusions drawn from applying the standards for deciding cases, as set forth in § 7–50.204, to the findings of fact;

(e) The disposition recommended, and, if contractual action is recommended with respect to cases falling within section 4 of the Executive Order, the opinion of the signer that such action is necessary to protect the foreign policy interest of the United States; and

(f) The action memorandum shall enclose copies of the contracting officer's findings and recommendations, the evidentiary materials, all other reports and comments of cognizant Government or other officials, and a copy of the contractor's request with a cover sheet providing the following summary information related to the request:

(1) Date of request;

(2) Date request received by AID;

(3) Contract number;

(4) Contractor's name and address;

(5) Name, address, and phone number of contractor's representative;

(6) Name, office symbol, and phone of cognizant contracting officer;

(7) Amount of request.

§ 7–50.208–4 Processing by approving authority.

In each case, the approving authority whether approving or denying the request, shall sign a decision which shall be dated and shall contain the following:

(a) The name and address of the contractor, the contract identification, and the nature of the request;

(b) The decision reached and the actual cost or estimated potential cost, if any, of the settlement;

(c) A concise description of the property or services involved;

(d) A statement of the circumstances justifying the decision; and

(e) If some adjustment action is approved with respect to cases falling within section 4 of the Executive Order, a a statement in substantially the following form:

I find that the action authorized herein is necessary to protect the foreign policy interests of the United States.

§ 7–50.208–5 Records.

The following shall be retained in Agency files as a record of each action processed in accordance with this part:

(a) The decision required in § 7–50.208–4;

(b) The action memorandum and all enclosures as required in § 7–50.208–3; and

(c) A copy of the contractual document implementing any approved contractual action.

§ 7–50.208–6 Inter-agency coordination.

(a) *General.* Where a case involves matters of interest to more than one department or agency, the Agency should maintain liaison with other departments and agencies of the Government and take such joint action as may be proper under the circumstances, including holding joint meetings.

(b) *Cases involving funds of other departments or agencies.* Requests for adjustment within any category, involving the funds of another department or agency, shall not be approved by AID until advice is requested and received

from the department or agency whose funds are involved.

(41 CFR 7-1.104-4.)

Effective date: This AIDPR Notice is effective October 1, 1976.

Dated: August 23, 1976.

JOHN E. MURPHY,
Deputy Administrator.

[FR Doc.76-26935 Filed 9-14-76;8:45 am]

Title 43—Public Lands: Interior

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

SUBCHAPTER E—FOREST MANAGEMENT (5000)

[Circular No. 2403]

PART 5400—SALES OF FOREST PRODUCTS; GENERAL

Report Requirements for Other Than Advertised Sales

• Purpose. The purpose of this rulemaking is to clarify the reporting requirements of negotiated sale contracts from public lands under the jurisdiction of the Bureau of Land Management. Negotiated timber sales from public lands are governed by the Material Sales Act of 1947 (61 Stat. 681) as amended. •

Due to a misunderstanding of the provisions of the Material Sales Act of 1947, the Bureau of Land Management has been reporting all negotiated timber sales, including individual fuelwood sales of one cord. We now realize that negotiated sales of less than 250 thousand board feet should have been exempted from the reporting requirement. The amendment to Part 5400 contained in this rulemaking will correct this by removing the requirement for reporting small sales, and will also change the reporting date to conform to the new Federal fiscal year as specified in the Act of April 21, 1976 (Pub. L. 94-273).

Since this rulemaking makes technical changes to existing regulations, it is determined that the regular rulemaking procedure is unnecessary and this amendment shall become effective on October 15, 1976.

43 CFR Chapter II, Part 5400, is amended by revising § 5402.1 as follows:

§ 5402.1 Report requirements.

A report will be made to Congress on April 1, and October 1 of each year of negotiated timber sale contracts 250 M board feet and over made under paragraph (c) (1) and (2) of § 5402.0-6 during the period since the date of the last report. This report shall include name of purchaser; the appraisal value of the material involved; the amount of each contract; and description of the circumstances leading to the determination that the contract should be entered into by negotiation instead of competitive bidding after formal advertising.

CHRIS FARRAND,
Deputy Assistant Secretary of the Interior.

SEPTEMBER 9, 1976.

[FR Doc.76-26992 Filed 9-14-76;8:45 am]

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 176—SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS PROGRAM

Amendments With Regard to Indian Students Eligible for BIA Grants-In-Aid and Financial Assistance From the Commissioner of Education

Correction

In FR Doc. 76-24658 appearing at page 36319 in the issue for Friday, August 27, 1976, on page 36321, in the 7th line of the first full paragraph in the first column, the two section numbers now reading "114.10" should have read "144.10".

Title 46—Shipping

CHAPTER IV—FEDERAL MARITIME COMMISSION

[Docket No. 67-57]

PART 514—REPORTS OF RATE BASE AND INCOME ACCOUNT BY SIGNIFICANT VESSEL OPERATING COMMON CARRIERS IN THE DOMESTIC OFFSHORE TRADES

Enlargement of Time for Filing Petition for Reconsideration

Upon request filed by Sea-Land Service Inc. and good cause appearing, time within which petitions may be filed for reconsideration of the Commission's final rules in this proceeding published September 8, 1976 (41 FR 37785) is enlarged to and including October 18, 1976.

By the Commission.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.76-27023 Filed 9-14-76;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 32—HUNTING

Kirwin National Wildlife Refuge, Kansas

The following special regulation is issued and is effective on September 15, 1976.

§ 32.5 Special regulations; migratory game birds; for individual wildlife refuge areas.

KANSAS

KIRWIN NATIONAL WILDLIFE REFUGE

The public hunting of ducks, geese, and coots on the Kirwin Wildlife Refuge, Kansas, is permitted as follows: Ducks and coots, from October 23 through December 12, 1976, inclusive and from December 18 through December 26, 1976, inclusive; dark geese (Canada and white-fronted) from October 23 through December 26, 1976; light geese (snow and blue) from October 23, 1976, through January 16, 1977, inclusive; only on the area designated by signs as open to hunting. This open area, comprising 3,700 acres, is delineated on maps available at refuge headquarters, 5 miles west of Kirwin, Kansas, and from the Regional Director, Fish and Wildlife Service, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225.

Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, and coots subject to the following special condition:

(1) Blinds—Temporary blinds constructed above ground from natural vegetation are permitted. Digging of holes or pits to serve as blinds is prohibited.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 16, 1977.

KEITH S. HANSEN,
Refuge Manager, Kirwin National Wildlife Refuge, Kirwin, Kansas.

SEPTEMBER 7, 1976.

[FR Doc.76-26908 Filed 9-14-76;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

Department of the Army

[32 CFR Part 505]

[Army Reg. 340–21]

PRIVACY ACT OF 1974

Exemption Rules for Systems of Records

In FR Doc. 75–32158 published in the FEDERAL REGISTER of November 28, 1975 (40 FR 55551) the Secretary of the Army published the adopted rules for the Department of the Army systems of records. In FR Doc. 76–24043 published in the FEDERAL REGISTER of August 17, 1976 (FR 34764) the Secretary of the Army published a proposed amendment of the adopted rules. The Secretary of the Army now proposes to add an exemption rule applicable to a new record system. Interested parties are invited to submit written comments, suggestions, or objections regarding the proposed amendments to The Adjutant General, Department of the Army, ATTN: DAAG–AMR–R, Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C. 20314 on or before October 15 ,1976. All relevant material received will be considered. All written comments will be available for public inspection during normal business hours at the above address.

R. S. SEEBERG,
Lieutenant Colonel, U.S. Army, Acting Director, Administration Management.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

SEPTEMBER 8, 1976.

PART 505—PERSONAL PRIVACY AND RIGHTS OF INDIVIDUALS REGARDING THEIR PERSONAL RECORDS

The following exemption rule is added and should be inserted before exemption rule ID–A1012.01bDAPE, SYSNAME–USMAPS Admissions File (41 FR 34766).

§ 505.9 Exemption rules for Army systems of records.

* * * * *

EXEMPTED RECORD SYSTEMS

(Specific Exemptions)

ID–A0917.10aDAPE

SYSNAME—Child Protection Case Management Files.

Exemption—All portions of this system which fall within 5 U.S.C. 552a(k)(2) are exempt from the following provisions of Title 5 U.S.C. section 552a: (d).

Authority—5 U.S.C. 552a(k)(2).

Reasons—Exemption is needed in order to encourage persons with knowledge about abusive or neglectful acts toward minor children to report such information and to protect such sources from embarrassment or recriminations as well as to protect their right to privacy. Disclosure could interfere with ongoing investigations and the orderly administration of justice in that it could result in the concealment, alteration, or destruction of information; could hamper the identification of offenders or alleged offenders and the disposition of charges; and could jeopardize the safety and well-being of parents and their children.

* * * * *

[FR Doc.76–27018 Filed 9–14–76;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 26]

TRITICALE

Establishment of New Standards

The United States Grain Standards Act, as amended (82 Stat. 761, 7 U.S.C. 71 et seq.), provides for official U.S. standards to designate the quality of grain for use by producers, merchandisers, and consumers in the domestic and export marketing of grain. The Act provides for an official grading service upon request and payment by the applicant of a fee to cover the cost of the service.

Pursuant to section 4 of the United States Grain Standards Act, as amended (7 U.S.C. 76), notice is hereby given according to administrative procedure provisions of section 553 of Title 5, United States Code, that the U.S. Department of Agriculture has under consideration the establishment of United States Standards for Triticale (to be included in § 26.651 under Title 7 of the Code of Federal Regulations).

Statement of considerations. Triticale is a grain which is a cross between wheat and rye. The ability to cross wheat with rye has been known and studied by scientists for the last 100 years. The common name triticale is derived from the generic names for wheat and rye; namely, *Triticum* and *Secale*.

Many research programs have been conducted in the last 20 years to study the breeding, production, and utilization of triticale. Increases in test weight and the percentage of viable seed have resulted in higher yields per acre. Other agronomic improvements include early maturity and greater straw strength.

Research reports indicate that the uses of triticale are similar to those of wheat and rye. Some varieties perform well as forage. The grain can be utilized in the production of malt for beer making or as animal feed. The flour or meal can be used for breakfast foods, baked goods, and pasta products. Triticale possesses a wide range of nutritionally essential factors which plant breeders can more fully develop to improve its usefulness as a food. It has the potential to become a valuable crop because it is better adapted than wheat or rye to areas with sandy soil, low growing temperatures, or high elevations.

Commercial production of triticale in the United States began about 1970. Triticale was then grown on an estimated 30,000 acres. The growth in the production of triticale has been erratic. It is now estimated that triticale is grown on 200,000 acres. During this time, a number of producers and others interested in the development of triticale as a commercial crop have requested the Department to consider establishing official standards.

As a result, the Department has developed proposed triticale standards for review by interested persons. Because of a lack of data for use in developing the proposed standards, the grading factors and limits applied to triticale closely resemble those used for wheat and rye. Data is difficult to obtain because triticale is grown in only a few scattered areas in the United States and is not stored, blended, shipped, and otherwise handled like other grain in commercial channels at the present time. Therefore, the samples evaluated by the Department for the purpose of developing proposed standards have been obtained from freshly harvested grain or from country elevator shipments. Research on improvement of grain quality is continuing. Additional improvement in test weight, kernel plumpness, and other agronomic characteristics will be made. If the proposed standards, based on the available data, are adopted, continuing studies will be conducted by the Department to accumulate data to support or revise, as necessary, the standards established for triticale.

The Department therefore proposes to establish and promulgate official grade standards for triticale to read as follows:

Subpart—United States Standards for Triticale

TERMS DEFINED

Sec.
26.651 Definition of triticale.
26.652 Definition of other terms.

PRINCIPLES GOVERNING THE APPLICATION OF THE STANDARDS

26.653 Basis of determination.
26.654 Temporary modifications in equipment and procedures.
26.655 Percentages.

GRADES, GRADE REQUIREMENTS, AND GRADE DESIGNATIONS

26.656 Grades and grade requirements for triticale.
26.657 Grade designations.

SPECIAL GRADES, SPECIAL GRADE REQUIREMENTS, AND SPECIAL GRADE DESIGNATIONS

26.658 Special grades and special grade requirements.
26.659 Special grade designations.

AUTHORITY: Sec. 4, United States Grain Standards, as amended (7 U.S.C. 76).

Subpart—United States Standards for Triticale [1]

TERMS DEFINED

§ 26.651 Definition of triticale.

Grain which, before the removal of dockage, consists of 50 percent or more of triticale and may contain not more than 10 percent of other grains for which standards have been established under the United States Grain Standards Act and which, after the removal of dockage, contains 50 percent or more of whole kernels of triticale.

§ 26.652 Definitions of other terms.

For the purposes of these standards, the following terms shall have the meanings stated below:

(a) *Damaged kernels (total).* Kernels, pieces of triticale kernels, and other grains that are badly ground-damaged, badly weather-damaged, diseased, frost-damaged, heat-damaged, insect-bored, mold-damaged, sprout-damaged, or otherwise materially damaged in the sample after the removal of dockage and shrunken and broken kernels.

(b) *Defects (total).* Damaged kernels, foreign material, and shrunken and broken kernels. The sum of these three factors may not exceed the limit for the factor "Defects (total)" for each individual grade.

(c) *Distinctly low quality.* Triticale which is obviously of inferior quality because it contains foreign substances or because it is in an unusual state or condition, and which cannot be properly graded by use of the other grading factors provided in the standards. Distinctly low quality shall include any objects too large to enter the sampling device; i.e., large stones, wreakage, etc.

(d) *Dockage.* All matter other than triticale which can be removed readily from a test portion of the original sample by use of an approved device in accordance with procedures prescribed in the Grain Inspection Manual.[2] Also, underdeveloped, shriveled, and small pieces of triticale kernels removed in properly separating the material other than triticale and which cannot be recovered by properly rescreening or recleaning. (See also §§ 26.655 and 26.657.) For the purpose of this paragraph, "approved device" shall include the Carter Dockage Tester and any other equipment that is approved by the Administrator as giving equivalent results.[3]

(e) *Foreign material (total).* All matter other than triticale which remains in the sample after the removal of dockage and shrunken and broken kernels.

(f) *Heat-damaged kernels.* Kernels, pieces of triticale kernels, and other grains that are materially discolored and damaged by heat which remain in the sample after the removal of dockage and shrunken and broken kernels.

(g) *Moisture.* Water content in triticale as determined by an approved device in accordance with procedures prescribed in the Equipment Manual.[2] For the purpose of this paragraph, "approved device" shall include the Motomco Moisture Meter and any other equipment that is approved by the Administrator as giving equivalent results.[3]

(h) *Other grains.* Barley, corn, cultivated buckwheat, einkorn, emmer, flaxseed, guar, hull-less barley, nongrain sorghum, oats, Polish wheat, popcorn, poulard wheat, rice, rye, safflower, sorghum, soybeans, spelt, sunflower, sweet corn, wheat, and wild oats.

(i) *Shrunken and broken kernels.* All matter which can be removed from a test portion of the dockage-free sample by use of an approved device in accordance with procedures prescribed in the Grain Inspection Manual.[2] For the purpose of this paragraph, "approved device" shall be the 0.064 x 3/8 oblong-hole sieve.[3]

(j) *Sieve, 0.064 x 3/8 oblong-hole.* A metal sieve 0.032 inch thick with oblong performations 0.064 inch by 0.375 (3/8) inch.

(k) *Stones.* Concreted earthy or mineral matter and other substances of similar hardness that do not disintegrate readily in water.

(l) *Test weight per bushel.* The weight per Winchester bushel (2,150.42 cubic inch capacity) as determined on a dockage-free test portion of the original sample using an approved device in accordance with instructions in the Grain Inspection Manal.[2] For the purpose of this paragraph, "approved device" shall include the Fairbanks-Morse or Ohaus Test Weight Per Bushel Apparatus and any other equipment that is approved by the Administrator as giving equivalent results.[3]. Test weight per bushel shall be expressed to the nearest tenth of a pound.

PRINCIPLES GOVERNING THE APPLICATION OF THE STANDARDS

§ 26.653 Basis of determination.

(a) *Distinctly low quality.* The determination of distinctly low quality shall be made on the basis of the lot as a whole at the time of sampling when a condition exists that may not appear in the representative sample and/or the sample as a whole.

(b) *Certain Sample grade factors.* Each determination of rodent pellets, bird droppings, other animal filth, castor beans, crotalaria seeds, dockage, garlic, live weevils or other insects injurious to stored grain, moisture, odor, temperature, an unknown foreign substance, and a commonly recognized harmful or toxic substance shall be upon the basis of the sample as a whole.

(c) *All other determinations.* All other determinations shall be upon the basis of the grain when free from dockage; except that the determination of heat-damaged kernels, damaged kernels (total), material other than wheat or rye, and foreign material (total) shall be upon the basis of the grain when free from dockage and shrunken and broken kernels.

§ 26.654 Temporary modifications in equipment and procedures.

The equipment and procedures referred to in the triticale standards are applicable to triticale produced and harvested under normal environmental conditions. Abnormal environmental conditions during the production and harvesting of triticale may require minor temporary modifications in the equipment or procedures to obtain results expected under normal conditions. When these adjustments are necessary, Grain Division Field Offices, official inspection agencies, and interested parties in the grain trade will be notified promptly in writing of the modification. Adjustments in interpretations (i.e., identity, quality, and condition) are excluded and shall not be made.

§ 26.655 Percentages.

(a) Percentages shall be determined on the basis of weight and shall be rounded off as follows:

(1) When the figure to be rounded is followed by a figure greater than 5, round to the next higher figure; e.g., state 0.46 as 0.5.

(2) When the figure to be rounded is followed by a figure less than 5, retain the figure; e.g., state 0.54 as 0.5.

(3) When the figure to be rounded is even and it is followed by the figure 5, retain the even figure. When the figure to be rounded is odd and it is followed by the figure 5, round the figure to the next higher number; e.g., state 0.45 as 0.4; state 0.55 as 0.6.

(b) Percentages shall be stated in whole and tenth percent to the nearest tenth percent, except when determining the identity of triticale and the percentage of dockage and ergot. The percentage when determining the identity of triticale shall be stated to the nearest whole percent. The percentage of dockage when equal to one-half percent or more shall be stated in terms of half percent, whole percent, or whole and half percent, as the case may be, with other fractions disregarded as shown in the following examples: Dockage ranging from 0.5 to 0.9 percent shall be expressed as 0.5 percent, from 1.0 to 1.4 percent as 1.0 percent, from 1.5 to 1.9 percent as 1.5 percent, etc. The percentage of ergot shall be stated to the nearest hundredth percent.

GRADES, GRADE REQUIREMENTS, AND GRADE DESIGNATIONS

§ 26.656 Grades and grade requirements for triticale.

(See also § 26.658.)

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[1] Compliance with the provisions of these standards does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or other Federal laws.

[2] The following publications are referenced in these standards. Copies may be obtained from the Grain Division, Agricultural Marketing Service, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Washington, D.C. 20250.

(a) Equipment Manual, GR Instruction 916-6, effective September 25, 1968, as amended, U.S. Department of Agriculture, Agricultural Marketing Service.

(b) Grain Inspection Manual, GR Instruction 918-6, effective August 28, 1972, as amended, U.S. Department of Agriculture, Agricultural Marketing Service.

[3] Requests for information concerning approved devices and procedures, criteria for approved devices, and request for approval of devices should be directed to the Grain Division, Agricultural Marketing Service, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Washington, D.C. 20250.

Grade	Minimum test weight per bushel	Maximum limits of --					
		Damaged kernels		Foreign material		Shrunken & broken kernels	Defects (Total) 3/
		Heat-damaged	Total 1/	Material other than wheat or rye	Total 2/		
	Pounds	Percent	Percent	Percent	Percent	Percent	Percent
U.S. No. 1	48.0	0.2	2.0	1.0	2.0	5.0	5.0
U.S. No. 2	45.0	0.2	4.0	2.0	4.0	8.0	8.0
U.S. No. 3	43.0	0.5	8.0	3.0	7.0	12.0	12.0
U.S. No. 4	41.0	3.0	15.0	4.0	10.0	20.0	20.0
U.S. Sample grade	U.S. Sample grade shall be triticale which: (a) Does not meet the requirements for the grades U.S. Nos. 1, 2, 3, or 4; or (b) Contains a quantity of smut so great that one or more of the grade requirements cannot be determined accurately; or (c) Contains 8 or more stones, 2 or more pieces of glass, 3 or more crotalaria seeds (Crotalaria spp.), 3 or more castor beans (Ricinus communis), 4 or more particles of an unknown foreign substance(s) or a commonly recognized harmful or toxic substance(s), or 2 or more rodent pellets, bird droppings, or an equivalent quantity of other animal filth per 1,000 grams of triticale; or (d) Has a musty, sour, or commercially objectionable foreign odor (except smut or garlic odor); or (e) Is heating or otherwise of distinctly low quality.						

1/ Includes heat-damaged kernels.
2/ Includes material other than wheat or rye.
3/ Defects (total) includes damaged kernels (total), foreign material (total) and shrunken and broken kernels. The sum of these three factors may not exceed the limit for "defects (total)" for each numerical grade.

§ 26.657 Grade designations.

The grade designations for triticale shall include in the following order: (a) The letters "U.S."; (b) the number of the grade or the words "Sample grade"; (c) the word "triticale"; (d) each applicable special grade (see also § 26.659); and (e) when applicable, the word "dockage" together with the percentage thereof.

SPECIAL GRADES, SPECIAL GRADE REQUIREMENTS, AND SPECIAL GRADE DESIGNATIONS

§ 26.658 Special grades and special grade requirements.

A special grade, when applicable, is supplemental to the grade assigned under § 26.656. Such special grades are established and determined as follows:

(a) *Ergoty triticale.* Triticale which contains more than 0.10 percent of ergot.

(b) *Light garlicky triticale.* Triticale which contains in a 1,000-gram portion two or more, but not more than six, green garlic bulblets, or an equivalent quantity of dry or partly dry bulblets.

(c) *Garlicky triticale.* Triticale which contains in a 1,000-gram portion more than six green garlic bulblets or an equivalent quantity of dry or partly dry bulblets.

(d) *Light smutty triticale.* Triticale which has an unmistakable odor of smut, or which contains in a 250-gram portion smut balls, portions of smut balls, or spores of smut in excess of a quantity equal to 14 smut balls, but not in excess of a quantity equal to 30 smut balls of average size.

(e) *Smutty triticale.* Triticale which contains in a 250-gram portion smut balls, portions of smut balls, or spores of smut in excess of a quantity equal to 30 smut balls of average size.

(f) *Weevily triticale.* Triticale which is infested with live weevils or other insects injurious to stored grain. As applied to triticale, the meaning of the term "infested" is set forth in the Grain Inspection Manual.[3]

§ 26.659 Special grade designations.

Special grade designations shall be made in addition to all other information prescribed in § 26.657. The grade designation for ergoty, light garlicky, garlicky, light smutty, smutty, and weevily triticale shall include in the order listed, following the word "triticale," the word(s) "Ergoty," "Light garlicky," "Garlicky," "Light smutty," "Smutty," and "Weevily," as warranted.

Comments and effective date. The United States Grain Standards Act, as amended, requires that public notice shall be given when new standards are established and that no standards shall become effective less than 1 year after promulgation thereof, unless, in the judgment of the Secretary, the public health, interest, or safety require that they become effective sooner. It is desirable that new standards become effective before the beginning of harvest to minimize possible disruption of normal marketing procedures. A limited poll of members of the industry and Federal agencies indicate no objection to an effective date of May 1, 1977. Some industry members have asked that standards be made effective as soon as practicable. Furthermore, it does not appear that a waiting period beyond this date would make additional relevant information available to the Department on this matter.

If the proposed standards as set forth herein are adopted, it is intended that they would be made effective on or about May 1, 1977.

Public hearings on the proposed standards will not be held, but all persons who desire to submit written data, views, or arguments on this proposal should file them in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than November 1, 1976.

Any persons who desire to submit their views orally in an informal manner should so advise the Director, Grain Division, Agricultural Marketing Service, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Washington, D.C. 20250 (telephone (202) 447-9164) so that arrangements may be made for such submission by said date. A summary of such views will be made and furnished for verification to the person making the submission and, if approved, may be filed by him in the Office of the Hearing Clerk. All comments so filed will be available for public inspection during official hours of business (7 CFR 1.27(b)). Consideration will be given to all comments filed with the Hearing Clerk and to all other information available to the U.S. Department of Agriculture in arriving at a decision on the proposed Standards for Triticale.

Done at Washington, D.C., on September 9, 1976.

DONALD E. WILKINSON,
Administrator.

[FR Doc.76-26885 Filed 9-14-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 432]

[Docket No. 76N-0337]

PACKAGING OF ANTIBIOTIC DRUGS FOR PARENTERAL USE

Clarification of Requirements

The Food and Drug Administration is proposing to clarify the packaging requirements for drugs intended for parenteral use. Interested persons may submit comments, which are due by November 15, 1976.

The present description of containers used for antibiotic drugs intended for parenteral use provides only for containers of colorless, transparent glass with closures through which hypodermic needles may be introduced. However, the need for, or desirability of, other kinds of containers has become apparent; in fact, some parenteral antibiotic drug products have been approved for marketing in ampules, prefilled syringes, and amber-colored glass vials. This proposal provides for such single-dose and amber-colored containers, and it removes the restriction that excludes container materials other than glass.

The Commissioner of Food and Drugs has reviewed the potential environmental impact of the proposed amendments 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 (address given below).

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 507, 512 (n), 59 Stat. 463, as amended, 82 Stat. 350-351 (21 U.S.C. 357, 360(n))) 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 Part 432 by revising § 432.1(b) to read as follows:

§ 432.1 Packaging requirements.

* * * * *

(b) If it is intended for parenteral use and the container is glass, it shall be transparent and colorless or of light amber color. The containers are closed either by fusion or by application of suitable closures, in such manner as to prevent contamination or loss of content. Multiple-dose containers are closed by a substance through which a hypodermic needle may be introduced and withdrawn without removing the closure or destroying its effectiveness. Each container shall be filled with a quantity or a volume in excess of that designated, which excess shall be sufficient to permit the withdrawal and administration of the labeled quantity or volume, whether administered in single or multiple doses.

* * * * *

Interested persons may, on or before November 15, 1976, submit to the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate 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: September 7, 1976.

JOSEPH P. HILE,
Acting Associate Commissioner for Compliance.

[FR Doc.76-26927 Filed 9-14-76;8:45 am]

[21 CFR Parts 510, 526, 540, 556, 558]

[Docket Nos. 76N-0173, 0228, 0229, 0230]

FURAZOLIDONE, NIHYDRAZONE, FURALTADONE, NITROFURAZONE

Withdrawal of Proposals and Notice of Proposed Rule Making; Correction

In FR Doc. 76-23620 appearing at page 34884 in FEDERAL REGISTER of Tuesday, August 17, 1976, the following corrections are made:

1. On page 34884 in the right column in § 540.274c(a)(1), the first line is changed to read "§ 440.74a(a)(1) (ii), (iii), and (iv) of this."

2. On page 34885 in the right column in § 558.15(g), above the table, "(2) * * *" is changed to read "(1) * * *."

3. On page 34885 in § 558.15(g)(1) in the 20th line of the table under the "Indications for use" column, the last word is changed to read "acervulina."

4. On page 34886 in the table in § 558.15(g)(1) under the "Indications for use" column, the 3d word in the 1st line is changed to read "aid in" and the last word in the 61st line is changed to read "white."

5. On page 34886 in the table in § 558.15(g)(1) under the "Drug premix" column, the last word in the 20th line is changed to read "strepto-" and the word in the 22d line is changed to read "Erythromycin."

6. On page 34887 in § 558.15(g), "(2) * * *" is inserted at the top of the page on the left above the table.

7. On page 34887 in the first line in the table in § 558.15(g)(2) under the "Drug sponsor" column, the word "Do" is changed to read "Diamond Shamrock Chemical Co." and in the first line under the "Species" column, the word "do" is changed to read "Swine."

8. On page 34887 in the table in § 558.15(g)(2) under the "Indications for Use" column, the eighth line is changed to read "stress. As an aid in the pre-."

9. On page 34887, the fifth entry in the table in § 558.15(g)(2) is changed to read "Do____Neomycin base____do____ 35 to 140g/ton____Do." (All the text now in the "Indications for Use" column of the fifth entry applies to the fourth entry.)

10. On page 34887 in the table, § 558.15 (g)(2), under the "Indications for Use" column, the last word in the 17th line is changed to read "organisms."

11. On page 34887 in the eighth line from the bottom of the table in § 558.15 (g)(2) under the "Indications for Use" column, a semicolon is inserted after the word "quality."

12. On page 34888 in the table in § 558.15(g)(2) under the "Use levels" column, the first line is changed to read "35 to 140 g/ton."

13. On page 34888 in the table in § 558.15(g)(2) under the "Drug sponsor" column, the 1st word in the 12th line is changed to read "Pfizer Inc."

14. On page 34889 in the table in § 558.15(g)(2) under the "Use levels" column, the 16th line from the bottom is changed to read "0.0125 to 0.25 pct."

15. On page 34889 in the table in § 558.15(g)(2) under the "Use levels" column, the last line is changed to read "0.0004 pct."

16. On page 34890 in the last line in the table in § 558.15(g)(2) under the "Use levels" column, "Sec. 121.310 of this chapter" is changed to read "Sec. 558.-120."

Dated: September 10, 1976.

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

[FR Doc.76-27057 Filed 9-14-76;8:45 am]

[21 CFR Parts 510, 526, 540, 556, 558]

[Docket Nos. 76N-0173, 0228, 0229, 0230]

FURAZOLIDONE, NIHYDRAZONE, FURALTADONE, NITROFURAZONE

Withdrawal of Proposals and Notice of Proposed Rule Making; Extension of Time for Comments

The Food and Drug Administration (FDA) is extending to October 16, 1976 the time for filing comments on the proposed revocation of regulations on which animal drugs containing furazolidone, furaltadone, nihydrazone, and nitrofurazone rely as a condition of their approval. The proposed revocation was published in the FEDERAL REGISTER of August 17, 1976 (41 FR 34884) and gave interested persons until September 16, 1976 to submit comments.

Elsewhere in this issue of the FEDERAL REGISTER, the Director of the FDA Bureau of Veterinary Medicine is issuing a notice extending the time for requesting a hearing on his notice of opportunity for hearing regarding the proposed withdrawal of approval of animal drugs which contain furaltadone, nihydrazone, and nitrofurazone for an additional 30 days. On the basis of the grounds set forth in the notice granting a time extension for requesting a hearing, the time for filing comment on the proposed revocation is also extented for an additional 30 days.

(Sec. 512, 82 Stat. 343-351 (21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 5.1) and redelegated to the Director of the Bureau of Veterinary Medicine (21 CFR 5.29) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262).)

The time for filing comments on the proposed revocation is extended to October 16, 1976.

Dated: September 10, 1976.

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

[FR Doc.76-27055 Filed 9-14-76;8:45 am]

CIVIL AERONAUTICS BOARD

[14 CFR Part 399]

[Docket 27417]

DOMESTIC LOAD-FACTORS STANDARDS

Use of Data

SEPTEMBER 9, 1976.

On August 19, 1975, the Board issued a notice of proposed rulemaking in which it instituted a proceeding to reexamine the Board's domestic load-factor standards (PSDR 43, dated August 19, 1975) (40 FR 37048, Aug. 25, 1975). In this notice, we found that the 1974 service-segment data for the 48-State operations of the trunk carriers are relevant and material to the issues in this proceeding.[1] We recognize that many persons may wish to use more recent service-segment data in their analysis of domestic load factors and that under the Board's regulations, 14 CFR 241.19-6(a)(1), 1975 data would ordinarily not be disclosed until January 1977. Accordingly, we find, pursuant to 14 CFR 241.-19-6(b)(1) of the Board's regulations, that the 1975 service-segment data for the 48-State operations of the trunk and local-service carriers are relevant and material to the issues in this proceeding, and we will release the data on September 29, 1976.

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.76-27160 Filed 9-14-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 613-8]

NEW JERSEY

Approval and Promulgation of Implementation Plans; Revision

The purpose of this FEDERAL REGISTER notice is to indicate disapproval by the Environmental Protection Agency (EPA) of a proposed revision to the New Jersey State Implementation Plan. This proposed revision, submitted by the State of New Jersey and received by EPA on April 27, 1976, would have permitted the temporary use of fuel oil with a 2.5 percent sulfur content at a facility owned by Owens Illinois, Inc. in Bridgeton City, Cumberland County, New Jersey. The current regulation, which will remain applicable to this facility, limits fuel oil sulfur content to 1.0 percent.

On May 21, 1976 EPA published a FEDERAL REGISTER notice (41 FR 20895) announcing receipt of this proposed revision. In this notice EPA requested public comment on the New Jersey proposal. It also was indicated that the State's analysis of the air quality impact of its proposal failed to consider the potential of aerodynamic downwash at the Owens Illinois facility.

In a subsequent FEDERAL REGISTER notice (41 FR 28491) published on July 12, 1976 EPA extended the public comment period on the State's proposal for an additional 60 days. This was done at the request of Owens Illinois, Inc. The extension was granted to provide Owens Illinois with time to perform necessary additional technical analysis for downwash effects at its facility.

EPA's decision to disapprove the New Jersey proposal is based on the following material submitted during the extended

[1] PSDR-43 at page 8.

period for public comment. No other comments were received.

1. A technical analysis, "Air Pollution Prediction Modeling Study of the Owens Illinois Bridgeton Plan Including Consideration of Plume Downwash Due to Stack Effects and Building Ecects," dated July 20, 1976 and submitted by Owens Illinois on July 21, 1976.

2. A July 20, 1976 letter from the New Jeresy Department of Environmental Protection confirming staff observations of particulate downwash at the Owens Illinois facility.

3. A response from Owens Illinois dated August 2, 1976 to various technical questions raised by EPA concerning the company's July 20, 1976 analysis.

4. An August 5, 1976 letter from the New Jersey Department of Environmental Protection transmitting the results of a survey of residents living in the vicinity of the Bridgeton facility.

The technical analysis submitted by Owens Illinois indicates the occurrence of aerodynamic downwash; however, the analysis concludes, through the use of diffusion modeling, that the national primary 24-hour primary ambient air quality standard for sulfur dioxide would just be met with the use of 2.5 percent sulfur content fuel oil. EPA's review of this analysis determined that conservative assumptions, which would have provided for a margin of safety in the resulting conclusion, were not applied in many instances. If such conservative assumptions were used, a maximum permissible sulfur-in-fuel value substantially lower than 2.5 percent would have resulted from the analysis.

In support of EPA's conclusions are documented observations of particulate aerodynamic downwash at the Owens Illinois facility by New Jersey Department of Environmental Protection staff. In addition, nearly half of the local residents surveyed by New Jersey have some complaint about air pollution. Many of these complainants attributed their problem to Owens Ilinois.

EPA's review of all material associated with New Jersey's proposed revision indicates a failure to provide an adequate demonstration that national ambient air quality standards would be protected. To the contrary, there is evidence, as described above, that approval of this proposal would result in contravention of national ambient standards. The proposed revision does not meet the requirements of section 110(a)(2) of the Clean Air Act and EPA regulations in 40 CFR Part 51. Therefore, the proposal by the State of New Jersey to revise its implementation to permit the use of 2.5 percent sulfur content fuel oil at the Owens Illinois, Inc. facility in Bridgeton City is hereby disapproved.

Dated: September 8, 1976.

JOHN QUARLES,
Acting Administrator,
Environmental Protection Agency.

[FR Doc.76-26907 Filed 9-14-76;8:45 am]

[40 CFR Part 458]

[FRL 615-6]

CARBON BLACK MANUFACTURING POINT SOURCE CATEGORY

Second Extension of Comment Period and Availability From an Inspection Standpoint Only—Supplements A and B to Development Document

On May 18, 1976 the Agency published a notice of proposed rulemaking (41 FR 20502) establishing effluent limitations and guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable for existing sources, standards of performance for new sources and pretreatment standards for new sources for the carbon black manufacturing point source category. The due date for comments provided in the notice was June 17, 1976.

The Agency anticipated that the document entitled "Development Document for Interim Final Effluent Limitations, Guidelines and Proposed New Source Performance Standards for the Carbon Black Manufacturing Point Source Category," which contains information on the analysis undertaken in support of the regulations, would be available to the public throughout the comment period. Production difficulties delayed the availability of this document. Accordingly, the date for submission of comments was extended to August 25, 1976.

Supplements A and B to the Development Document mentioned above, which present additional design calculations and field survey data, were not available during the extended comment period. These supplements were placed on file in the EPA Public Information Reference Unit, Rm. 2922 (EPA Library), Waterside Mall, 401 M St., S.W., Washington, D.C. 20460, on August 9, 1976 and are now available for public inspection at that location. To allow the public a reasonable period in which to evaluate this material and to submit additional comments, the comment period must be extended. The EPA Information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

Accordingly, the date for submission of comments is hereby extended to October 25, 1976.

Dated: September 8, 1976.

ANDREW W. BREIDENBACH,
Assistant Administrator for
Water and Hazardous Materials.

[FR Doc.76-26904 Filed 9-14-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 20905]

FM BROADCAST STATIONS IN ANCHORAGE, ALASKA

Proposed Table of Assignments

Adopted: September 2, 1976.
Released: September 9, 1976.

In the matter of amendment of § 73.202(b), *Table of Assignments,* FM Broadcast Stations, (Anchorage, Alaska), Docket No. 20905, RM-2696.

1. The Commission here considers a "Petition for Rule Making,"[1] filed on behalf of the Alaska Educational Broadcasting Commission (hereinafter "AEBC") which seeks the assignment of Channel 276A to Anchorage, Alaska, to be used there as a reserved channel for noncommercial educational purposes.[2] No oppositions to the petition have been received.

2. AEBC avers that if the channel is assigned, Aurora Community Broadcasting Corporation, a non-profit corporation, will thereafter apply for broadcast authority to operate Anchorage's first noncommercial educational FM station on the channel. AEBC says the proposed programming would include live coverage of concerts, classical music, dramatic productions, news and public affairs programming, and instructional programming from the area's educational institutions. The petitioner asserts that the requested assignment would comply with the Commission's rules and regulations and would have no adverse impact on present or future FM allocations in Alaska.

3. Anchorage (pop. 48,081[3]), the largest city in the State of Alaska, is located in the south-central part of the state. The petitioner notes that Anchorage is the home of the University of Alaska, and is also the center of commerce for the entire state. The principal industries in the area are petroleum production, transportation, construction, manufacturing, and mining. Anchorage presently receives commercial aural service from four FM facilities and five AM stations. The Commission is presently considering an application which proposes the operation of a fifth FM station in Anchorage.[4]

4. The assignment of Channel 276A to Anchorage will create some areas of preclusion on Channels 275, 276A and 277, however, the only affected community having a population greater than 1,000 is Palmer, Alaska, which has three alternate channels available for assignment.

5. We believe AEBC has sufficiently demonstrated a basis upon which a rule making proceeding should be initiated and we will do so.

6. Proposed Amendment to the FM Table of Assignments: Accordingly, the Commission proposes to amend the FM Table of Assignments (§ 73.202(b) of the Commission's rules and regulations) with regard to Anchorage, Alaska, as follows:

[1] Public Notice of the filing of the petition was issued on May 24, 1976 (Rept. No. 982).

[2] Due to other demands upon the available radio spectrum in Alaska, only FM Channels 261 through 300 are available for assignment. These channels may be assigned for either commercial or noncommercial educational use.

[3] 1970 U.S. Census.

[4] The applicant, Christian Voice of Alaska, seeks to obtain broadcast authority for the operation of a station on Channel 263 at Anchorage (BPH-9549).

City	Channel No.	
	Present	Proposed
Anchorage, Alaska	263, 267, 271, 280A, 288A	263, 267, 271, *276A, 280A, 288A

NOTE.—Use of the asterisk symbol denotes reservation of the channel, normally used as a commercial assignment, for noncommercial educational purposes. No noncommercial educational channels (channels 201-220) are available for use in Alaska, thus, it may be appropriate to reserve a channel for that purpose.

7. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained below and are incorporated by reference herein.

8. Interested parties may file comments on or before October 18, 1976, and reply comments on or before November 8, 1976.

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

1. Pursuant to authority found in sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's rules, it is proposed to amend the FM Table of Assignments, § 73.202(b) of the Commission's rules and regulations, as set forth in the notice of proposed rulemaking.

2. *Showing required.* Comments are invited on the proposal(s) discussed in the notice of proposed rulemaking. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build the station promptly. Failure to file may lead to denial of the request.

3. *Cut-off procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of Commission rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this notice, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If filed later than that, they will not be considered in connection with the decision in this docket.

4. *Comments and reply comments; service.* Pursuant to applicable procedures set out in §§ 1.415 and 1.420 of the Commission's rules and regulations, interested parties may file comments and reply comments on or before the dates set forth in the notice of proposed rule making. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420 (a), (b) and (c) of the Commission rules.)

5. *Number of copies.* In accordance with the provisions of § 1.420 of the Commission's rules and regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public inspection of filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc.76-26989 Filed 9-14-76;8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Part 212]

HEAVY CRUDE OIL GRAVITY PRICE DIFFERENTIALS

Further Notice of Proposed Rulemaking and Public Hearing

I. INTRODUCTION

The Federal Energy Administration hereby gives further notice of a proposed rulemaking and public hearing to amend the lower tier crude oil ceiling price rules to adjust gravity price differentials with respect to heavy California and Alaska crude oil. As the result of extensive prior rulemaking on this subject and the recent enactment of section 122 of the Energy Conservation and Production Act (Pub. L. 94-385, "ECPA"), FEA has concluded that such an adjustment to gravity price differentials for California and Alaska crude oil is warranted because these differentials no longer reflect current market valuations. The purpose of this further notice of rulemaking is solely to determine the mechanism by which the adjustment should be made and the precise amount of the adjustment. This amendment will be made effective with respect to sales of crude oil beginning October 1, 1976.

FEA has already considered the issue of gravity price differentials in several previous rulemaking proceedings. A notice of proposed rulemaking was first issued on July 1, 1975 (40 FR 28637, July 8, 1975), but subsequently withdrawn on November 17, 1975 (40 FR 54263, November 21, 1975). In response to numerous comments following this withdrawal and in view of the enactment of the Energy Policy and Conservation Act of 1975 (Pub. L. 94-163, "EPCA") last December, FEA decided to reconsider this issue and requested further comments during the first stage rulemaking regarding domestic crude oil prices under the EPCA (41 FR 1564, January 6, 1976). Additional comments were requested in the second stage EPCA crude oil price rulemaking, and at that time FEA stated that a final determination regarding gravity differential adjustments would be made in conjunction with the resolution of the third stage EPCA rulemaking (41 FR 4939, February 3, 1976).

However, before the third stage rulemaking was completed, the ECPA was enacted into law on August 14, 1976. Among other things, the ECPA amends the crude oil pricing policy of the EPCA to permit greater flexibility in raising crude oil prices in order to provide production incentives than was originally allowed by the EPCA. In particular, section 122 of the ECPA directs the President to take this increased flexibility into consideration by providing additional price incentives for bona fide tertiary enhanced recovery techniques, and by providing

for the adjustment of differentials in ceiling prices for crude oil that are the result of gravity differentials which are arbitrary, discriminatory, applied on a regional or local basis without reasonable justification, or fail substantially to reflect current relative market valuations of such differentials. (Pub. L. 94-385, Sec. 122.)

Although, as a result of its prior rulemaking proceeding, FEA has concluded that the gravity price differentials for lower-tier California and Alaska crude oil fail substantially to reflect current market valuations of such differentials, it has yet to determine the appropriate manner in which an adjustment based on this rationale under section 122 of the ECPA should be implemented. Therefore, before a final determination as to the appropriate form such an adjustment should take is made, FEA has decided to offer all interested parties an opportunity to submit written comments and to testify at a public hearing on its specific proposals in this regard.

As soon as practicable after completion of the proceedings herein proposed, and after careful consideration of comments received, FEA will amend the price regulation to adjust gravity price differentials, consistent with the requirements of section 122 of the ECPA. It is anticipated in this regard that public hearings can be held and a final amendment adopted before the end of October, 1976, with the amendment to be made effective with respect to all sales of crude oil beginning October 1, 1976.

II. BACKGROUND

A. GENERAL

Crude oil normally is and has been sold at prices that reflect, among other factors affecting quality, differences in "gravity," which is a measure of density or weight per unit volume. The American Petroleum Institute ("API") system for measuring the density of crude oil is in degrees, with oil at a gravity of ten degrees (10° API) equivalent to the density of water, and with higher degree measurements indicating lesser densities. While the gravity of the bulk of domestically-produced crude oil falls within the 26° to 36° API range, crude

oil produced in California is generally heavier, most falling below 20° API.

Historically, since lighter density crude oil (with a higher API degree measurement) could more easily be separated into products such as gasoline, diesel fuel, and jet fuel, for which demand was higher, and since heavier crude oils generally yielded a high proportion of residual fuel, for which demand was considerably less, refiners have paid a premium for lighter crude oils. A plentiful supply of natural gas (an alternative source for residual fuel) was readily available in California throughout the 1960's, which reduced demand for heavy crude oil even more. Furthermore, although technology in the refining industry during that time period made possible the conversion of heavy crude oil into lighter products, the higher cost of the equipment necessary for this process tended to restrain prices of heavy crude oil.

On May 15, 1973, gravity price differentials for crude oil averaged between 2 and 2.5 cents per degree per barrel nationally, while gravity price differentials in California averaged 6.2 cents per degree per barrel. Pursuant to 10 CFR 212.73, which establishes for each grade of crude oil in each field a ceiling price applicable to "old" crude oil which is equal to the highest posted price on May 15, 1973 plus a specified amount (currently $1.48 per barrel), such "old" crude oil ceiling prices continue to reflect the gravity price differentials that were in effect on May 15, 1973.

"New", "released," and "stripper well" crude oil was not subject to a ceiling price until February 1, 1976, when an "upper tier" ceiling price was imposed. The upper tier ceiling price for each grade of crude oil in each field is equal to the highest posted price on September 30, 1975, less a specified amount (currently $1.05 per barrel). The market-determined gravity price differential for such crude oil averaged 4.6 cents per barrel in California on September 30, 1976.

Most crude oil produced in California is heavy and is classified as old crude oil. It is therefore subject to an average 6.2 cents per degree gravity price differential, and the current average price for old crude oil in California is $4.28 per barrel, significantly lower than the average nation-wide price of $5.15 per barrel.

Comments in response to prior rulemaking proceedings on this issue have presented two principal bases for adjustments to the May 15, 1973 gravity differentials for crude oil produced in California. The first is that the May 15, 1973 posted prices for California crude oil were anomolous and did not reflect later market pricing determinations. This view maintains that the major oil companies set postings at a relatively fair price only for the upper gravity brackets of the posting schedule, where none of the oil actually produced would fall, but that for each degree of gravity below that top level, an exaggerated penalty was imposed. It maintains, for example, that the gravity price differentials would have narrowed since that date, as evidenced in prices for unregulated "upper tier" heavy California crude oil until February 1, 1976.

The narrowing of differentials on formerly uncontrolled crude oil is said to reflect the market response to changes in the circumstances that may have led initially to higher price differentials in California. For example, residual fuel oil now tends to be a relatively more valuable product due to the growing scarcity of natural gas.

Also, it has been stated that the large capital expenditures needed to develop the advanced technology refining capacity to convert heavy crude oil into the lighter products may well be fully amortized by now, and that new refining techniques have been developed whereby heavy crude oil may even be more desirable than light crude oil in production of new higher demand products such as unleaded gasoline.

The second basis upon which adjustments to the May 15, 1973 gravity price differentials have been urged is that the prices for heavy California crude oil are so low that they have resulted, or surely will result, in curtailed production. Producers claim that failure to raise California prices by adjusting gravity differentials will result in a production decline rate so rapid as to threaten premature abandonment of hundreds of millions of barrels of reserves.

B. PREVIOUS FEA ACTIONS

As noted above, FEA has conducted a series of proceedings in which these issues have been previously analyzed.

On July 1, 1975, in response to a petition for adoption of an amendment to the Mandatory Petroleum Price Regulations submitted by the California Independent Producers Association, FEA gave notice of a proposed rulemaking and public hearing to consider whether to permit an adjustment in gravity price differentials (40 FR 28637, July 8, 1975).

FEA requested comments as to the effect of the suggested adjustment, from that gravity price differential which existed on May 15, 1973 to a lesser amount (possibly 2 or 3 cents per degree) and proposed an amendment that would have permitted determinations of the ceiling price pursuant to 10 CFR 212.73 for old crude oil produced in California to be based upon the posted price in a given field less a reduction of an amount per degree of API gravity to be decided following a public hearing. Specifically, FEA sought to determine: (1) Whether such an amendment would be in keeping with FEA's commitment to stimulate domestic production by increasing the incentive for and economic feasibility of recovering a greater percentage of the proven reserves that exist in the California heavy crude oil areas; (2) Whether the benefits consumers would realize from any resultant increased production of domestic crude oil would more than offset the adverse impact of the price increase that would result from a permitted adjustment in the gravity price differential; and (3) Whether any increased production resulting from such an adjustment would help to reduce our dependence on higher-priced foreign imports.

However, FEA concluded at that time that adjustments were not appropriate because:

(1) Current differentials for "upper tier" uncontrolled crude oil produced in California might not reflect long-term market changes but rather temporary conditions in residual fuel oil markets, given the large portion of residual fuel oil obtained from low-gravity California crude oil; and

(2) There was no evidence to support the conclusion that a special upward price adjustment for California would result in more increased production than would result if the same price adjustment were applied to other areas of the country.

Accordingly, on November 17, 1975, FEA issued a "Withdrawal of Notice of Proposed Rulemaking" (40 FR 54263, November 21, 1975).

Nevertheless, because of numerous requests by California producers and royalty owners to reconsider the decision not to permit an adjustment to the May 15, 1973 gravity price differentials for crude oil produced in California, FEA again solicited comments on the issue in January 1976 (41 FR 1564, January 6, 1976) as part of the first stage of implementation of the EPCA. (The overall purpose of the proceeding was to adopt ceiling prices for all categories of domestic crude oil, in order to achieve compliance with the EPCA requirement that the composite price not exceed $7.66 per barrel in February, 1976.)

In considering data in support of the contention that the adjustment was warranted, FEA noted that to the extent to which any adjustments were permitted (and prices of old crude oil were permitted to increase), FEA would in this proceeding be required to make a statutory finding, to comply with section 8(b)(2) of the newly amended Emergency Petroleum Allocation Act of 1973 ("EPAA") that such an adjustment.

(a) Will give positive incentives for: (i) Enhanced recovery techniques, or (ii) Deep horizon development for such properties; or

(b) Is necessary to take into account declining production from such propetries; and

(c) Is likely to result in a level of production from such properties beyond that which would otherwise occur if no such amendment were made.

Based upon the information and data submitted prior to February 1, FEA was unable to make the findings required by the EPCA to support an adjustment to price differentials for all heavy old crude oil produced in California. Also, FEA noted that to the extent that an increase in price were to be allowed for any volumes of California crude oil, a corresponding reduction had to be made in the price of some other volume of domestic production in order to maintani the EPCA-mandated composite price of $7.66 per barrel in February 1976.

Accordingly, at the conclusion of that first stage rulemaking proceeding (41 FR 4939, February 3, 1976), FEA deferred

the final determination of the California gravity differential issue to the adoption of final amendments pursuant to the third stage implementation of crude oil pricing policy under the EPCA. FEA did, however also solicit comments in the second stage rulemaking regarding crude oil prices under the EPCA to afford as much opportunity as possible to develop the required data for purposes of making the EPAA section 8(b) (2) finding (41 FR 15566, April 13, 1976).

In the meantime, FEA suggested that, with respect to any fields in which production was in peril of being shut in without some price relief, producers should seek relief through the FEA Office of Exceptions and Appeals. That office has, in a number of cases, granted exception relief permitting increased prices for crude oil when it can be demonstrated that those higher prices are necessary to provide economic incentive to maintain or increase production of domestic crude oil. In those cases, the FEA has consistently held that its regulations ought not to create a situation in which crude oil production is being curtailed or in which premature abandonment of high cost producing wells is threatened.

On February 12, 1976, the City of Long Beach filed an Application for Exception in which it expressed the same concern indicated in the February 1975 petition by the California Independent Producers Association for an amendment to 10 CFR 212.73. Long Beach urged that unless FEA permitted the Wilmington Field producers of crude oil to charge increased prices, a significant decline in production from the field would occur. FEA held a number of meetings on the subject with representatives of Long Beach and the State Lands Commission, culminating in a request by the City to hold the case in abeyance while it gathered further data to support its request. The data is to be submitted November 1, 1976; and the FEA Office of Exceptions and Appeals anticipates that a decision in this case can then be issued by December 1, 1976.

In the second and third stage EPCA proceedings the FEA proposed a number of actions to provide better incentives for all producers of domestic crude oil, including producers of heavy California crude oil and Alaska crude oil. In the second stage, FEA adopted regulations beginning in March 1976, which gradually increased the price of all "old" crude oil at a rate of approximately 3 cents per barrel per month. Provisions were also adopted to reduce the amount of crude oil which must be produced by a property before any incremental production can be sold at upper tier prices, to reflect the property's natural rate of production decline.

The proposal in the third stage proceeding included a detailed and comprehensive analysis of the potential for tertiary recovery in the three states, one of which is California, having the greatest potential reserves recoverable by such high cost methods. As part of the analysis, comments were requested on the nature and scope of the price incentives necessary to encourage the application of these techniques in California, as well as in other areas. FEA has also recently adopted revisions to the definition of "property" which may change the proportion of "lower tier" crude oil which is subject to the greater May 15, 1973 gravity differential (41 FR 36172, August 26, 1976).

C. NEW CONSIDERATIONS

On July 19, 1976, Federal Energy Administrator Frank G. Zarb testified before the Senate Committee on Interior and Insular Affairs on a number of issues, including prices for heavy California crude oil. He emphasized that under the composite price restrictions of the EPCA, FEA could increase the price for any one type of crude oil only by reducing the price of some other type of crude oil. He stated that FEA had to that date been unable to make the findings necessary to justify a price increase for California production which would result from an adjustment in gravity differentials.

The Administrator therefore recommended that Congress adopt certain amendments to the Energy Policy and Conservation Act in order to provide the flexibility needed to overcome the constraints of the EPCA composite price formula. Mr. Zarb stated that, "Should these amendments be enacted, FEA would in fact use some of the pricing flexibility so generated to provide an increase in the price of California heavy crude oil production by reducing the current gravity differential."

On August 14, 1976, the President signed into law the Energy Conservation and Production Act (Pub. L. 94-385), which, as noted above, amends the crude oil pricing limitations of the EPCA to permit FEA greater flexibility in adopting crude oil price amendments as a production incentive.

When, in November of 1975, FEA withdrew its notice of proposed rulemaking, it stated:

> Although it is true that the gravity price differential for heavy crude oil is currently less for "new" and "released" crude oil produced in California than it was for crude oil produced in May, 1973, the FEA does not believe that this necessarily reflects *long-term* market changes. (40 FR 54263, November 21, 1975; emphasis added.)

Congress has, however, directed that FEA re-examine the gravity price differential issue not with regard only to *long-term market changes*, but with regard to current market conditions. The ECPA required the adjustment of gravity differentials "* * * which are arbitrary, discriminatory, applied on a regional or local basis without reasonable justification, or fail substantially to reflect *current* relative market valuations of such differentials." (Pub. L. 94-385, Sec. 122, emphasis added).

As expressed in the ECPA, it is the sense of Congress that gravity differentials ought to reflect changing circumstances and increasing demand, as embodied in current relative market valuations.

On May 15, 1973, the average gravity differential for the State of California was 6.2 cents per degree. On September 30, 1975, that average differential for upper tier crude oil had dropped to 4.6 cents per degree. Market forces had apparently dictated a substantially smaller differential as relative demand for heavy crude oil had increased.

Since differentials in ceiling prices for old crude oil produced in California set by reference to May 15, 1973 prices are different than the differentials which had developed by September 30, 1975 for new California crude oil and for other domestically produced crude oil, they appear to "fail substantially to reflect current relative market valuations." Therefore, FEA has concluded that gravity price differentials in California warrant adjustment on this basis. FEA has also concluded that since Alaska crude oil prices were established with reference to California prices any gravity price differential adjustment to California prices should apply equally to Alaska prices.

Finally, although, during the first stage rulemaking to implement the EPCA crude oil pricing policy, FEA concluded that it was unable to make the EPAA section 8(b) (2) finding necessary to permit any increase in the price of old oil, section 122 of the ECPA now requires that such an adjustment be made if such an adjustment is necessary to reflect current relative market valuations. Thus, section 122 by its own terms meets the requirements of section 8(b) (2) of the EPAA.

The Conference Report to the ECPA explicitly recognizes that FEA is no longer required to make independent findings to satisfy 8(b) (2) with respect to this issue by stating that:

> One of the factors which led this Committee to agree upon the amendment which removes the three percent limitation on price adjustments as a production incentive was the understanding that this flexibility be used by the Administrator to adjust prices for heavy California crude oil to more equitable levels. The increase actual old crude oil prices resulting from such adjustments would properly be regarded as a production incentive price adjustment and would, as such, meet the requirements of section 8(b) (2) of the EPAA with respect to the findings necessary to increase prices for old crude oil production. (S. Rep. No. 94-1119, 94th Cong., 2d Sess. at 73 (1976).)

III. PROPOSED AMENDMENTS

FEA in this Notice is proposing for comment alternative methods of adjusting May 15, 1973 gravity differentials. The alternative approaches would have somewhat differing results, depending on the nature of the May 15, 1973 postings in the field concerned.

Although the average gravity differential in effect in California on May 15, 1973 was 6.2 cents per degree, individual postings reflected actual per degree differentials from as low as 3 cents to as high as 12 cents, with differences both among fields, and within fields among differing ranges of gravity. For example, postings for a particular field might have

reflected per degree gravity differentials of 4 or 5 cents in the 28° to 40° range, and differentials of 8 to 12 cents in the 11° to 27° range. Postings in another field, on the other hand, may have reflected relatively more uniform differentials, with per degree differentials for the 10° to 40° range of gravities of between 4 and 7 cents.

Also, postings for particular fields typically did not reflect the same range of gravities. Thus, for example, although some fields had prices posted for gravities of from 10° through 40°, other fields had posted prices for a range of gravities as limited as from 9° through 15°. It should also be noted that posted prices for the same gravity crude oil differed from field to field for reasons such as location and quality factors unrelated to gravity. For example, May 15, 1973 posted prices for 24° crude oil ranged from $2.87 to $3.36 per barrel among various fields in California.

(1) COMPUTATION OF PER DEGREE DIFFERENTIAL

(a) *First alternative.* The first method of adjusting the differentials would permit the ceiling price for "lower tier" California crude oil to be increased by a specified amount (e.g., two cents per barrel) for each degree API that it falls below a reference gravity (e.g., 40° API). Thus, for example, using an "add-on" adjustment of two cents per degree and a reference gravity of 40°, the ceiling price of 24° "lower tier" California crude oil under such an amendment would be increased by 32 cents per barrel, and would then be computed as follows: the May 15, 1973 posted price, plus the amount specified in § 212.73 (currently $1.48 per barrel), plus 32 cents per barrel (40°—24°=16; 16°×$.02=$.32).

Use of such a method, would, in effect, apply a uniform per degree reduction to the actual per degree differentials that were in effect on May 15, 1973. Thus, for example, a 2 cent per degree "add-on" would operate to reduce actual May 15, 1973 per degree differentials of 8 to 12 cents to levels of 6 to 10 cents. Use of this method would tend to preserve price differences between low gravity crude oils in differential fields where those differences resulted from the application on May 15, 1973 of higher per degree gravity differentials in one field than in another.

It should also be noted that to the extent that any appropriate per degree "add-on" amount determined in this proceeding exceeded the actual May 15, 1973 per degree differential, the amendment would have the anomolous effect of providing for a per degree price "bonus" rather than "penalty" for lower gravity. Finally, it should be noted that use of a method which "adds-on" to the actual price of the gravity of crude oil concerned would avoid the need for determining a price for whatever "reference" gravity is selected for purposes of making the adjustment, in the event that there had been no price posted on May 15, 1973 for the reference gravity in the field concerned. Use of the "add-on" method would, however, permit prices to be adjusted upward to a reference gravity even in fields where there were no postings for the upper range of the gravities to which the adjustment is made. The method would therefore assume that had such postings been made, the per degree differentials for the unposted range of gravities would have been as much or more than any per degree "add-on" which may be adopted.

(b) *Second alternative.* The second method proposed would permit the per degree gravity price adjustments actually specified in May 15, 1973 postings to be replaced by a lesser specified per degree amount (e.g., 4.2 cents per degree), for purposes of the "lower tier" ceiling price rule. The adjustment by this method would be made in each instance from a reference gravity crude oil price. Thus, for example, using a "substitute differential" of 4.2 cents per degree and a reference gravity of 40°, the ceiling price for 24° "lower tier" California crude oil (for which the May 15, 1973 posted price was $3.14 per barrel, and which was produced in a field where the May 15, 1973 posted price for 40° crude oil was $4.04 per barrel) could be increased under such an amendment by 23 cents per barrel. Such a ceiling price would be computed as follows: the May 15, 1973 posted price for 40° gravity crude oil in the field concerned ($4.04 per barrel), plus the amount specified in § 212.73 (currently $1.48 per barrel), less 67 cents per barrel (40°—24°=16°; 16°×$.042=$.67), or $4.85 per barrel. The ceiling price under present regulations is the May 15, 1973 posted price for 24° gravity crude oil ($3.14 per barrel), plus the amount specified in § 212.73 (currently $1.48 per barrel), or $4.62 per barrel. Hence, under this version of a "substitute differential" amendment, the ceiling price for this particular grade of crude oil could increase 23 cents per barrel, from $4.62 to $4.85 per barrel.

Use of such a method would, in effect, simply permit all the various gravity differentials which were in effect on May 15, 1973, to be replaced by a single, uniform per degree differential. Use of this method would tend to provide relatively greater price benefits to low gravity crude oil produced in those fields where May 15, 1973 per degree differentials were higher than in other fields, and would therefore tend to equalize prices for low gravity crude oil in fields where May 15, 1973 prices for high gravity crude oil were similar.

Use of this method would not, in any event, provide for any gravity differential "bonus," since the method uniformly requires that the ceiling price for low gravity crude oil be determined by subtracting a specified amount from the price of the reference high gravity crude oil. Finally, as discussed below, use of this method presents an additional complicating factor in those instances in which there was no May 15, 1973 posted price for the reference gravity crude oil in the field concerned.

It should be noted that both methods of adjustment would continue to reflect May 15, 1973 posted price differences which existed among fields in California arising from location or quality factors other than gravity. Such price differences were in existence not only prior to the May 15, 1973 date referenced in the lower tier ceiling price regulation, but continued to be reflected in the September 30, 1975 posted prices referenced in the upper tier ceiling price regulation. Historically, location and quality have been important factors in market valuations of heavy crude oil. FEA does not, therefore, propose to adopt regulations that would prescribe uniform prices for crude oil of specified gravity, without regard to the May 15, 1973 postings which reflected price differentials attributable to factors other than gravity.

(2) CHOICE OF REFERENCE GRAVITY

In general, 40° is the highest gravity for which crude oil prices were posted on May 15, 1973, and crude oil having a gravity in excess of 40° was sold at the same price as 40° gravity crude oil. Use of 40° as the reference gravity to which or from which adjusted gravity differentials are applied would have the effect of providing the maximum price adjustment pursuant to this amendment. Studies submitted in earlier proceedings on this issue, however, indicated that the average 6.2 cents per degree differential figure was derived from a reference of 34° gravity crude oil prices, and that prices for 34° gravity crude oil in California were in relative "parity" with prices for 34° gravity crude oil in other parts of the country. To the extent that these studies are correct, there would be no apparent justification for adjustments in California crude oil prices beyond 34°. Comments are therefore requested on what the reference gravity should be and on the rationtale for selection of that gravity.

If the "substitute differential" method of adjusting gravity differentials is adopted, a further complication exists with respect to those fields for which there was no May 15, 1973 posted price for the reference gravity crude oil. In such cases, a May 15, 1973 posted price for the reference gravity crude oil could be imputed by applying the average per degree gravity differential which existed with respect to those gravities for which prices were posted, to arrive at what the posted price for the reference gravity would have been. Alternatively, the reference gravity could be limited in each case to the highest gravity for which there was a price posted on May 15, 1973 for the field concerned. Thus, for example, if the postings in the field did not specify prices for crude oil of any gravity higher than 26°, the use of a "substitute differential" would be permitted only with respect to the number of degrees gravity between 26° and the crude oil concerned.

Comments on these alternatives, or on other methods for imputing a May 15, 1973 posted price for a reference gravity crude oil are requested.

(3) AMOUNT OF THE ADJUSTED DIFFERENTIAL

The average gravity differential in California on May 15, 1973 (reflected in current old oil prices) was 6.2 cents per degree, whereas the national average gravity differential then was between 2 and 2.5 cents per degree. However, the California average differential for "upper tier" crude oil on September 30, 1975 was 4.6 cents per degree. The appropriate amount of the per degree adjusted gravity differential for lower tier oil therefore appears to be in the range of 2 to 4.6 cents per degree. A 4.6 cent differential would approximate "current relative market valuations," but would not bring California lower tier heavy crude oil prices into price parity with heavy crude oil produced in the rest of the nation. However, this may be justified on the basis that California crude oil tends to be relatively high in sulfur content, and thus of relatively lower value than lower sulfur crude oil produced in other areas of the country. FEA's tentative conclusion in this regard is that an "add-on" of 2 cents per degree would be an appropriate adjustment to May 15, 1973 gravity differentials, because it would both approximate September 30, 1975 differentials and would appropriately reflect sulfur differences between California crude oil and crude oil produced elsewhere in the United States.

Comments are therefore requested on the amount of the revised per degree gravity differential that should be provided for and on what the rationale for the selection of that amount should be.

(4) AREA OF APPLICABILITY

Although this Notice is directed principally toward gravity differentials as they existed in California on May 15, 1973, FEA understands that prices for crude oil produced in Alaska were generally determined by reference to California postings. Accordingly the amendments proposed herein are also proposed to be applicable with respect to lower tier crude oil produced in Alaska.

Comments are requested as to whether application of the proposed amendments in Alaska is appropriate and as to whether circumstances warranting similar treatment exist elsewhere in the United States.

(5) GENERAL COMMENTS

Comments are requested generally as to the adequacy of the proposed amendments for purposes of achieving appropriate adjustments in gravity price differentials in accordance with the entent of section 122 of the ECPA, and as to whether other or additional amendments may be necessary or appropriate to carry out that intent.

IV. WRITTEN COMMENT PROCEDURES

Interested persons are invited to participate in this rulemaking by submitting data, views or arguments with respect to the proposals set forth in this notice to Executive Communications, Room 3309, Federal Energy Administration, Box JA, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to FEA Executive Communications with the designation "Heavy Crude Oil Gravity Price Differentials." Fifteen copies should be submitted. All comments received Tuesday, October 5, 1976, before 4:30 p.m., e.s.t., will be considered by the Federal Energy Administration before final action is taken on the proposed regulations.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

V. PUBLIC HEARINGS

Public hearings in this proceeding will be held in Washington, D.C. and in the State of California, in San Francisco.

1. NATIONAL HEARING

The Washington, D.C. hearing (the "National hearing") will be held beginning at 9:30 a.m., e.s.t., on October 6, 1976, in Room 2105, 2000 M Street, NW., Washington, D.C. 20461, in order to receive comments from interested persons on the matters set forth herein. Any person who has an interest in the proposals issued today, or who is a representative of a group or class of persons that has an interest in today's proposals may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, and must be received before 4:30 p.m., e.s.t., on Monday, September 27, 1976. Such a request may be hand delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. Requests should be submitted in accordance with the "Request Procedures" set forth below.

2. CALIFORNIA HEARING

The San Francisco, California hearing will be held at 9:30 a.m., local time, October 13, 1976 at the location specified below. Any person who has an interest in this proceeding or who is a representative of a group or class of persons that has an interest may make a written request for an opportunity to make an oral presentation. Such a request should be directed to FEA at the address given below and in accordance with the "Request Procedures" set forth below.

Submit requests to testify to:
Federal Energy Administration, Region IX, Director, Congressional and Intergovernmental Relations, 111 Pine Street, San Francisco, California 94111.

Hearing location:
Environmental Protection Agency, Conference Room C, 100 California Street, San Francisco, California.

3. REQUEST PROCEDURES

The following request procedures are applicable to both the National and California Hearings. Persons requesting an opportunity to make an oral presentation should submit their written requests to the appropriate address for the region in which they wish to appear. Requests should be labeled both on the document and on the envelope with the designation "Heavy Crude Oil Gravity Price Differentials."

The person making the request should be prepared to describe the interest concerned, if appropriate, to state why he is proper representative of a group or class of persons that has such an interest, and to give a concise summary of the proposed oral presentation and a phone number where he may be contacted through Tuesday, October 5, 1976. Each person selected to be heard will be so notified by the FEA before 4:30 p.m., Wednesday, September 29, 1976, and must submit 100 copies of his statement to Regulations Management, Room 2214, 2000 M Street, N.W., Washington, D.C. 20036, before 4:00 p.m., e.s.t., on Tuesday, October 5, 1976 for the National Hearing, and to the location of the hearing on the day the statement is scheduled to be presented, for the California Hearing.

4. HEARING PROCEDURES

The FEA reserves the right to select the persons to be heard at these hearings, to schedule their respective presentations, and to establish the procedures governing the conduct of the hearings. The length of each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearings. These will not be judicial or evidentiary-type hearings. Questions may be asked only by those conducting the hearings, and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearings will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any person who wishes to ask a question at the National or California hearing may submit the question, in writing, to the presiding officer. The presiding officer will determine whether the question is relevant and whether the time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearings will be announced by the presiding officer.

A transcript of the hearings will be made and the entire record of the hearings, including the transcript, will be retained by the FEA and made available for inspection at the Freedom of Information Office, Room 2107, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through

Friday. Any person may purchase a copy of the transcript from the reporter.

As required by section 7(c)(2) of the Federal Energy Administration Act of 1974, Pub. L. 93-275, a copy of the July 1975 notice of proposed rulemaking regarding heavy California crude oil differentials (40 FR 28637, July 8, 1975) was submitted to the Administrator of the Environmental Protection Agency for his comments concerning the impact of that proposal on the quality of the environment. The Administrator had no comments on that proposal (40 FR 28638).

Therefore, since this further notice of proposed rulemaking to provide for the adjustment of gravity price differentials is within the scope of the earlier proposal, the EPA Administrator's position with respect to that proposal of July 1975 applies to this further notice. (Nevertheless, FEA sent to the Administrator of EPA notice of FEA's intended action, and EPA responded that it had no comments with respect to this further proposal.)

Furthermore, the July 1975 proposal was reviewed in accordance with Executive Order 11821, issued November 27, 1974, and was determined to be of a nature not requiring an evaluation of its inflationary impact (40 FR 28638, July 8, 1975). This further notice of proposed rulemaking to provide for the adjustment of gravity price differentials is within the scope of the July 1975 proposal, and is also not of a nature which requires an evaluation of its inflationary impact pursuant to Executive Order 11821.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, as amended, Pub. L. 93-511, Pub. L. 94-99, Pub. L. 94-133, Pub. L. 94-163, and Pub. L. 94-385; Federal Energy Administration Act of 1974, Pub. L. 93-275, as amended, Pub. L. 94-385; Energy Policy and Conservation Act, Pub. L. 94-163, as amended, Pub. L. 94-385; E.O. 11790, 39 FR 23185.)

In consideration of the foregoing, Part 212 of Chapter II Title 10 of the Code of Federal Regulations is proposed to be amended as set forth below, effective October 1, 1976

Issued in Washington, D.C., September 10, 1976

MICHAEL F. BUTLER,
General Counsel,
Federal Energy Administration.

PROPOSAL I

Section 212.73 is proposed to be amended by revising paragraph (b) and adding a new paragraph (c) to read as follows:

§ 212.73 Lower tier ceiling price rule.

* * * * *

(b) *Lower tier ceiling price determination other than in Alaska and California.* The ceiling price for a particular grade of domestic crude oil in a particular field other than in Alaska or California is the sum of: (1) The highest posted price at 6 a.m., local time, May 15, 1973, for that grade of crude oil at that field, or if there was no posted price in that field for that grade of domestic crude oil, the related price for that grade of domestic crude oil which is most similar in kind and quality at the nearest field for which prices were posted; plus (2) $1.35 per barrel.

(c) *Lower tier ceiling price determination in Alaska and California.* In Alaska and California, the ceiling price for a particular grade of domestic crude oil in a particular field is the sum of: (1) The highest posted price at 6 a.m., local time, May 15, 1973, for that grade of crude oil at that field, or if there was no posted price in that field for that grade of domestic crude oil, the related price for that grade of domestic crude oil which is most similar in kind and quality at the nearest field for which prices were posted; plus (2) $.135 per barrel; plus (3) __ cents for each degree API gravity that the domestic crude oil being offered for sale is below __ degrees API gravity.

PROPOSAL II

Section 212.73 is proposed to be amended by revising paragraph (b) and adding a new paragraph (c) to read as follows:

§ 212.73 Lower tier ceiling price rule.

* * * * *

(b) *Lower tier ceiling price determination other than in Alaska and California.* The ceiling price for a particular grade of domestic crude oil in a particular field other than in Alaska or California is the sum of: (1) The highest posted price at 6 a.m., local time, May 15, 1973, for that grade of crude oil at that field, or if there was no posted price in that field for that grade of domestic crude oil, the related price for that grade of domestic crude oil which is most similar in kind and quality at the nearest field for which prices were posted; plus (2) $1.35.

(c) *Lower tier ceiling price determination in Alaska and California.* In Alaska and California, the ceiling price for a particular grade of domestic crude oil in a particular field is the sum of: (1) The highest posted price for crude oil of the highest degree API gravity for which a price was posted in that field at 6 a.m., local time, May 15, 1973, or, if there was no posted price in that field, the highest posted price for crude oil of the highest degree API gravity for which a price was posted at 6 a.m., local time, May 15, 1973 in the nearest field which produced crude oil which was similar in kind and quality; plus (2) A maximum of $1.35 per barrel, minus (3) A reduction of __ cents per degree API gravity for each degree API gravity that the crude oil being offered for sale is below the API gravity of the highest API gravity crude oil for which a price was posted.

[FR Doc.76-27036 Filed 9-10-76;4:52 pm]

[10 CFR Part 212]

PASSTHROUGH OF INCREASED NON-PRODUCT COSTS BY REFINERS BEFORE FEBRUARY 1, 1976

Extension of Time for FEA Publication of Data and Extension of Time for Public Hearing

On August 3, 1976 the Federal Energy Administration issued a Notice of Proposed Class Exception and Public Hearing regarding passthrough of increased non-product costs by refiners before February 1, 1976 (41 FR 33282, August 9, 1976).

That notice stated that FEA would aggregate and publish cost data pertinent to the proceeding (requested from participants by FEA in the August 3 notice) on about September 6, 1976; that requests to participate must be received by FEA by Monday, September 13, 1976; that questions to be asked of participants must be received by Thursday, September 16, 1976; and that the public hearing would be held on Tuesday, September 21, 1976 and continued on September 22, 1976, if necessary.

Because of delays in submission of the data by participants and in FEA's analysis, the original time schedule cannot be met. FEA anticipates publishing the data shortly and hereby gives notice of a revised time schedule for the public hearing.

The public hearing regarding the proposed class exception will be held at 9:30 a.m., e.d.s.t., on Wednesday, October 13, 1976, and will be continued, if necessary, on Thursday, October 14, 1976, in Room 2105, 2000 M Street, NW., Washington, D.C. 20461, in order to receive comments from interested persons.

Data, views or arguments with respect to the proposed class exception should be submitted to Executive Communications, Room 3309, Federal Energy Administration, Box IC, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to FEA Executive Communications with the designation "Passthrough of Increased Non-Product Costs by Refiners Before February 1, 1976." Fifteen copies should be submitted. All comments received by Thursday, October 7, 1976, before 4:30 p.m., e.d.s.t., will be considered by the Federal Energy Administration before final action is taken on the proposed exception.

Written requests for an opportunity to make oral presentation should be directed to Executive Communications, FEA, and must be received before 4:30 p.m., e.d.s.t., on Thursday, September 30, 1976. Such a request may be hand delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The person making the request should give a concise summary of the proposed oral presentation and a phone number where he may be contacted through Tuesday, October 12, 1976. Each

person selected to be heard will be so notified by the FEA before 4:30 p.m., e.d.s.t., Monday, October 4, 1976 and must submit 100 copies of his statement to FEA, Regulations Management, Room 2214, 2000 M Street, N.W., Washington, D.C. 20461, before 4:30 p.m., e.d.s.t., on Friday, October 8, 1976.

Any interested person may submit questions to be asked of any person making a statement at the hearings, to Executive Communications, FEA, before 4:30 p.m., e.d.s.t., Friday, October 8, 1976.

Issued in Washington, D.C., September 10, 1976.

MICHAEL F. BUTLER,
General Counsel,
Federal Energy Administration.

[FR Doc.76-27035 Filed 9-10-76;4:52 pm]

FEDERAL TRADE COMMISSION

[16 CFR Part 455]

SALE OF USED MOTOR VEHICLES

Final Notice of Proposed Trade Regulation Rulemaking Proceeding

On January 6, 1976, the Commission published in the FEDERAL REGISTER (41 FR 1089) an initial notice proposing a trade regulation rule relating to the Sale of Used Motor Vehicles pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., the provisions of Part 1, Subpart B of the Commission's procedures and rules of practice (hereinafter rules of practice), 16 CFR 1.7, et seq., and 553 of Subchapter II, Chapter 5, Title 5 of the U.S. Code (Administrative Procedure). The Presiding Officer, by notice in the FEDERAL REGISTER, March 10, 1976, (41 FR 10233), extended the time for proposing disputed issues of fact from March 8, 1976 to June 7, 1976. On May 21, 1976, the Commission published an additional notice in the FEDERAL REGISTER (41 FR 20896), which expanded the areas of comment in the proceeding, posing three additional questions on which it elicited public response. The Commission also extended the time for proposing disputed issues of fact from June 7, 1976 to June 23, 1976. On June 24, 1976, the Presiding Officer by notice in the FEDERAL REGISTER (41 FR 26032) further extended the time for proposing disputed issues of fact from June 23, 1976 to July 23, 1976. A Commission staff report in support of the proposed rule was placed in the public record of this proceeding and is available for examination by interested persons at the Division of Legal and Public Records, Federal Trade Commission, Washington, D.C.

Pursuant to the authority above and more specifically to the authority of § 1.12 of the rules of practice the undersigned duly appointed Presiding Officer gives Final Notice of proposed rulemaking. The contents of the initial notice, which includes the proposed rule, are incorporated by reference.

NOTICE TO INTERESTED PERSONS

A. WRITTEN COMMENTS

All interested persons are hereby notified that they may continue to submit written data, views and arguments on any issue of fact, law, and policy having some bearing upon the proposed rule. The scope of these written comments is not restricted to the designated issues set forth below in Section D. Parties may comment on any aspect of the proposed rule. Such comments should be submitted to James P. Greenan, Presiding Officer, Federal Trade Commission, Washington, D.C. no later than October 22, 1976. To assure prompt consideration comments should be identified as "Used Motor Vehicle Comments" and submitted, when feasible and not burdensome, in five copies. Comments previously submitted in response to the initial notice have been placed in the public record and need not be resubmitted.

B. PUBLIC HEARINGS: DATES AND LOCATIONS

Notice is also given that public hearings on the proposed rule will be held at the locations set forth below, commencing on the date and time specified at each location:

1. Public hearing will begin on December 6, 1976, at 9:30 a.m. in Boston, Massachusetts:

Room 307, John Fitzgerald Kennedy Federal Building, Government Center, Boston, Massachusetts.

Persons desiring to present their views orally in Boston should so inform the Commission's representative listed below not later than November 15, 1976:

Arthur Levine, 617-223-6221, 1301 Analex Building, 150 Causeway, Boston, Massachusetts 02114.

2. Public hearing will begin on January 10, 1977, at 9:30 a.m. in Cleveland, Ohio.

31st Floor, Celebrezze Federal Office Building, 1240 East 9th Street, Cleveland, Ohio.

Persons desiring to present their views orally in Cleveland should so inform the Commission's representative listed below not later than December 20, 1976:

Sharon Devine, Esq., 216-293-4207, Federal Trade Commission, 1339 Celebrezze Federal Office Building, 1240 East 9th Street, Cleveland, Ohio 44199.

3. Public hearing will begin on February 7, 1977, at 9:30 a.m. in Dallas, Texas:

Federal Trade Commission, Suite 2665, 2001 Bryan Street, Dallas, Texas.

Persons desiring to present their views orally in Dallas should so inform the Commission's representative listed below not later than January 17, 1977:

Andrew Armstrong, 214-749-3056, Federal Trade Commission, Suite 2665, 2001 Bryan Street, Dallas, Texas 75201.

4. Public hearing will begin on March 7, 1977 at 9:30 a.m. in Los Angeles, California:

Room 13112, Federal Building, 11000 Wilshire Boulevard, Los Angeles, California.

Persons desiring to present their views orally in Los Angeles should so inform the Commission's representative listed below not later than February 14, 1977:

Jesus Martinez, 213-799-7575, Federal Trade Commission, 13209 Federal Building, 11000 Wilshire Boulevard, Los Angeles, California 90024.

5. Public hearing will begin on March 28, 1977, at 9:30 a.m. in San Francisco, California:

Room 12138 Federal Building, 450 Golden Gate Avenue, San Francisco, California.

Persons desiring to present their views orally in San Francisco should so inform the Commission's representative listed below not later than March 7, 1977:

George K. Choi, 415-556-1270, Federal Trade Commission, 450 Golden Gate Avenue, San Francisco, California 94102.

6. Public hearing will begin on April 25, 1977, at 9:30 a.m. in Washington, D.C.:

Room 332, Federal Trade Commission Building, Pennsylvania Avenue at 6th Street, NW., Washington, D.C.

Persons desiring to present their views orally in Washington, D.C. should so inform the Commission's representative listed below not later than April 4, 1977:

Matthew Daynard, Esq., 202-523-3400, Room 282, Federal Trade Commission, 6th & Pennsylvania Ave., NW., Washington, D.C. 20580.

C. INSTRUCTIONS FOR WITNESSES

Persons wishing to deliver statements at the public hearings are required to file the full text of the oral presentation with the designated Commission representative at the location where the statements are to be delivered no later than the date indicated in Section B of this Notice. Members of interested groups are encouraged to make their views known through oral presentations by group representatives. If at all possible, witnesses should furnish five copies of their statements.

Any witness not intending to deliver a full text of his or her oral presentation in advance is required to file a written comprehensive outline of the statement to be presented with the designated Commission representative at the location of the appropriate public hearing no later than the date indicated in Section B of this Notice.

The full text of the oral presentation or the outline of such presentation must include a statement of each important fact, observation, conclusion and opinion that the party anticipates presenting and must indicate the basis for each conclusion and opinion, insofar as possible. In the event that the written outline submitted is not sufficiently detailed or factual, the Presiding Officer retains the authority to require the full text of the oral presentation in lieu of the written outline.

Advance submittal of the full text of the oral presentations or outlines of such presentations and exhibits is required to apprise other interested parties of the contents of expected statements so that they may determine the need for examination, including cross-examination, or rebuttal submissions. Thus it is extremely important that advance submissions of prepared statements or written comprehensive outlines be sufficiently detailed to give fair notice of the scope of the witnesses' oral presentation and the basis for assertions and conclusions. Such submittals will be made available for viewing by the Commission representatives designated in Section B, above, at the location where the witness intends to appear and will also be placed on the public record in Washington, D.C.

Expert witnesses must attach to their oral statements or outlines of such statements a curriculum vitae, biographical sketch or summary of their professional background and a bibliography of their publications. If other witnesses have available curriculum vitae or similar background information it should be provided.

The Presiding Officer retains the authority to require that the full text of any oral presentation or comprehensive outline of the statement be submitted in writing in advance of presentation and to deny the right to present an oral statemnet to any person who fails to file a full text of the presentation or outline in accordance with the requirements of this Section C.

The use of exhibits in connection with oral presentations is encouraged, especially when such exhibits serve to clarify technical or complex presentations. A prospective witness who plans to introduce documents or other written evidence as exhibits to his or her statement must furnish such documents or written evidence, properly identified with the witness' name and sequential number, e.g., Jones Exhibit 1. Exhibits should be filed as soon as possible during the general comment period in order that they may be studied by interested persons. In any event, such exhibits must be submitted no later than the same date and at the same locations set out above for the filing of expected oral presentations unless for good cause shown, it can be demonstrated why the exhibits could not be timely submitted. The Presiding Officer reserves the right to exclude exhibits presented in the course of oral presentation if, in his judgment, such exhibits could have been submitted by the deadline.

Witnesses may discuss any question of fact, law, and policy, relevant to the proposed rule and, in this regard, the usual rules of evidence applicable to litigated proceedings will not apply. A witness' oral presentation will not be limited to designated issues of fact set forth below in Section D. However, all prospective witnesses are advised that to the extent their oral statements may bear upon any of the designated issues, they may be subject to limited cross-examination as to those issues by representatives of other interested parties, as designated by the Presiding Officer on behalf of such parties, or to direct rebuttal submissions. All witnesses will be subject to direct examination by the Presiding Officer and, subject to his control, to examination by such interested parties as he may within his discretion permit. These are informal rulemaking hearings and as a general rule courtroom rules of evidence and procedure do not apply. Witnesses will not be under oath unless the Presiding Officer expressly so provides.

Reasonable limitations upon the length of time allotted to any person may be imposed and these time periods may vary from witness to witness, depending upon all the circumstances, including the needs of each witness, the complexity of the expected oral presentation, the number of parties represented by each witness and the cumulative nature of expected oral presentations. Witnesses will be expected to stay within the time allotted for their remarks, and the Presiding Officer may allocate additional time for questioning. As a general rule, witnesses are expected to confine their remarks to twenty minutes or less, unless an exception has been made, and to develop their statements as greater length through their written submissions.

D. DESIGNATED ISSUES

Set forth below are the issues which the Presiding Officer has determined to designate under § 1.13(d)(1) of the rules of practice as issues to be considered in accordance with § 1.13(d)(5) and (6) of the rules of practice. Oral statements with respect to these issues may entitle designated representatives or other interested parties to conduct or have conducted such examination including cross-examination, as the Presiding Officer may determine to be appropriate and required for a full and true disclosure with respect to any issue so designated. In the alternative, the Presiding Officer may determine that full and true disclosure as to any issue may be achieved through rebuttal submissions or the presentation of additional oral or written statements.

The Presiding Officer may at any time on his own motion or pursuant to a written petition by an interested party, add to or modify any issue listed. No such petition shall be considered unless good cause is shown why such issue was not proposed during the time specified in the Initial Notice.

The Presiding Officer has designated the following disputed issues of fact as material and necessary to resolve:

General Issues

1. Taking into consideration the subject matter of the proposed Rule, what are the sales techniques generally employed by used motor vehicle dealers in connection with the offering for sale and/or sale of used motor vehicles?

2. Do used motor vehicle dealers have access to or knowledge of information concerning the mechanical condition of used motor vehicles which they offer for sale? Do they have access to or knowledge of information concerning the prior history of used motor vehicles which they offer for sale?

3. Are used motor vehicles purchased by consumers without full knowledge of the mechanical condition of such vehicles or without full knowledge of the history of such vehicles? Are such vehicles purchased by consumers without full knowledge of the seller's responsibility for making repairs after sale?

4. When purchasing used motor vehicles, do consumers, because of lack of mechanical knowledge, the appearance of vehicles offered for sale or their infrequent purchasing experience, place reliance on the representations of the used motor vehicle dealer?

5. Have dealers, in connection with the sale of used motor vehicles, misrepresented or failed to disclose to purchasers prior to sale material facts concerning the mechanical condition or the history of such vehicles, or the seller's responsibility for making repairs after sale?

6. As a consequence of any misrepresentation of or failure to disclose material facts relating to mechanical defects or the prior history of used motor vehicles, or the seller's responsibility to make repairs to such vehicles, have purchasers expended substantial sums of money for repairs to the vehicles after sale?

7. What will be the economic effects on consumers and on used motor vehicle dealers if disclosures of information based on the subject matter of this proposal are adopted by the Commission?

8. Will disclosures of information based on the subject matter of the Commission's proposal be of significant assistance to consumers in generally assessing the nature or extent of prior use and care as well as the potential mechanical performance and reliability of used motor vehicles which are offered for sale?

9. Will disclosures of information based on the subject matter of the Commission's proposal enable prospective purchasers of used motor vehicles to determine the extent of the seller's responsibility for making repairs to such vehicles after sale?

Issues Related to § 455.1

10. Do the interests of consumers or of those engaged in the distribution or sale of used motor vehicles warrant a change in the definition of "Used Motor Vehicle Dealer" in § 455.1(b) of the proposed rule? If so, what should be the nature of such a change?

11. Do the interests of consumers or of those engaged in the distribution or sale of used motor vehicles warrant a change in the definition of "Motor Vehicle" in § 455.1(c) of the proposed rule? If so, what should be the nature of such a change?

Issues Related to § 455.2

12. Does failure to disclose that a used motor vehicle was previously used, owned or leased by a commercial or governmental entity and the nature of the principal prior use of such vehicle, as required by § 455.2(d), mislead consumers as to

facts material to them in making a decision on whether to purchase the particular used motor vehicle?

13. Are consumers misled as to the prior use and care or the mechanical performance and reliability of used motor vehicles which are offered for sale after reconditioning, when the fact that reconditioning has occurred is not disclosed? (§ 455.2(e))

E. NOTIFICATION OF INTEREST AND REQUESTS FOR CROSS-EXAMINATION RIGHTS

Interested persons who desire to avail themselves of the procedures described in Section D with respect to designated issues, e.g., examination, cross-examination, must notify the Presiding Officer not later than October 5, 1976, in writing of their particular interest with respect to each issue designated, including a general statement of their position with respect to each such issue. If you have no interest or position as to a particular issue, merely indicate "No Interest". Such interested persons must specifically request to participate in examination and cross-examination of witnesses. Requests to examine, including cross-examine, or to present rebuttal submissions shall be accompanied by a specific justification therefor. Notifications should be labeled "Used Motor Vehicle Notifications" so that they may be considered promptly. In the event new issues are added, interested persons must promptly notify the Presiding Officer of their particular interest with respect to each such issue in the same manner. The Presiding Officer retains the authority to refuse parties the opportunity to avail themselves of the procedure described in Section D if they fail to comply with the notification requirements of this Section E.

Before the hearings begin, the Presiding Officer will identify groups of persons with the same of similar interests in the proceeding. Such groups will be required to select a single representative for the purpose of examination, including cross-examination and, if unable to agree, the Presiding Officer may select a representative of each such group. Any member of a group who is unable to agree upon group representation after good faith effort to do so, and who seeks to present substantial and relevant issues which will not be adequately presented by the group representative, may be allowed to conduct or have conducted any examination, including cross-examination or rebuttal submission, to which he is entitled on issues designated in Section D.

F. SUMMARY OF DATES

1. All written comments: October 22, 1976.
2. Notification of Interest: October 5, 1976.
3. Witnesses' prepared statements (or comprehensive outlines) and exhibits for: (a) Boston hearing—November 15, 1976; (b) Cleveland hearing—December 20, 1976; (c) Dallas hearing—January 17, 1977; (d) Los Angeles hearing—February 14, 1977; (e) San Francisco hearing—March 7, 1977; (f) Washington, D.C. hearing—April 4, 1977.
4. Hearing dates: (a) Boston, Massachusetts—December 6, 1976; (b) Cleveland, Ohio—January 10, 1977; (c) Dallas, Texas—February 7, 1977; (d) Los Angeles, California—March 7, 1977; (e) San Francisco, California—March 28, 1977; (f) Washington, D.C.—April 25, 1977.

Issued: September 9, 1976.

JAMES P. GREENAN,
Presiding Officer.

[FR Doc.76-27014 Filed 9-14-76;8:45 am]

VETERANS ADMINISTRATION

[38 CFR Part 2]

OFFICE OF THE GENERAL COUNSEL

Delegations of Authority

It is proposed to make minor changes to § 2.6(e), Title 38, Code of Federal Regulations.

The revisions reflect the organizational change that placed District Counsels (formerly Chief Attorneys) under the General Counsel. The revisions also correct references to gender.

The revisions implement Pub. L. 93-455 (88 Stat. 1381) which increases the settlement authority of the General Counsel, Deputy General Counsel, and those authorized to act for them under 31 U.S.C. 241 from $6,500 to $15,000. The authority to carry out the provisions of section 4116(e) of title 38, United States Code, is delegated to the General Counsel, Deputy General Counsel and the Assistant General Counsel (Professional Staff Group I). The revisions also provide for specific authority to the General Counsel, Deputy General Counsel, and those authorized to act for them to conduct investigations, examine witnesses, etc. and to countersign VA Form 4505.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C. 20420. All relevant material received before October 15, 1976, 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 also given that it is proposed to make this regulation effective the date of final approval.

In § 2.6, paragraph (e) is revised to read as follows:

§ 2.6 Administrator's delegations of authority to certain officials (38 U.S.C. 212(a)).

Employees occupying or acting in the positions designated below are delegated authority as indicated:

* * * * *

(e) *General Counsel.* (1) Under the Federal Tort Claims Act, pursuant to the provisions of 28 U.S.C. 2672, authority is delegated to the General Counsel, Deputy General Counsel and Assistant General Counsel, or those authorized to act for them, to:

(i) Consider, ascertain, adjust, determine, compromise, and settle any claim accruing on and after January 18, 1967, and asserted under the Federal Tort Claims Act, as amended by Pub. L. 89-506 (80 Stat. 306): *Provided*, That any award, compromise, or settlement in excess of $25,000 shall be effected only with the prior written approval of the Attorney General or designee.

(ii) Execute an appropriate voucher and other necessary instruments in connection with final disposition of claims within their settlement authority, and to execute an appropriate voucher in connection with claims compromised by the Attorney General pursuant to 28 U.S.C. 2677, and to determine whether such claims meet the criteria, "potentially subject to the offset provisions of 38 U.S.C. 351," for the purpose of the last clause under the heading, Veterans Administration "Compensation and Pensions," in the Independent Offices Appropriation Act.

(iii) Authority delegated to the General Counsel may be redelegated by the General Counsel to selected District Counsels or those authorized to act for them.

(2) Under the provisions of 38 U.S.C. 236, the General Counsel, Deputy General Counsel, Assistant General Counsel and District Counsel, or those authorized to act for them, are authorized to consider, ascertain, adjust, determine, and settle tort claims cognizable thereunder and to execute an appropriate voucher and other necessary instruments in connection with the final disposition of such claims.

(3) Under the provisions of "The Federal Medical Care Recovery Act," 42 U.S.C. 2651, et seq. (as implemented by Part 43, Title 28, Code of Federal Regulations), authority is delegated to the General Counsel, Deputy General Counsel, Assistant General Counsel, Deputy Assistant General Counsel and District Counsel, or those authorized to act for them, to collect in full, compromise, settle, or waive any claim and execute the release thereof; however, claims in excess of $20,000 may be compromised, settled, or waived only with the prior approval of the Department of Justice.

(4) Under the Federal Claims Collection Act of 1966, 31 U.S.C. 951, et seq., authority is delegated to the General Counsel, Deputy General Counsel, Assistant General Counsel, Deputy Assistant General Counsel, and District Counsel or those authorized to act for them, to:

(i) Make appropriate determinations with respect to the litigative probabilities of a claim (§ 1.932 of this chapter), the legal merits of a claim (§ 1.942(e) of this chapter), and any other legal considerations of a claim.

(ii) Collect in full a claim involving damage to or loss of Government property under the jurisdiction of the Veterans Administratioin resulting from negligence or other legal wrong of a person (other than an employee of the Government while acting within the scope

of his or her employment) and to compromise, suspend or terminate any such claim not exceeding $20,000.

(iii) Collect a claim in full from a third party or legal entity who is liable for the cost of hospital, medical, surgical, or dental care and treatment of a person, and to compromise, suspend, or terminate any such claim not exceeding $20,000.

(iv) The delegations of authority set forth in paragraph (e)(4)(ii) and (iii) of this section do not apply to the handling of any claim as to which there is an indication of fraud, the presentation of a false claim or misrepresentation on the part of the debtor or any other party having an interest in the claim, or to any claim based in whole or in part on conduct in violation of the antitrust laws. Such cases will be considered by the General Counsel, who will make the determination in all instances as to whether the case warrants referral to the Department of Justice. The delegations of authority are applicable to those claims where the Department of Justice determines that action based upon the alleged fraud, false claim, or misrepresentation is not warranted.

(5) Pursuant to the provisions of the Military Personnel and Civilian Employees' Claims Act of 1964, 31 U.S.C. 241, the General Counsel, Deputy General Counsel, Assistant General Counsel, Deputy Assistant General Counsel, and District Counsel or those authorized to act for them, are authorized to settle and pay a claim for not more than $15,000 made by a civilian officer or employee of the Veterans Administration for damage to, or loss of, personal property incident to his or her service occurring subsequent to August 31, 1964.

(6) Authority is delegated to the General Counsel or designee to make the final decision on complaints of discrimination on grounds of race, color, religion, sex, or national origin brought by an aggrieved employee or qualified applicant for employment in the Veterans Administration.

(7) Under the provisions of 38 U.S.C. 4116(e), authority is delegated to the General Counsel, Deputy General Counsel, and the Assistant General Counsel (Professional Staff Group I) to hold harmless or provide liability insurance for any person to whom the immunity provisions of section 4116 apply, for damage for personal injury or death, or for property damage, negligently caused by such person while furnishing medical care or treatment in the exercise of his or her duties in or for the Department of Medicine and Surgery, if such person is assigned to a foreign country, detailed to State or political division thereof, or is acting under any other circumstances which would preclude the remedies of an injured third person against the United States, provided by sections 1346(b) and 2672 of title 28, United States Code, for such damage or injury.

(8) The General Counsel, Deputy General Counsel, and those authorized to act for them, are authorized to conduct investigations, examine witnesses, take affidavits, administer oaths and affirmation, and certify copies of public or private documents on all matters within the jurisdiction of the General Counsel. Pursuant to the provisions of § 2.2(c), the General Counsel, Deputy General Counsel, and those authorized to act for them, are authorized to countersign VA Form 4505.

(9) All authority delegated in this paragraph to District Counsels will be exercised by them under the supervision of and in accordance with instructions issued by the General Counsel.

Approved: September 9, 1976.

By direction of the Administrator

ODELL W. VAUGHN,
Deputy Administrator.

[FR Doc.76-27010 Filed 9-14-76;8:45 am]

[38 CFR Parts 13, 14]

LEGAL SERVICES

Proposed Regulatory Development

It is proposed to revise Part 14 to consolidate regulations dealing with responsibilities of the District Counsels (formerly Chief Attorneys) with the regulations dealing with General Counsel operations. They limit the involvement of the District Counsel in fiduciary and guardianship matters to pure legal activities and to implement changes to § 2.6(e), Title 38, Code of Federal Regulations, which increased the delegated authority of District Counsels.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C. 20420. All relevant material received before October 15, 1976, 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 also given that it is proposed to make these regulations effective the date of final approval.

Approved: September 9, 1976.

By direction of the Administrator.

ODELL W. VAUGHN,
Deputy Administrator.

§§ 13.400, 13.401 and 13.402 [Revoked]

1. In Part 13, §§ 13.400, 13.401 and 13.402 are revoked.

2. In Part 14, §§ 14.500 through 14.504 are revised and §§ 14.505, 14.506 and 14.507 are added so that the added and revised material reads as follows:

§ 14.500 Functions and responsibilities of General Counsel.

The General Counsel is responsible to the Aministrator for the following:

(a) All litigation arising in, or out of, the activities of the Veterans Administration or involving any employee thereof in his or her official capacity.

(b) All interpretative legal advice involving construction or application of laws, including statutes, regulations, and decisional as well as common law.

(c) All legal services, advice and assistance required to implement any law administered by the Veterans Administration.

(d) All delegations of authority and professional guidance required to meet these responsibilities.

(e) Maintenance of a system of field offices capable of providing legal advice and assistance to all Veterans Administration field installations and acting for the General Counsel as provided by Veterans Administration Regulations and instructions, or as directed by the General Counsel in special cases. This includes cooperation with U.S. Attorneys in all civil and criminal cases pertaining to the Veterans Administration and reporting to the U.S. Attorneys, as authorized, or to the General Counsel, or both, criminal matters coming to the attention of the District Counsel.

(f) Other matters assigned.

§ 14.501 Functions and responsibilities of District Counsels.

(a) Functions and responsibilities of the District Counsels are those set forth in this part and all other matters assigned by the General Counsel.

(b) In any matter within the jurisdiction of the General Counsel, delegated or otherwise assigned, the District Counsel and designated staff attorneys are authorized to conduct investigations, examine witnesses, take affidavits, administer oaths and affirmations and certify copies of public or private documents.

(c) The District Counsel is authorized to, and shall, under the guidance of the General Counsel, provide legal services, advice and assistance to Veterans Administration installations within the district assigned. In any area of regulatory, assigned or delegated responsibility, the District Counsel may delegate to staff members or other Veterans Administration attorneys authority to perform, to the extent specified, any legal function under the professional direction of the District Counsel. Conversely, the District Counsel may modify, suspend or rescind any authority delegated hereunder.

(d) The District Counsel is authorized to cooperate with affiliated organizations, legislative committees, and with local and State bar associations to the end that any State law deficiencies relating to Veterans Administration operations may be removed. No commitment as to proposed legislation will be made without the approval of the General Counsel.

(e) In any case wherein the District Counsel is authorized to take legal action and payment of costs and necessary

expenses incident thereto are involved, the department requesting such action will pay such cost and expenses. Where it is impractical for the District Counsel to perform the legal service because of cost, distance, etc., the customary fee for the service rendered by a local attorney employed by the District Counsel will be borne by the department requesting such action.

§ 14.502 Requests for legal opinions from Central Office.

Requests for formal legal advice, including interpretation of law or regulations, shall be made only by the Administrator, the Deputy Administrator, Associate Deputy Administrator, Assistant Deputy Administrator, and the department head or top staff official having jurisdiction over the particular subject matter, or by a subordinate acting for any such official.

§ 14.503 Requests for legal advice and assistance in other than domestic relations matters.

(a) Requests from administrative officials in the field for legal advice or assistance will be addressed to the appropriate District Counsel and will be in writing if requested by the District Counsel. Questions regarding insurance activities at St. Paul and Philadelphia should be referred to the District Counsel at the respective station. Except as to matters referred to in § 14.504(b), the District Counsel's authority to render legal advice and assistance shall extend to the release (unless otherwise instructed by the General Counsel), without prior approval of the General Counsel, of opinions on all legal questions which are either:

(1) Wholly controlled by the interpretation or application of the laws of the State or States in the district office area, or

(2) Covered by Veterans Administration precedents and opinions of the General Counsel which the District Counsel knows to be currently authoritative on the issues involved.

In cases covered by § 14.504(b) and all others not included in paragraph (a) (1) or (2) or paragraph (b) of this section, the District Counsel will prepare a tentative opinion (including identification of the benefit sought) and forward it to the General Counsel for review. When it is returned, the District Counsel will conform the opinion (if necessary) to the views of the General Counsel, and release it to the requesting official. The District Counsel may release any modified opinion as the opinion of the General Counsel.

(b) The District Counsel may submit to the General Counsel any legal question, opinion, or question pertinent to legal functions, upon which the views or advice of the General Counsel are desired. This request should set forth the special circumstances, contain a statement of the legal implications involved (including any Veterans Administration benefits claimed), set forth the facts out of which they arise, and cite any statutes or court decisions readily available, regulations, related opinions of the General Counsel and other matters deemed pertinent, with appropriate discussion. If any department will be affected, a copy of the reply will be forwarded to that department head.

§ 14.504 Domestic relations questions, authority and exceptions.

(a) District Counsels have the same authority with respect to domestic relations questions as they do with respect to matters covered by § 14.503 except as specifically excluded by the provisions of paragraph (a) of that section.

(b) In the following instances the District Counsel, regardless of whether State law is wholly controlling or a Veterans Administration precedent is available, will prepare a tentative opinion, researched as completely as possible with reasonably availability facilities, and forward two copies thereof directly to the General Counsel for review and disposition (as provided in § 14.503 respecting other than domestic relations matters):

(1) Where it is not clear under applicable State law (i) whether the marriage of a veteran's child or the remarriage of a veteran's widow was void without decree of annulment, or (ii) whether an annulment decree was rendered by a court with basic authority to render annulment decrees;

(2) When fraud or collusion by either party appears to have influenced the granting of an annulment decree;

(3) Cases in which there are contesting claims;

(4) Unusual situations, such as those involving proxy marriages, the law of two or more jurisdictions or of a foreign country;

(5) Cases involving difference of opinion between District Counsels or between a District Counsel and the official who submitted the question involved.

§ 14.505 Submissions.

All submissions will set forth the question of law on which the opinion is desired, together with a complete and accurate summary of relevant facts. Files, correspondence, and other original papers will not be submitted, unless pertinent portions thereof cannot practicably be summarized, or copies made and attached as exhibits.

§ 14.506 Precedents.

(a) All General Counsel's opinions which formulate new Veterans Administration policy, dependent upon interpretation of Federal statutes, regulations, or other law, will be submitted to the Administrator before they are released or administrative action is taken thereon. If accepted by the Administrator, such opinions will be promulgated as Administrator's Decisions or will form the basis for regulatory action.

(b) Administrator's Decisions, which are conclusive as to all persons (except in justiciable matters), are available to the public in printed volumes purchasable from the Government Printing Office. These volumes may be inspected at any Veterans Administration office. Recent Administrator's Decisions which have not been published in bound volumes are available in manuscript form in such offices, or may be requested from the Office of the General Counsel.

§ 14.507 Opinions.

Formal opinions of the General Counsel in individual claims (compensation, pension, insurance, loans, vocational rehabilitation, readjustment allowance, indemnity, etc.) are filed in the individual claims or insurance folder. (See § 1.525 of this chapter.)

Printed opinions of the General Counsel of a general nature (administration, claims, fiscal, personnel, contracts, loan guaranty, or insurance, etc.) will be digested and indexed. Copies will be filed in the Office of the General Counsel and in District Counsels' offices. Such opinions are not available for general distribution outside the Veterans Administration, but copies of printed opinions on subjects of general interest (as, for example, loan guaranty, vocational rehabilitation and education, etc.) may be supplied persons, organizations or agencies interested in the subject covered by the opinion, or affected by it, when, in the opinion of the General Counsel or of the service concerned, the public interest justifies or requires such action.

3. Sections 14.514 through 14.518 are revised to read as follows:

§ 14.514 Suits by or against United States or Veterans Administration officials.

(a) *Suits against United States or Veterans Administration officials.* When a suit involving any activities of the Veterans Administration is filed against the United States or the Administrator or a suit is filed against any employee of the Veterans Administration in which is involved any official action of the employee, not covered by the provisions of §§ 14.600 through 14.617, a copy of the petition will be forwarded to the General Counsel who will take necessary action to obtain the pertinent facts, cooperate with or receive the cooperation of the Department of Justice and, where indicated, advise the District Counsel of any further action required.

(b) *Counsel and representation of employees.* The Department of Justice may afford counsel and representation to Government employees who are sued individually as a result of the performance of their official duties. A civil action commenced in a State court against an employee, as the result of an action under color of his or her office, may be removed to the applicable Federal District Court. If a suit is filed against an employee as the result of the performance of his or her official duties, where the provisions of either 28 U.S.C. 2679 or 38 U.S.C. 4116 are not applicable (see § 14.610), and the employee desires to be represented by the U.S. Attorney, the District Counsel will obtain a written request to this effect from the employee and will also obtain an affidavit of the station Director describing the incident in sufficient detail to enable a determination to be made as

to whether the employee was in the scope of his or her employment at the time. These statements, together with a copy of the petition and two copies of a summary of pertinent facts, will be sent to the General Counsel, who will transmit copies thereof to the Department of Justice for appropriate action.

(c) *Suits by the United States.* In any instance wherein direct submission to a U.S. Attorney for institution of civil action has been authorized by the Department of Justice, the District Counsel will furnish the U.S. Attorney a complete report of the facts and applicable law, documentary evidence, names and addresses of witnesses and, in cases wherein Veterans Administration action has been taken, a copy of any pertinent decision rendered. The District Counsel will forward two copies of such report and of any proposed pleading to the General Counsel, and will render any practicable assistance requested by the U.S. Attorney.

§ 14.515 Suits involving loan guaranty matters.

(a) In actions for debt, possession or actions similar in substance (including title actions) in which § 36.4282 or § 36.4319 of this chapter has been complied with, the District Counsel is authorized to enter the appearance of and represent the Administrator of Veterans Affairs as the attorney of record and to file claims for debt in probate proceedings without prior reference to the General Counsel. Any such action will normally be taken within the time prescribed by law as though there had been valid service of process. In all other types of cases, the District Counsel will not enter an appearance or file any pleading on behalf of the Administrator except in imperative emergency until authorization is received from the General Counsel after submission of all relevant facts. In doubtful cases, the District Counsel will request instructions from the General Counsel, submitting copy of so much of the pleadings or other papers, together with a sufficient recital of the facts as will make clear the background, the issues, and the relief sought. The submission also will include names and addresses of adverse parties and attorneys so that immediate action may be taken if injunctive relief seems proper. Where necessary in any case to preserve rights which might be lost by default if there had been proper service of process, appropriate action will be taken by a special appearance, or, in jurisdictions where a special appearance does not serve the purpose or under State statute or decisions will constitute a general appearance for a later date, by an appearance through amicus curiae, to obtain an extension of time, preferably 30 days or more, in which to appear and plead without prejudice. If not feasible to obtain an extension, the District Counsel will explain to adverse counsel by letter, and personally, if desirable, the necessity of deferring all action and will see that the proper judge receives a signed copy of the letter before default day. The letter will point out that there is no valid service of process on the Administrator of Veterans Affairs but will not base the delay on that alone.

(b) The General Counsel or each District Counsel representing the General Counsel is the attorney of the Administrator of Veterans Affairs for all purposes of 38 U.S.C. 1820 and, as such, is authorized to represent the Administrator in any court action or other legal matter arising under said statutory provisions. Said authorization is subject to any applicable statutes and Executive orders concerning claims of the United States. A District Counsel may enter appearance in such cases, subject to the provisions of §§ 36.4282 and 36.4319 of this chapter and paragraph (a) of this section. Each District Counsel is authorized to contract for the employment of attorneys on a fee basis for conducting any action arising under guaranty or insurance of loans or direct loans by the Veterans Administration; or for examination and other proper services with respect to title to and liens on real and personal property, material incident to such activities of the Veterans Administration, when, such employment is deemed by the District Counsel to be appropriate. The authority delegated to the District Counsel may be redelegated with the approval of the General Counsel.

(c) The General Counsel and each District Counsel, in carrying out their duties as authorized in paragraph (a) or (b) of this section, are authorized (1) to contract for and execute, for and on behalf of the Administrator, any bond (and appropriate contract or application therefor) which is required in or preliminary to or in connection with any judicial proceeding in which the District Counsel is attorney for the Administrator, and to incur obligations for premiums for such bonds and (2) to do all other acts and incur all costs and expenses which are necessary or appropriate to further or protect the interests of the Administrator in or in connection with prosecuting or defending any cause in any court or tribunal within the United States, which cause arises out of or incident to the guaranty or insurance of loans, or the making of direct loans by the Veterans Administration, pursuant to 38 U.S.C. ch. 37.

(d) Except in an emergency, no District Counsel will initiate action for appellate review without prior approval by the General Counsel. These limitations do not preclude the filing of a motion for a new trial, appeal to intermediate court with hearing de novo, the giving of notice of appeal, reserving of bills of exception, or any other preliminary action in the trial court which may be necessary or appropriate to protect or facilitate the exercise of the right of appellate review, nor do they preclude the taking of appropriate steps on behalf of the Administrator as appellee (respondent) without prior reference to the General Counsel. Upon the conclusion of the trial of a case, the District Counsel will report the result thereof to the General Counsel with recommendation as to seeking appellate review if the result reported is adverse to the position of the Veterans Administration in the litigation. The reporting District Counsel who recommends appellate review will include as a part of the communication, or in exhibit attached, (1) a summary of the evidence; (2) a summary of the law points to be reviewed; (3) citations of statutes and cases; (4) statements of special reasons for recommending appellate review; (5) time limitations for the action recommended; (6) requirements, if any, respecting printing of the record and briefs; (7) the estimated total expenses to be incurred by reason of the appeal, reporting separately the estimated costs for printing the brief and record so that authority for printing may be granted in accordance with prescribed procedure, MP–1, part II, chapter 9;[1] and (8) the recommendation or a statement as to nonrecommendation by the Loan Guaranty Officer.

§ 14.516 Escheat and post fund cases.

In any case in which the Veterans Administration is entitled to possession of assets or property under the escheat provisions of 38 U.S.C. 3202(e), the gifts provisions of 38 U.S.C. ch. 83 or the General Post Fund provisions of 38 U.S.C. ch. 85, the District Counsel will endeavor to obtain possession of such assets or property in any manner appropriate under local procedure and practice, other than litigation. This procedure would include exploratory inquiry of the person having custody or possession of the assets or property for the purpose of determining whether the person would be willing to turn over the property to the Veterans Administration without litigation. If unsuccessful in this effort, a complete report will be submitted by the District Counsel to the General Counsel so that appropriate action may be taken to obtain the assistance of the Department of Justice in the matter.

§ 14.517 Cases affecting the Veterans Administration generally.

District Counsels will establish and maintain such close liaison with the State and Federal courts as to insure that notice will be afforded the Veterans Administration on all cases affecting the Veterans Administration. Such information will be forwarded to the General Counsel promptly in every case.

§ 14.518 Litigation involving beneficiaries in custody of Veterans Administration employees acting in official capacity.

(a) *Service of process generally.* An employee, at a field station, served with a writ of habeas corpus involving a beneficiary of the Veterans Administration in the employee's custody will immediately notify the District Counsel of

[1] Available in any Veterans Administration station.

the district in addition to taking such steps as in his or her judgment are necessary for self protection.

(b) *Habeas corpus writs.* (1) If a Director of a Veterans Administration hospital concerned advises that, according to current medical opinion, hospitalization is necessary for the veteran's safety or the safety of others, the District Counsel will vigorously oppose the writ at the trial court level. If the writ is granted, no further action will be taken unless so instructed by the General Counsel.

(2) If the medical opinion is that hospitalization is not required for the veteran's safety or the safety of others but continued treatment is clearly indicated in the veteran's interest, the District Counsel will assure that the court issuing the writ is so informed and will abide by the court's decision.

(3) If the medical opinion is that there is no danger of self injury to the veteran or others and the need for continued treatment is not clearly demonstrated, the District Counsel will advise the Director of the hospital concerned that the veteran should be released and will notify the veteran's attorney of the planned discharge. These cases will be handled informally to the extent practicable.

(4) Involuntary confinement of mentally ill patients in Veterans Administration installations is predicated upon the law of the State in which the installation is location. In the event the writ is filed in Federal Court, the District Counsel will cooperate with the U.S. Attorney to the end that the case is removed to the appropriate State court.

4. Sections 14.560 through 14.583 are revoked and §§ 14.560 through 14.563 are added to read as follows:

§ 14.560 Procedure where violation of penal statutes is involved.

(a) The submission to the appropriate U.S. Attorney of a violation or suspended violation of the penal provisions of the statutes of the United States will be made by the District Counsel at the regional office, hospital or center, within whose jurisdiction the alleged offense appears to have been committed. Where the file or record which contains evidence of a penal offense is located in or forwarded to Central Office, the matter will be referred to the General Counsel for development and reference to the proper District Counsel or direct to the Department of Justice. Where the file or record is maintained in any other field station, it will be referred to the District Counsel of the regional office, center or hospital in whose district the station is located for development and determination as to whether prosecution is indicated and reference to the proper U.S. Attorney if in order.

(b) In all instances where, in developing a necessary administrtaive investigation, there is evidence of a violation of the penal provisions of the Federal statutes, the case will be submitted to the appropriate U.S. Attorney. In Central Office, Investigation and Security Service reports showing any criminal acts will be reported by the General Counsel to the Department of Justice. If such offense seems probable, but an administrative investigation is not necessary, the matter will be reported, without investigation, to the U.S. Attorney or the Department of Justice, as the case may be. The Department of Justice is charged with the duty and responsibility of interpreting and enforcing criminal statutes, and the final determination as to whether the evidence is sufficient to warrant prosecution in any case is a matter for that Department. The function of any administrative official is to marshal all evidence within his or her possession and, when the evidence is sufficient to make a prima facie case of a violation of the statute, to transmit the same to the U.S. Attorney for such action as the Department of Justice, acting through the U.S. Attorney, may deem necessary. If the U.S. Attorney decides to prosecute, the District Counsel will cooperate with the U.S. Attorney as may be requested. Cases deemed essential to protect Veterans Administration interests or policy will be reported to the General Counsel if prosecution is delayed or declined.

(c) A report will be made to the Federal Bureau of Investigation concerning criminal matters arising under prior laws authorizing readjustment benefits and War Orphans' Educational Assistance (see sec. 3, Pub. L. 85–857; 72 Stat. 1262) and current grants of readjustment and educational assistance as authorized in title 38, United States Code. In cases arising under the foregoing acts any evidence or information coming to the attention of a District Counsel requiring determination as to whether there may be a violation of a Federal criminal statute will be brought promptly to the attention of the local office or agent of the Federal Bureau of Investigation without attempting to develop any criminal aspects, as will such facts or evidence subsequently discovered in administrative investigation or other action. Copy of the final investigation report in administrative investigation shall be forwarded to the U.S. Attorney, if, in the opinion of the District Counsel, prosecutive action is necessary for administrative purposes. The District Counsel will bring to the attention of the General Counsel any case wherein the District Counsel is of the opinion that criminal action should be initiated, notwithstanding an adverse report or lack of a report by the Federal Bureau of Investigation.

§ 14.561 Administrative action prior to submission.

Before a submission is made to the U.S. Attorney in cases involving personnel or claims, the General Counsel, if the file is in Central Office, or the District Counsel at the regional office, hospital or center, if the file is in the regional office or other field station, will first ascertain that necessary administrative or adjudicatory (forfeiture (see Pub. L. 86–222; 73 Stat. 452), etc.), action has been taken; except that in urgent cases such as breaches of the peace, disorderly conduct, trespass, robbery, or where the evidence may be lost by delay, or prosecution barred by the statute of limitations, submission to the U.S. Attorney will be made immediately.

§ 14.562 Collections or adjustments.

When it is determined that a submission is to be made to the U.S. Attorney, no demand for payment or adjustment will be made without the advice of the U.S. Attorney. However, if, before or after submission, the potential defendant or other person tenders payment of the liability to the United States, payment will be accepted if the U.S. Attorney has no objection. If the U.S. Attorney determines that prosecution is not indicated, or when prosecution has ended, the file will be returned to the appropriate office with a report as to the action taken.

§ 14.563 Crimes or offenses on Veterans Administration property.

Upon receipt by the District Counsel of a report from the Director of any Veterans Administration facility located in the district regional office area, other than the District of Columbia, indicating a violation of any penal statutes occurring on such Veterans Administration property, the District Counsel will extend full cooperation and advice to the Director. In so doing, the District Counsel will be guided by the provisions of 18 U.S.C. 13 and 3041, and 38 U.S.C. 218. Serious crimes (felonies or misdemeanors) committed on a hospital or domiciliary reservation will be reported directly to the U.S. Attorney or local agent of the Federal Bureau of Investigation by the Director of the facility. The District Counsel will give every assistance to the Director in such cases.

5. In § 14.600, paragraphs (a) and (b) (1) are revised to read as follows:

§ 14.600 Federal Tort Claims Act.

(a) The Federal Tort Claims Act (28 U.S.C. 1291, 1346, 1402, 1504, 2110, 2401, 2402, 2411, 2412, and 2671 through 2680) prescribes a uniform procedure for handling of claims against the United States, for money only, on account of damage to or loss of property, or on account of personal injury or death, caused by the negligent or wrongful act or omission of a Government employee while acting within the scope of his or her office or employment, under circumstances where the United States, if a private person, would be liable in accordance with the law of the place where the act or omission occurred.

(b) The act provides that: (1) No court action (except those involving a third party complaint, cross-claim, or counterclaim) shall be instituted unless the claimant shall have first presented his or her claim to, and it has been finally denied by, the appropriate Federal agency. The failure, however, of the agency to make final disposition of the claim within 6 months after it is filed may, at the option of the claimant, be

deemed a final denial of the claim (28 U.S.C. 2675(a));

* * * * *

6. Section 14.601 is revised to read as follows:

§ 14.601 Dismissal action.

Where a tort suit against the United States (other than by third party complaint, cross-claim, or counterclaim) is filed without being preceded by an administrative claim (see § 14.600(b)(1)), the District Counsel shall promptly, upon receipt of notice of the action thereon, notify the U.S. Attorney and the General Counsel, who will, in turn, notify the Department of Justice, that the provisions of 28 U.S.C. 2675(a) have not been complied with, and that the suit appears to be subject to a motion to dismiss for lack of jurisdiction. The General Counsel should be kept advised as to subsequent developments, and should be furnished a copy of any order of dismissal which may be entered by the court.

7. Section 14.602 is revised to read as follows:

§ 14.602 Scope and authority to consider claims.

(a) The Administrator and those delegated such authority in § 2.6(e) of this chapter are authorized to consider, ascertain, adjust, determine, compromise and settle claims for money damages against the United States in accordance with regulations prescribed by the Attorney General (28 CFR 14.1 et seq.). Any award, compromise, or settlement exceeding $25,000 shall be effected only with the prior written approval of the Attorney General or designee. In addition, a claim may be compromised or settled only after consultation with the Department of Justice when:

(1) A new precedent or point of law is involved;

(2) A question of policy is or may be involved;

(3) The United States is or may be entitled to indemnity or contribution from a third party and the Veterans Administration is unable to adjust the third party claim;

(4) For any reason, the compromise of a particular claim, as a practical matter, will, or may, control the disposition of a related claim in which the amount to be paid may exceed $25,000; or

(5) The United States, an employee, agent, or cost-plus contractor, is involved in litigation based on a claim arising out of the same incident or transaction.

(b)(1) All claims coming within paragraph (a) of this section will be referred to the General Counsel for disposition.

(2) Where full development of a claim indicates that liability exists and the potential settlement value exceeds $25,000, the District Counsel who received the claim will submit the case to the General Counsel for consideration.

(3) Where multiple claims (including claims of a subrogor and a subrogee) arise from the same incident, and the total of such claims exceeds the settlement amount delegated to the District Counsel, all such claims will be forwarded to the General Counsel for consideration.

(c) Authority delegated to the General Counsel by § 2.6(e) of this chapter to act on claims is redelegated to the District Counsels as follows:

(1) The District Counsels at Boston, New York, Philadelphia, Atlanta, Washington, D.C., Montgomery, St. Petersburg, Detroit, Cleveland, Waco, Denver, St. Louis, San Francisco, Los Angeles, and Seattle are delegated authority to determine and settle claims filed under the Federal Tort Claims Act, as amended, as follows:

(i) Dispose of those tort claims in which, in the view of the respective District Counsels, liability exists and the claim may be compromised or settled at or below $15,000;

(ii) With prior approval of an appropriate official in the office of the General Counsel, dispose of those claims in which it appears liability exists, and such claim may be compromised or settled for an amount between $15,000 and $25,000.

(2) All other District Counsels are authorized to settle or compromise tort claims in which, in the view of the respective District Counsels, liability exists and the claim may be settled or compromised for amounts up to and including $5,000. Claims which these District Counsels determine to be within the delegated authority of the District Counsels at the locations set out in paragraph (c)(1) of this section will be fully developed and forwarded to the District Counsel having jurisdiction.

(3) The territorial jurisdiction and supervision for handling tort claims by the District Counsels enumerated in paragraph (c)(1) of this section is set out in instructions to all District Counsels.

(d) Where it is determined that liability on the part of the Government does not exist, the District Counsel who initially received the claim will deny liability regardless of the amount claimed or the potential value of liability existed. If Liability is questionable, the District Counsel will refer the claim for final determination to that office having appropriate settlement authority.

(e) For the purpose of these tort claim regulations (§§ 14.600–14.617), any reference to the District Counsel includes all other personnel in the District Counsel's office to whom authority to handle Federal tort claims has been delegated by § 2.6(e)(1) and (2) of this chapter.

8. In § 14.603, paragraph (a) is revised to read as follows:

§ 14.603 Proper claimants.

(a)(1) A claim for damage to or loss of property may be presented by the owner of the property, his or her duly authorized agent or legal representative.

(2) A claim for personal injury may be presented by the injured person, his or her duly authorized agent, or legal representative.

(3) A claim based on death may be presented by the executor/executrix or administrator/administrix of the decedent's estate, or by any other person legally entitled to assert such a claim in accordance with applicable State law.

(4) A claim for loss wholly compensated by an insurer with the rights of a subrogee may be presented by the insurer. A claim for loss partially compensated by an insurer with the rights of a subrogee may be presented by the parties individually as their respective interests appear, or jointly. However when an insurer presents a claim asserting the rights of a subrogee, he or she shall also present appropriate evidence to support his or her right.

(5) A claim presented by an agent or legal representative shall be presented in the name of the claimant, be signed by the agent or legal representative, show the title or legal capacity of the person signing, and be accompanied by evidence of his or her authority to present a claim on behalf of the claimant as agent, executor/executrix, administrator/administratrix, parent, guardian, or other representative.

* * * * *

9. Sections 14.604 and 14.605 are revised to read as follows:

§ 14.604 Filing a claim.

(a) Each person who inquires as to the procedure for filing a claim against the United States, predicated on a negligent or wrongful act or omission of an employee of the Veterans Administration acting within the scope of his or her employment, will be furnished a copy of SF 95, Claim for Damage, Injury, or Death. The claimant will be advised to submit the executed claim directly to the District Counsel having jurisdiction of the area wherein the occurrence complained of took place. He or she will also be advised to submit the information prescribed by § 14.607 to the extent applicable. If a claim is presented to the Veterans Administration which involves the actions of employees or officers of other agencies, it will be forwarded to the Veterans Administration General Counsel, who will transmit forthwith to the appropriate agency.

(b) A claim shall be deemed to have been presented when the Veterans Administration receives from a claimant, his or her duly authorized agent or legal representative, an executed SF 95, or other written notification of an incident, together with a claim for money damages, in a sum certain, for damage to or loss of property or personal injury or death: *Provided, however,* That before compromising or settling any claim, an executed SF 95 shall be obtained from the claimant.

(c) A claim presented in compliance with paragraphs (a) and (b) of this section may be amended by the claimant at any time prior to final Veterans Administration action or prior to the exercise of the claimant's option under 28 U.S.C. 2675(a). Amendments shall be submitted in writing and signed by the claimant or his or her duly authorized agent or legal representative. Upon the timely filing of an amendment to a pending claim, the Veterans Administration shall have 6 months in which to make a final disposi-

tion of the claim as amended and the claimant's option under 28 U.S.C. 2675(a) shall not accrue until 6 months after the filing of the amendment (see § 14.600 (b)(1)).

§ 14.605 Investigation and development.

(a) *Development of untoward incidents prior to receipt of a claim.* (1) A report of any collision involving a Government-owned vehicle which results in property damage or personal injury or death will be made by the operator of the Government vehicle immediately following the accident, on SF 91, Operator's Report of Motor Vehicle Accident, and shall be submitted to the Director of the station involved. A copy of said report, accompanied by an executed copy of VA Form 2162, Report of Accident, Injury, Occupational Illiness, or Fire, and of VA Form 2162b, Report of Accident, Injury, Occupational Illness, or Fire (Continued), will be promptly submitted by the Director to the appropriate District Counsel, who will authorize such additional investigation as the circumstances of the case may warrant. Forms required by other agencies will continue to be used in addition to VA Form 2162.

(2)(i) Any incident resulting in damage to, or loss of, property, other than personal effects of a patient in a Veterans Administration facility, or in personal injury or death, due apparently or allegedly to the negligent or wrongful act or omission of an employee of the Veterans Administration acting within the scope of his or her office or employment, or damage to or loss of Government-owned property caused by other than a Veterans Administration employee acting within the scope of his or her office or employment, will be immediately reported on SF 92-A, Report of Accident Other Than Motor Vehicle. The Director of the station where such occurrence took place will promptly transmit a copy of the report to the appropriate District Counsel who will authorize such additional investigation as the circumstances of the case may warrant.

(ii) Where the incident involves the loss of personal effects of a patient in a Veterans Administration facility, the Director wil assist the patient in completing an SF 95, Claim for Damage, Injury, or Death, and will advise the patient that it will be forwarded immediately to the appropriate District Counsel for consideration. The Director will forward along with the claim a brief summary of the facts, as well as his or her recommendation, to the District Counsel. The District Counsel will expedite the processing of claims of this nature.

(3) An employee will be designated at each station to investigate motor vehicle collisions and other incidents involving damage to, or loss of privately owned property or personal injury or death, apparently or allegedly resulting from the negligent or wrongful act or omission of an employee of the Veterans Administration acting within the scope of his or her employment, other than investigation of alleged malpractice, or damage to or loss of Government-owned property caused by other than Veterans Administration employees. In Central Office, the designation will be made by the Manager, Administrative Services, and at all other stations, by the Director.

(4) The District Counsel for the area in which a field station is located will be responsible for processing claims involving motor vehicle collisions and other occurrences resulting in property damage, personal injury, or death, within such area. The District Counsel, Veterans Administration Regional Office, Washington, D.C. will also have jurisdiction, except as otherwise provided in paragraph (a)(3) of this section over incidents occurring in Veterans Administration Central Office.

(b) *Postclaim requirements.* (1) Where a claim is presented, the District Council will immediately acknowledge receipt of the claim and commence an investigation. In the course of the investigation, statements will be obtained from the personnel involved as well as from others who have personal knowledge covering the relevant facts. Copies of all pertinent Veterans Administration medical and other records will be obtained and the copies will be assembled so that they are identical in arrangement to the originals. Pertinent medical, employment, and other records maintained by private hospitals, private industry, and other places will likewise be obtained as well as photographs or other graphic material.

(2) After completing the investigation of a claim, the District Counsel having jurisdiction of the case will review all the evidence available and prepare a concise, complete report, including a summary of the evidence, findings of essential facts, citations of applicable local law, regulations and decisions, and a conclusion as to the liability of the United States. If liability is indicated, this report will also include a determination as to the amount of the reasonable compromise or settlement range of the case. Sufficient copies of the report and supporting material will be prepared to enable the District Counsel to submit two copies to the office authorized to dispose of the claim if it is beyond the investigating officer's jurisdiction, and two copies to the General Counsel if the claim subsequently reaches the litigation stage. An extra complete copy of the report and supportive material will be retained by the District Counsel and will be forwarded to the U.S. Attorney, together with the original report of investigation, if litigation is initiated. The report itself, and the supporting materials, will be indexed, tabbed and securely fastened so that it is one unit, if feasible.

(3) In medical malpractice cases, the District Counsel may refer the medical records and statements to the District Medical Director for review and for professional opinion or guidance. In the consideration of claims involving a medical questions, the responsible District Counsel involved will be guided by the views of the District Medical Director and the General Counsel will be guided by the views of the Chief Medical Director as to the standard of medical care and treatment, the nature and extent of the injuries, the degree of temporary or permanent disability, the prognosis, the necessity for future treatment or physical rehabilitation, and any other pertinent medical aspects of a claim.

10. In § 14.606, paragraph (a) is revised to read as follows:

§ 14.606 Requests for medical information.

(a) Where there is indication that a tort claim will be filed, medical records or other information shall not be released without approval of the District Counsel.

* * * * *

11. In § 14.607, paragraphs (a) and (b) are revised to read as follows:

§ 14.607 Evidence to be submitted.

In conducting the investigation into the facts and circumstances giving rise to the claim, the District Counsel will consider the following guidelines to the extent applicable:

(a) *Death.* In support of a claim based on death, the claimant may be required to submit the following evidence or information:

(1) An authenticated death certificate or other competent evidence showing cause of death, date of death, and age of the decedent.

(2) Decedent's employment or occupation at time of death, including his or her monthly or yearly salary or earnings (if any), and the duration of his or her last employment or occupation.

(3) Full names, addresses, birth dates, kinship, and marital status of the decedent's survivors, including identification of those survivors who were dependent for support upon the decedent at the time of his or her death.

(4) Degree of support afforded by the decedent to each survivor dependent upon him or her for support at the time of death.

(5) Decedent's general physical and mental condition before death.

(6) Itemized bills for medical and burial expenses incurred by reason of the incident causing death, or itemized receipts of payment for such expenses.

(7) If damages for pain and suffering prior to death are claimed, a physician's detailed statement specifying the injuries suffered, duration of pain and suffering, any drugs administered for pain, and the decedent's physical condition in the interval between injury and death.

(8) Claimant may be requested to furnish a copy of a medical opinion supporting his or her contention of malpractice.

(9) Any other evidence or information which may have a bearing on either the responsibility of the United States for the death or the damages claimed

(b) *Personal injury.* In support of a claim for personal injury, including pain and suffering, the claimant may be required to submit the following evidence or information:

(1) A written report by the attending physician or dentist setting forth the nature and extent of treatment, any degree

of emporary or permanent disability, the prognosis, period of hospitalization, and any diminished earning capacity. In addition, the claimant may be required to submit to a physical or mental examination by a physician employed by the agency or another Federal agency. A copy of the report of the examining physician shall be made available to the claimant upon the claimant's written request provided that he or she furnished the report referred to in the first sentence of this subparagraph and has made or agrees to make available to the agency any other physician's reports previously or thereafter made of the physical or mental condition which is the subject matter of the claim.

(2) Itemized bills for medical, dental, and hospital expenses incurred, or itemized receipts of payment for such expenses.

(3) If the prognosis reveals the necessity for future treatment, a statement of expected expenses for such treatment.

(4) If a claim is made for loss of time from employment, a written statement from his or her employer showing actual time lost from employment, whether he or she is a full- or part-time employee, and wages or salary actually lost.

(5) If a claim is made for loss of income and the claimant is self-employed, documentary evidence showing the amount of earnings actually lost.

(6) Claimant may be requested to furnish a copy of a medical opinion supporting his or her contention of malpractice.

(7) Any other evidence or information which may have a bearing on either the responsibility of the United States for the personal injury or the damages claimed.

* * * * *

12. Section 14.608 is revised to read as follows:

§ 14.608 Disposition of claims.

(a) *Disallowance and appeal.* Where a determination is made that there is no liability on the part of the United States, the District Counsel (if there is jurisdiction under § 2.6(e) of this chapter and § 14.602(b)) or the General Counsel will notify the claimant (or claimant's attorney or legal representative) by certified or registered mail. Notification of final denial may include a statement of reasons for the denial. Denial of a tort claim by any District Counsel will include appropriate notice of the review and appellate rights of claimants. The right to have the claim reconsidered within the Veterans Administration will extend only to the next higher level of authority. The claimant shall be advised in the denial letter of the specific office to which an appeal will be referred for review and that the appeal must be perfected within 6 months. The denial letter shall also include a statement that, if the claimant is dissatisfied with the agency action, suit in an appropriate United States District Court may be instituted not later than 6 months after the date of mailing of the notice of final denial.

(b) *Statute of limitations.* Prior to the commencement of suit and prior to the expiration of the 6-month period provided in 28 U.S.C. 2401(b), a claimant, or claimant's duly authorized agent, or legal representative, may file a written request with the agency for reconsideration of a final denial of a claim issued under paragraph (a) of this section. Upon the timely filing of a request for reconsideration, the agency shall have 6 months from the date of filing in which to make a final disposition of the claim, and the claimant's option under 28 U.S.C. 2675(a), shall not accrue until 6 months after the filing of a request for reconsideration. Final agency action on a request for reconsideration shall be effected by the District Counsel if the claim is one within the jurisdiction authorized by § 2.6(e) of this chapter and § 14.602(c); otherwise, by the General Counsel. If the previous denial decision is upheld, the notice shall be by certified mail and will include advice as to the right to bring suit within 6 months.

(c) *Allowance or compromise.* (1) In the case of a claim where a determination is made by the District Counsel (if the claim is one for which authority has been delegated under § 2.6(e) of this chapter and § 14.602(c)), or by the General Counsel, that there is or could be liability on the part of the Government, an attempt will be made to obtain an agreement with the claimant, or claimant's attorney, as to a fair and reasonable settlement or compromise.

(2) If the claim is one being handled by the District Counsel and a settlement agreement is reached in a sum of $2,500 or less, the District Counsel will approve the voucher (SF 1145, Voucher for Payment under Federal Tort Claims Act) and send the signed original and three yellow copies to the General Counsel for processing. If the settlement agreement is above $2,500 but within the delegated authority of the District Counsel, the District Counsel will approve the voucher (SF 1145) and send the original and three yellow copies to the General Accounting Office for payment. In the event the settlement sum negotiated is within the range of $15,000 to $25,000, the voucher submitted to the General Accounting Office by the District Counsel will be accompanied by a letter (from the General Counsel's Office approving the settlement. Vouchers for settlement in excess of $25,000 will not be signed by any District Counsel, but will be forwarded to the General Counsel for signature and transmittal to the General Accounting Office. All original vouchers will be signed by the claimant or claimant's legal representative and his or her spouse, if appropriate. Where required by State law, approval of a court of competent jurisdiction will be obtained. Certified copies of appropriate court documents and duplicate originals of "hold harmless" and "covenant not to sue" agreements will accompany the transmittal of the voucher.

(3) If the claimant is a veteran, or the spouse or child of a veteran in a wrongful death claim, a copy of the letter to the General Accounting Office will be sent to the Adjudication Division of the regional office having jurisdiction over the veteran's claims folder.

(4) When a District Counsel is unable to effect settlement of a tort claim considered to be appropriate for compromise within authorized limits, the District Counsel will confer with the next level of supervising authority before issuing a letter of denial.

(d) *Attorney fees.* In any claim administratively settled or compromised, no specific portion of the award shall be designated as an attorney fee. However, 28 U.S.C. 2678 prohibits an attorney from charging, demanding, receiving, or collecting for services rendered, fees in excess of 20 per centum of any award, compromise, or settlement made pursuant to 28 U.S.C. 2672. Violation of this prohibition will subject the attorney to a fine of not more than $2,000 or imprisonment for not more than 1 year, or both. When a claimant is represented by an attorney, the voucher for payment shall designate as "payee" both the claimant and claimant's attorney and the check shall be delivered to the attorney whose address shall appear on the voucher.

(e) *Setoff for cost of unauthorized medical treatment.* In any tort claim administratively settled or compromised where the claimant owes the Veterans Administration for unauthorized medical treatment, there will be included in the tort claim award the amount of the claimant's indebtedness to the Government. The amount of the indebtedness is for credit to the appropriation account from which the services were provided. The voucher prepared for settlement of the claim will specifyt he amount to be deposited to the credit of the designated account and that the balance of the award be paid to the claimant.

13. Sections 14.609 and 14.610 are revised to read as follows:

§ 14.609 Tort suits following denial of an administrative tort claim.

Where civil action against the United States follows denial of an administrative claim, the General Counsel, upon receipt of notice of the action, will furnish to the Department of Justice a copy of the investigation report and other related materials obtained in connection with the consideration of the administrative claim previously submitted to the agency. The General Counsel will instruct the District Counsel to forward to the appropriate U.S. Attorney the investigation report and other related materials, including medical records and any other information, which may be appropriate to the litigation. The District Counsel will keep the General Counsel advised of subsequent developments, and will render assistance as requested by the U.S. Attorney and the General Counsel with respect to the defense of the suit.

§ 14.610 Suits against Veterans Administration employees arising out of the operation of motor vehicles or based upon medical care and treatment furnished in or for the Department of Medicine and Surgery.

(a) (1) Section 2679 of title 28, United States Code, provides that no suit will lie against a Federal employee, or the employee's estate, for damage to property, personal injury, or death resulting from his or her operation of a motor vehicle while acting within the scope of his or her office or employment with the Federal Government. An action against the United States under 28 U.S.C. 2671–2680 is the exclusive remedy under these circumstances.

(2) Section 4116 of title 38, United States Code, provides that (i) where there is remedy against the United States under 28 U.S.C. 2671–2680, or (ii) where proceedings for compensation or other benefits from the United States are provided by law, and the availability of such benefits precludes a remedy under 28 U.S.C. 2671–2680 (as is the case, for example, in the Federal Employees' Compensation Act, 5 U.S.C. 8101, et seq.), such recourse is the exclusive remedy for property damage, personal injury, or death allegedly occurring as a result of malpractice or negligence committed by a physician, dentist, nurse, physician's assistant, dentist's assistant, pharmacist or paramedical (for example, medical and dental technicians, nursing assistants, and therapists), or other supporting personnel, while furnishing medical care and treatment in the exercise of duties in or for the Department of Medicine and Surgery. Accordingly, a malpractice or negligence suit for property damage, personal injury, or death will not lie against such personnel under the circumstances set forth in this subparagraph.

(b) The Department of Justice will defend any civil action or proceeding brought in any court against persons referred to in paragraph (a) (1) or (2) of this section under the circumstances set forth therein. Accordingly, when a suit is filed against any employmee of the Veterans Administration (1) as a result of the employee's operation of a motor vehicle incident to employment with the Government, or (2) as a result of furnishing medical or dental care and treatment in or for the Department of Medicine and Surgery, the employee shall immediately forward a copy of all papers served on him or her to the District Counsel having jurisdiction over the area in which the employee works. The employee will also promptly forward to the appropriate District Counsel a signed statement indicating whether he or she desires the Department of Justice to provide representation, and to otherwise protect his or her interests as provided for by law. Even though there may not have been service, if an employee learns that a suit arising from either of the above-described circumstances has been filed against him or her, the employee shall immediately so advise the appropriate District Counsel, provide the District Counsel with a brief description of the facts involved, and state whether he or she desires Federal intervention.

(c) Upon receipt of notice that suit has been filed against an employee of the Veterans Administration who is entitled to protection under 28 U.S.C. 2679 or 38 U.S.C. 4116, the District Counsel having jurisdiction over the place where the employee works will conduct a preliminary investigation, which will include a statement by the employee's supervisor as to whether the defendant-employee was acting in the scope of his or her employment at the time of the incident, and a request from the defendant-employee for representation. Upon receipt of such information, the District Counsel will make a preliminary determination as to whether such suit comes within the provisions of either 28 U.S.C. 2679 or 38 U.S.C. 4116. The District Counsel will refer the matter to the appropriate U.S. Attorney with a recommendation as to whether the employee is eligible for protection under 28 U.S.C. 2679 or 38 U.S.C. 4116. The U.S. Attorney will decide whether the Veterans Administration employee is eligible for the protection. The District Counsel will submit to the General Counsel a preliminary report in duplicate containing the information furnished the U.S. Attorney. In all such cases, the District Counsel will conduct a complete investigation of the facts and law. Two copies of the investigation report will be sent to the General Counsel and one copy will be sent to the appropriate U.S. Attorney. The General Counsel, through the District Counsel, will keep the employee advised of the action being taken concerning the suit. In the event that the U.S. Attorney or the Department of Justice determines that the employee is not eligible for immunization pursuant to one of the aforementioned provisions, the General Counsel's office, through the District Counsel, will advise the employee and will call to his or her attention the discretionary conditional indemnification provisions of section 4116 (e) of title 38, United States Code.

(d) Where a civil action is commenced in a State court against a Veterans Administration employee, and the matter is within the purview of either 28 U.S.C. 2679, or 38 U.S.C. 4116, the Department of Justice will be asked to remove such suit to the appropriate Federal District Court before trial, where it will be deemed an action against the United States. The defendant employee will be dismissed from the suit. After such removal, the United States has available all defenses to which it would have been entitled if the action had originally been commenced against the United States in the proper Federal District Court. Should a Federal District Court determine that the Veterans Administration employee whose acts or omissions gave rise to the suit was not acting within the scope of his or her office or employment, and therefore not eligible for immunization as provided for in the aforementioned sections, the case will be remanded to the State court from which it was removed, the employee will be reinstated as the defendant, and the United States will be dismissed from the suit. Where the employee has been reinstated as the defendant under such circumstances, in order to protect any rights which he or she may have under 38 U.S.C. 4116(e), he or she shall immediately notify the General Counsel, through the local District Counsel. Through the District Counsel, the General Counsel will call the employee's attention to the discretionary conditional indemnification provisions of section 4116(e).

(e) Under the authority of 38 U.S.C. 4116(e), the Administrator of Veterans Affairs may pay for monetary damages sustained by or assessed against an individual (or his or her estate) described in paragraph (a) (2) of this section, as the result of any suit instituted against such individual which is not cognizable under the provisions of 28 U.S.C. 2671–2680 because the individual was assigned to a foreign country, the said individual was detailed to a State or political division thereof, or the cause of action was specifically excluded under the provisions of 28 U.S.C. 2680(h): *Provided*, That the amount of damages sustained is reasonable when compared with similar cases, litigated or settled, and the United States was given a reasonable opportunity to defend such individual and to participate in settlement negotiations.

14. In § 14.615, paragraphs (b) and (c) are revised to read as follows:

§ 14.615 General.

* * * * *

(b) *Action by claimant.* Claims for property loss or damage may be filed by the owner of the property or his or her duly authorized agent or legal representative. If the property was insured and the insurer is subrogated, in whole or in part, and if both the owner and the insurer desire to file a claim for their respective losses they should join in one claim. Claims for personal injury may be filed by the injured person or his or her agent or legal representative. Claims for death may be filed by the personal representative of the decedent or any other legally qualified person. When filed by an agent or legal representative, the claim must show the title or capacity of the person representing the claimant and be accompanied by evidence of the appointment of such person as agent, legal representative, executor/executrix, administrator/administratrix, guardian or other fiduciary.

(c) *Time for filing.* A claim may not be allowed under 38 U.S.C. 236 unless it is presented to the Administrator or his or her designee within 2 years after the claim accrues.

15. In § 14.616, paragraph (b) is revised to read as follows:

§ 14.616 Form and place of filing claim.

* * * * *

(b) *Place of filing claim.* Claims arising in the Philippines under 38 U.S.C. 236 will be filed with the Director, Veterans

Administration Regional Office, Manila, Republic of the Philippines. Claims arising in other foreign countries will be filed with the American Embassy or Consulate nearest the place where the incident giving rise to the claim took place.

* * * * *

16. In § 14.617, paragraph (a) is revised to read as follows:

§ 14.617 Disposition of claims.

(a) *Disposition of claims arising in Philippines.* All claims arising under 38 U.S.C. 236 in the Philippines, including a complete investigation report and a brief resume of applicable law, will be forwarded directly by the Director to the General Counsel, together with a recommendation as to disposition.

* * * * *

17. In § 14.618, paragraphs (a), (b) and (c) are revised to read as follows:

§ 14.618 Collection action.

(a) In a case where the District Counsel determines that damage to or loss of Government property under the jurisdiction of the Veterans Administration resulted from the negligence or other legal wrong of a person, other than an employee of the United States while acting within the scope of his or her employment, the District Counsel will request payment in full of the amount of damage from the person liable therefor or such person's insurer.

(b) The District Counsel may collect, compromise, suspend or terminate collection action on any such claim as is authorized under § 2.6(e)(4)(ii) of this chapter, in conformity with standards in § 1.900 series of this chapter. Any such claim that has not been collected in full and which has not been compromised, suspended or terminated and does not exceed $20,000, will be referred by the District Counsel to the appropriate U.S. Attorney along with the information required by §§ 1.951 through 1.953 of this chapter. Any claim in excess of $20,000 for which payment in full has not been made, will be transmitted along with the report required by § 14.605(a)(2)(i), a report on credit data (§ 1.952 of this chapter), and any other pertinent information, to the General Counsel for appropriate action.

(c) The General Counsel or those designated in § 2.6(e)(4) of this chapter will take action to collect in full on such claims and to compromise, suspend or terminate any such claims not exceeding $20,000 in conformity with § 1.900 series of this chapter. Any such claims not compromised, or on which collection actions is not suspended or terminated and does not exceed $20,000, will be referred to the appropriate U.S. Attorney. Any such claims in excess of $20,000, which have not been collected in full, will be referred by the General Counsel to the Department of Justice for appropriate action.

* * * * *

18. A new centerhead and § 14.619 are added to read as follows:

CLAIMS FOR COST OF MEDICAL CARE AND SERVICES

§ 14.619 Collection action.

(a) In a case where the District Counsel determines that medical care and services were furnished as a result of the negligence of a third party, other than an employee of the United States while acting in the scope of his or her employment, the District Counsel will request payment in full of the amount of damages from the person liable therefor or such person's insurer.

(b) The District Counsel may collect, compromise, suspend or terminate collection activity on any such claim as is authorized under § 2.6(e)(3) of this chapter. However, claims in excess of $20,000 may be compromised, settled, or waived only with the prior approval of the Department of Justice, which will be obtained through the General Counsel. Any such claim that has not been collected in full and which has not been compromised, suspended or terminated will be referred by the District Counsel to the appropriate U.S. Attorney along with appropriate information necessary to protect the interest of the Government. A copy of the referral to the U.S. Attorney will be sent to the General Counsel's office.

(c) The General Counsel and those designated in § 2.6(e)(4) of this chapter will take action to collect in full from a third party or legal entity who is liable for the cost of hospital, medical, surgical or dental care and treatment of a person and to compromise, suspend, or terminate any such claim not exceeding $20,000. Claims in excess of $20,000 may be compromised, settled or waived with the approval of the Department of Justice, which will be obtained through the General Counsel. Any such claim not compromised, or on which collection action is not suspended or terminated will be referred to the appropriate U.S. Attorney with sufficient data to enable the U.S. Attorney to protect the interest of the Government. A copy of all materials referred to the Department of Justice will be furnished the General Counsel.

19. In § 14.620, paragraphs (b), (c), (d) and (e) are revised to read as follows:

§ 14.620 Power of attorney and delegation of authority.

* * * * *

(b) *Execution of power of attorney and delegation of authority.* The Director of a regional office will from time to time designate appropriate employees to be named in appropriate instruments commonly referred to as Power of Attorney, VA Form 2–23. The Loan Guaranty Officer, if any, will be one designee. At all times one additional employee shall be authorized to act by such power of attorney. Three copies of VA Form 2–23 will be filled in by the District Counsel for each designee and forwarded to the General Counsel who will secure execution and acknowledgment of two copies by the Administrator. One copy will be retained in Central Office file; the two executed copies will be returned direct to the District Counsel.

(c) *Revocation of power of attorney.* Any such power of attorney will be revoked promptly when, in the discretion of the Director, cause therefor arises; and in any event upon the designee's separation from the position of a loan guaranty official or from the service, and all executed copies of VA Form 2–23 designating such person will be marked "Canceled" and forwarded to the Office of the General Counsel. The District Counsel upon notification will prepare VA Form 2–24 accordingly and secure execution and acknowledgment thereof in like manner. It will be recorded in each county, if any, in which the power of attorney was recorded. All such copies of VA Form 2–24, whether executed heretofore or hereafter, shall be returned as promptly as feasible to the Office of the General Counsel by the District Counsel, with statement that a copy thereof was recorded in each county in which the revoked power of attorney was recorded. If the power of attorney has not been recorded, the District Counsel will so state when returning "Canceled" copies to the Office of the General Counsel. In such cases only one copy of the revocation will be executed and acknowledged by the Administrator, and it will be retained in the Office of the General Counsel.

(d) *Recordation.* VA Form 2–23 or VA Form 2–24 may be filed for record when in the judgment of the District Counsel it is appropriate to do so. If not so filed, any interested person may have the original recorded by the District Counsel upon payment of the recording fee therefor, or by including the amount thereof in the purchase price of the property, as may be agreed.

(e) *Recordation fee.* The Loan Guaranty Division is responsible for payment of the recordation fee when recordation is requested by Loan Guaranty Officer and approved by the District Counsel. Payment contemporaneously with filing for record may be accomplished by advance of cash.

20. In § 14.626, paragraph (a)(2) is revised to read as follows:

§ 14.626 Requirements for recognition of organizations.

* * * * *

(a) In requesting recognition, the following information will be supplied:

* * * * *

(2) Statement outlining the purpose of the organization and need thereof and the manner in which the veteran or his or her dependent would be benefited by such recognition.

* * * * *

21. In § 14.627, the introductory portion preceding paragraph (a) and paragraphs (a) and (c) are revised to read as follows:

§ 14.627 Accredited representatives.

Recognized organizations shall file with the Veterans Administration on the

prescribed form furnished by the Veterans Administration (VA Form 2-21, Application for Accreditation as Service Organization Representative) the name of any person whom they desire recognized as accredited representative thereof. In recommending a person for recognition as a representative, the organization, through its appropriate officer, shall certify to the following: That the designee is a citizen of the United States, of good character and reputation, is qualified by ability and experience to present claims, is a member of such organization in good standing, or a full-time, paid employee thereof; and that the major portion of his or her time will be devoted to the preparation or presentation of claims for that organization or other organizations to which the designee may be accredited or that the designee is a national officer of the organization requesting accreditation; whether accredited to any other recognized organizations, and, if so, the name or names thereof; that the designee is not now employed in any civil or military department or agency of the United States and was or was not so employed within 2 years next preceding the date of recommendation for accreditation; if a veteran, the nature of discharge or separation from the active service. An accredited representative, who is a full-time paid employee of a recognized organization may, upon proper application, be accredited as a representative of another recognized organization or organizations without being a member or employee thereof but such accreditation shall be automatically canceled upon termination of employment. Recommendations for accreditation of representatives of National service organizations will be accepted only if approved by the national certifying officer of such organization; those of State organizations only if approved by the Director or higher officer of the organization.

(a) The recommendation for accreditation (VA Form 2-21) executed by a National organization or by a recognized State organization will be filed with the Office of the General Counsel. A recommendation received in Central Office may be sent to the appropriate regional office, if necessary, to secure sufficient facts to justify a determination whether the designee is qualified. The report of the District Counsel including the recommendation, if any, of the Director, together with VA Form 2-21 will be transmitted to the General Counsel, who will approve or disapprove the recommendation. If the designee is approved, FL 2-88, Notice of Approval as Accredited Representative, or FL 2-89, Notice to Accredited Representative of Supplemental Accreditation, will be issued by the General Counsel.

* * * * *

(c) Recognition of an accredited representative will be canceled at the request of the organization. A Director may suspend recognition in any case for cause, sending a report to Central Office, attention of the General Counsel, for final determination.

* * * * *

22. Section 14.628 is revised to read as follows:

§ 14.628 Powers of attorney.

(a) Before an organization may be recognized in an individual claim, there must be filed a power of attorney (VA Form 23-22, Appointment of Service Organization as Claimant's Representative) duly executed by the claimant specifically conferring upon the organization the authority to represent the claimant in the presentation of his or her claim and to receive information in connection therewith, which power of attorney shall be presented to the Veterans Administration office concerned to be filed in the veteran's folder. The claimant may also authorize release to a local organization of information necessary to develop his or her claim and as to action thereon. The power of attorney must be signed by the claimant, or by the guardian, if any, or, in case of an incompetent without guardian, by spouse, parent, or other near relative (if interests are not adverse), or Director of hospital in which veteran is maintained. An organization which has filed a power of attorney in the case of a veteran shall, in the event of death of the veteran, and if the organization so desires, be recognized for a reasonable period thereafter to enable the new claimant or claimants to execute a new power of attorney or to state that none is desired.

(b) Upon receipt of the power of attorney, the organization named therein shall be recognized as the sole agency for the presentation of the claim covered thereby, and no other organization, agent, or attorney shall be recognized in the presentation of that claim or any phase thereof. The power of attorney given by the claimant may be revoked by him or her at any time and a subsequent power of attorney substituted, designating another organization, agent, or attorney; a subsequently executed power of attorney shall constitute a revocation of any existing power of attorney. Likewise, a power of attorney may be revoked by the organization named therein.

(c) Where, a veteran is temporarily incapacitated through illness or injury and unable to execute a power of attorney, the veteran's spouse or other next friend (if her or his interests are not adverse to that of the veteran) may execute a power of attorney, VA Form 23-22, appointing a service organization to act in the prosecution of the veteran's claim before the Veterans Administration. Such power of attorney shall remain effective during the period of the veteran's temporary incapacity. Upon regaining capacity the veteran should either execute a new power of attorney or notify the Veterans Administration in writing of the revocation of the power of attorney executed by the spouse or other next friend during the veteran's temporary incapacity. In the event that a guardian is appointed by a court of competent jurisdiction the foregoing power of attorney shall terminate and it will be necessary for the guardian to execute a new power of attorney, VA Form 23-22, reappointing the service organization to act for the veteran. This paragraph applies only to cases in which there has been no rating or other determination of mental incapacity on the part of the veteran.

(d) A parent and natural guardian of a minor child of a veteran or other person having custody of said minor, provided there is no legally appointed guardian, may execute a power of attorney, VA Form 23-22, appointing a service organization to act for said minor in the prosecution of his or her claim before the Veterans Administration. Such power of attorney shall remain in effect until the minor attains his or her 18th birthday or such later date as the minor may be eligible for benefits from the Veterans Administration or until he or she attains his or her majority under the law of the State of domicile, whichever is the earlier. In the event that a guardian is appointed by a court of competent jurisdiction the foregoing power of attorney shall terminate and it will be necessary for the guardian to execute a new power of attorney, VA Form 23-22, reappointing the service organization to act for the minor.

23. In § 14.629, paragraphs (a) and (b) (1) and (4) are revised to read as follows:

§ 14.629 Recognition of attorneys and agents.

(a) Claim agents will be granted recognition and certified by the Office of the General Counsel upon satisfactory evidence of qualification, including good reputation and knowledge of applicable law and procedure. Upon presentation to the General Counsel of a letter requesting recognition by the Administrator as an agent, any competent person of good moral character and of good repute who is a citizen of the United States, or who has declared an intention to become such a citizen, and who is not engaged in the practice of law may be recognized as an agent to represent claimants before the Veterans Administration, if the recognition is not precluded by any statutory or regulatory provision and such person has never been convicted, whether on trial or plea, of a serious penal offense, or of any violation of any penal provisions respecting fees. Applicants for recognition as agents may be required to prove their fitness to render substantial service by undergoing a written examination testing their knowledge of the laws administered by the Veterans Administration and regulations promulgated thereunder.

(b) (1) The submission of a written declaration by a person stating that he or she is a member in good standing of the bar of the highest court of any State, possession, territory, Commonwealth, or the District of Columbia and that he or she is authorized to represent a particular claimant will, in the absence of contrary evidence, entitle such person to represent the claimant before this agency. The submission of the requisite declaration entitles the attorney to have access to the information in Veterans

Administration files which would be available to the claimant as authorized by §§ 1.503 and 1.504 of this chapter. The additional submission of written authorization to inspect Veterans Administration records, signed by the claimant, will further entitle the attorney to have access to information and Veterans Administration files, as authorized by § 1.525 of this chapter. No particular form for the written authorization is required, nor are witnesses necessary.

* * * * *

(4) Any question as to the current qualification of a person under this paragraph shall be referred to the appropriate District Counsel for initial determination. Said determination may be appealed to the General Counsel by any interested party.

24. Section 14.630 is revised to read as follows:

§ 14.630 Agent affiliated with organizations.

The policy of the Veterans Administration precludes the recognition as an agent, of any person who is an officer or employee, appointive or elective, of any veteran, welfare, or State, county, or municipal organization engaged in assisting claimants in presenting claims before the Veterans Administration without fee or emolument, except that any person holding such office whose duties do not include actual assistance in the presentation of claims before the Veterans Administration may be recognized but will be precluded while holding such office from receiving a fee for services rendered as an agent in the presentation and prosecution of claims for benefits administered by the Veterans Administration. Furthermore, it is contrary to the policy to permit an agent to transact claims business from or at an office from or at which a veteran or welfare organization, or an agency of a State or other political subdivision, carries on its work incident to assisting claimants in presenting claims before the Veterans Administration or to use the stationery of such organization or agency in transacting claims business.

25. Section 14.635 is redesignated 14.632 and revised to read as follows:

§ 14.632 Suspension and revocation of recognition.

Whenever information is received that an attorney or agent recognized by the Veterans Administration is or has engaged in unlawful, unprofessional, or dishonest practice, or is incompetent, or has violated or refused to comply with the laws, regulations, and rules governing his or her recognition before the Veterans Administration, or who shall in any manner deceive, mislead, or threaten any claimant or prospective claimant by word, circular, letter, or advertisement, the General Counsel shall give the accused attorney or agent due notice with a statement of the charge or charges against the attorney or agent, which statement shall be sufficiently specific to permit the accused intelligently to make answer thereto, and shall cite said attorney or agent to show cause within 30 days, which time limit may be extended, why his or her recognition should not be suspended or revoked. Where deemed proper, the recognition of an attorney or agent may be temporarily suspended without notice, pending action as provided in this section.

26. Section 14.636 is redesignated 14.633 and reads as follows:

§ 14.633 Time allowed in answering charges preferred.

If said attorney or agent shall fail to file an answer or other pleading within the time specified, such charge or charges will be taken as confessed and judgment may be rendered as upon default.

27. Section 14.637 is redesignated 14.634 and revised to read as follows:

§ 14.634 Answer to charges.

If an answer, under oath, is filed denying the charges, or so explaining them as to raise an issue thereon, a time and place shall then be set for the taking of testimony. The testimony shall be taken at as convenient a place as possible for both the Government and the defendant, and notice shall be served on the defendant informing said defendant of the time and place at which testimony will be taken for the Government, in order that the defendant may be present and cross-examine the witnesses. Testimony shall be reduced to writing and be signed by the witnesses, unless otherwise stipulated, and may be taken before a District Counsel, attorney examiner, or other officer or agent of the Veterans Administration designated by the General Counsel for that purpose. The testimony, together with any brief desired to be presented by the person charged, will be considered by a board designated for such purpose, which shall recommend to the General Counsel the action to be taken. If the charge or charges be sustained and the General Counsel concurs in the recommendation, the General Counsel will suspend or revoke the recognition of such attorney or agent, or take such other action thereon as the facts warrant.

28. Sections 14.638 and 14.639 are revised to read as follows:

§ 14.638 Acts subjecting recognized attorneys or agents to suspension or revocation.

The recognition of any attorney or agent will be subject to suspension or revocation if such attorney or agent knowingly commits or is guilty of any of the following acts, to wit: (a) Presents or prosecutes a fraudulent claim against the United States or the Veterans Administration; (b) demands or accepts any unlawful compensation for preparing, presenting, or prosecuting any claim before the Veterans Administration or for advice or consultation concerning such a claim; (c) with intent to defraud has in any manner deceived, misled, or threatened any claimant or prospective claimant by word, circular, letter, or advertisement; (d) who, in the presentation or prosecution of, or in connection with, any matter or business pending before said Veterans Administration, has as an associate, or employs as an agent, subagent, or correspondent, any person who has been guilty of any of the above-mentioned acts, or who has been denied recognition, or whose recognition has been suspended or revoked by the Veterans Administration, or who acts as the associate, agent, subagent, or correspondent of any such person; or who is otherwise and in any manner whatever guilty of dishonest or unprofessional conduct.

§ 14.639 Rules of recognition.

No person other than an accredited representative of a recognized organization shall be recognized in the preparation, presentation, or prosecution of any claim under statutes administered by the Veterans Administration, unless he or she has been recognized as an attorney or agent pursuant to these regulations, except (a) that any person (who is a citizen of the United States, or a resident of the United States or of one of its possessions) may be recognized for the purpose of a particular claim upon filing with the office where such claims folder is located a proper power of attorney and a statement signed by such person and the claimant that no fee or compensation of whatsoever nature shall be charged or paid for the services rendered, and, except (b) in claims for insurance benefits under a contract in which the Government admits liability on the contract, there is no issue or contest as to the designated beneficiary, and it is reasonably apparent that the attorney or agent will not charge a fee. In the first class of cases the attorney should be advised by letter regarding the requirements of being recognized in a particular claim or generally. In the latter class of cases, a paragraph substantially as follows should be incorporated in the letter acknowledging receipt of the claim:

The evidence submitted by you in connection with the claim for insurance benefits in the instant case has been received, and an adjudication of the claim for benefits will be made as expeditiously as possible. It is understood, of course, that you are not entitled to any fee for services performed by you in connection with the preparation and presentation of this claim, inasmuch as you have not been regularly recognized to present claims before the Veterans Administration by the Administrator of Veterans Affairs.

29. Section 14.642 is revised to read as follows:

§ 14.642 Diligence or neglect on part of attorney or agent.

An agent or attorney shall be required to exercise due diligence in all claims in which he or she is recognized. Neglect to prosecute a claim for 6 months or failure to furnish evidence called for by the Veterans Administration within 90

days shall be held, in default of cause shown, presumptive evidence of the abandonment of all attorneyship rights in the claim.

30. Section 14.646 is revised to read as follows:

§ 14.646 Change of guardianship during pendency of claim.

A change of guardianship in any case during pendency of a claim shall not affect the question of attorneyship and fee, but no attorney fee shall be allowed to a guardian who prosecutes the claim of his or her ward, or to a firm of attorneys of which the guardian is a member.

31. Sections 14.649, 14.650 and 14.651 are revised to read as follows:

§ 14.649 Advertising and solicitation of claims.

Every agent shall submit to the General Counsel, in duplicate, copies of all proposed forms and letterheads intended for use in connection with business before the Veterans Administration, and the General Counsel will notify such agent as to approval or disapproval. The use by an attorney or agent of the characters "U.S." or the words "United States" as a part of his or her or the title of his or her business shall not be pemritted. The publication or circulation of ordinary simple business cards, being a matter of personal taste or local custom, and sometimes of convenience, is not of itself improper, but solicitation of business by circulars or advertisements, or by personal communications or interviews, not warranted by personal relations, is unprofessional and will render an attorney or agent liable to suspension, disbarment or revocation.

§ 14.650 Expenses incurred by attorney or agent in the prosecution of claims.

When an agent, attorney, or other person incurs any expense in the prosecution of a claim, a sworn itemized account of such expense must be filed with the Veterans Administration to be retained in the claims folder as part of the permanent record and the approval thereof secured, before demanding or receiving reimbursement from the claimant, by the adjudicating officer, or designee. Notice of the action taken in all cases shall be transmitted to the attorney concerned by the service handling the claim.

§ 14.651 Solicitation of fees.

Attorneys or agents shall not, directly or indirectly, solicit, contract for, charge, or receive, or attempt to solicit, contract for, charge, or receive any fee or compensation whatsoever for advice or consultation conerning the laws administered by the Veterans Administration and the regulations, rules based thereon, or for service to claimants thereunder, except such fee or compensation as is herein provided, whether a claim has been or is thereafter filed, or no claim is filed for the person in whose behalf such advice or consultation is given or held or service rendered. Any agent or attorney who shall so do shall thereby subject his or her recognition by the Veterans Administration to suspension or revocation and be subject to the applicable penal provisions of the law.

32. Section 14.657 is revised to read as follows:

§ 14.657 Approval of fees by Veterans Administration.

The fee provided in § 14.655 shall be due and payable only upon the approval of the claim by the Veterans Administration and then only in the event the attorney or agent has rendered material service in the prosecution of the claim. The filing of the claim may be considered as rendering material service if the attorney or agent is not in neglect but renders all the service necessary to complete the same, that is, where the attorney or agent has done all that he or she was called upon to do, or could do, even if it be the filing of the application alone, he or she is entitled to be paid the attorney's fee if one be provided in such case.

33. Section 14.663 is redesignated 14.660 and reads as follows:

§ 14.660 Banks or trust companies acting as guardians for veterans.

Banks or trust companies, corporate entities, acting as guardians for claimants, may be represented before adjudicating agencies as authorized representatives of claimants by an officer or employee thereof, including a regularly employed attorney, if such employee or attorney represents the corporation in its fiduciary capacity, but no fee may be allowed for such services under § 14.646.

34. Section 14.664 is revised to read as follows:

§ 14.664 Scope of authority and effective date.

Pub. L. 88-558 (78 Stat. 767), approved August 31, 1964, as amended, authorizes the Administrator of the Administrator's designee to settle and pay a claim for not more than $15,000 made by a civilian officer or employee of the Veterans Administration for damage to, or loss of personal property incident to such person's service. Authority is delegated by § 2.6(e)(5) of this chapter to the General Counsel, Deputy General Counsel, Assistant General Counsel (Professional Staff Group I), and the Deputy Assistant General Counsel, of said staff group and the District Counsel and those acting for them to settle and pay such claims on behalf of the Administrator, and such settlement shall be final and conclusive.

35. In § 14.665, paragraphs (a) (introduction), (a)(3) and (c) are revised to read as follows:

§ 14.665 Claims.

(a) The claim must be presented in writing on VA Form 2-4760, Employee's Claim for Reimbursement for Personal Property Damaged or Lost Incident to Employment. It will be submitted to the personnel office where the claim originates within 2 years after it accrues except that if the claim accrues in time of war or in time of armed conflict in which any Armed Force of the United States is engaged or if such war or armed conflict intervenes within 2 years after it accrues, and if good cause is shown, the claim may be presented not later than 2 years after that cause ceases to exist. The claim must be executed and certified by the officer or the employee suffering the loss or damage, or in the event of his or her death, by the surviving spouse, children, father or mother or both, or brothers or sisters or both. Claims of survivors shall be settled and paid in the order named. All claims must contain the following:

* * * * *

(3) A statement as to any claim or potential claim he or she may have for indemnification of the loss or damage against other than the United States and whether he or she will assign such to the United States and cooperate in its prosecution. Where such claim or potential claim is against a carrier or insurer, evidence that a timely claim has been properly made. Where a recovery from the carrier or his or her insurer has been obtained or offered, such information shall be included.

* * * * *

(c) The employee designated pursuant to § 14.605 will ascertain if such claim is complete in all respects and conduct such investigation as is necessary to establish all facts required to properly evaluate the claim both as to merit and the reasonable amount payable for the loss or damage. Where it is indicated that the claimant may have a potential claim against other than the United States, the employee designated will secure a suitable assignment of all right and title to such claim, to the extent the United States makes reimbursement, and the agreement of the claimant to furnish such evidence as may be necessary to pursue such claim. If the potential claim is against a carrier or insurer, the employee designated will ascertain that the claimant has filed a timely proper claim and procure evidence thereof. The employee designated will also include information concerning any offer of settlement the carrier may have made. The completed investigation, original claim and supporting evidence will be forwarded to the appropriate District Counsel.

36. Section 14.666 is revised to read as follows:

§ 14.666 District Counsel responsibility.

(a) The district Counsel having jurisdiction will conduct such additional investigation as is deemed necessary to establish all facts required. If the claimant has a potential claim for indemnification against other than the United States, the District Counsel will ascertain that a suitable assignment, legally enforceable, of all right and title to such claim, to the extent the United States

makes reimbursement, and the agreement of the claimant to furnish such evidence as may be necessary to pursue such claim is of record. If such potential claim is against a carrier or insurer District Counsel will ascertain that claimant has filed a timely proper claim against the carrier or insurer and review same for legal sufficiency.

(b) The District Counsel having jurisdiction over a claim will not authorize payment thereon unless the requirement of §§ 14.664 through 14.667 are met. In determining the equitable value of a claim, the depreciation schedule issued by the General Counsel will be used as a guide.

37. In § 14.667, paragraph (a) (2) and (4) is revised to read as follows:

§ 14.667 Claims payable.

(a) No claim shall be paid unless timely filed in proper form as provided in § 14.665 and the preponderance of the evidence establishes that the loss or damage:

* * * * *

(2) Was incident to the employee's service and his or her possession of the property was reasonable, useful, or proper under the circumstances,

* * * * *

(4) Was not caused wholly or partly by the negligent act of claimant, the claimant's agent, or employee, and that the claimant has no right to indemnification for the loss or damage from other than the United States, except to the extent that the claimant assigns such right to the United States and agrees to furnish evidence required to enable the United States to enforce such right. In the event there is a right to recovery for the loss or damage from a carrier or insurer the claimant will be required to file a timely claim for such recovery before consideration of the claim against the United States.

* * * * *

38. In § 14.668, paragraph (b) (2) is revised to read as follows:

§ 14.668 Disposition of claims.

* * * * *

(b) *Allowed claims.* * * *

(2) *Reimbursement by check.* The official authorizing settlement will forward allowed claims, other than those requiring reimbursement in kind, to the Finance activity at the Veterans Administration installation where the claim arose. That activity will audit the claim, which if found proper for payment, will be scheduled on SF 1166, Voucher and Schedule of Payments, and forwarded to the appropriate Regional Disbursing Office for payment.

39. A centerhead and §§ 14.700 through 14.709 are added to read as follows:

COMMITMENTS—FIDUCIARIES

§ 14.700 Court cost and expenses; commitment, restoration, fiduciary appointments.

It is the responsibility of the District Counsel to assure the protection of the veteran, his or her beneficiaries, and their estates in State court proceedings involving commitment and restoration, and the appointment of fiduciaries. To this end, certain expenses such as court costs, publication fees, recording fees, transportation expenses and fees for medical testimony may be authorized by the District Counsel. Payment of these costs will be borne by the department concerned. However, every effort will be made by the District Counsel to avoid having these costs imposed on the Veterans Administration. The travel and per diem cost of the District Counsel personnel will be borne by the District Counsel.

§ 14.701 Commitment and restoration proceedings.

(a) *State institutions.* District Counsels are authorized to cooperate with State courts, including the production of required records, in the commitment of veterans to State hospitals or in their restoration to full civil rights.

(b) *Veterans Administration institutions*—(1) *Assistance to courts in commitment proceedings.* The District Counsel will render assistance to the courts in cases involving the commitment of mentally ill veterans to the Veterans Administration. To this end, the District Counsel may:

(i) Produce Veterans Administration records.

(ii) Appear in court and present material facts.

(iii) When authorized to institute commitment proceedings under paragraph (b) (2) of this section, prepare and present all necessary legal papers, and arrange and authorize transportation costs of veterans and attendants at Veterans Administration expense (§§ 14.703 and 14.704).

(2) *Commitment proceedings.* If a mentally ill veteran will accept hospitalization voluntarily, no action will be initiated by any Veterans Administration employee to commit such veteran. If the veteran will not accept hospitalization, or after being voluntarily hospitalized by the Veterans Administration demands his or her release, and hospitalization is necessary for the veteran's safety or the safety of others, the District Counsel (if a relative of the veteran or other interested person has not done so) may institute proceedings to commit the veteran to the Veterans Administration subject to the following conditions:

(i) That the written consent of the veteran's nearest relative has been obtained. If the nearest relative cannot be readily contacted or refuses to consent, coupled with inability or refusal to offer adequate alternative care, the District Counsel may initiate the action if the petition is signed by another relative, a civil official or representative of a cooperating agency or other person authorized by State law.

(ii) If timely action cannot be taken under paragraph (b) (2) (i) of this section, the Hospital or Clinic Director, or designee, may sign the petition if permissible under State law, and the District Counsel will then take any action necessary to bring the matter before the appropriate court.

(3) *Illegal commitment.* When a hospitalized veteran, previously committed to the Veterans Administration, demands release and continued hospitalization is necessary for the veteran's safety or the safety of others, and the District Counsel determines the commitment to be illegal, immediate action will be taken to obtain a legal commitment.

(4) *Restoration proceedings.* When a veteran has been a committed patient in a Veterans Administration hospital and is subsequently rated competent by the Veterans Administration, the District Counsel upon request, may institute proceedings necessary to restore the veteran to full civil rights.

§ 14.702 Medical testimony in commitment or restoration proceedings.

(a) *Commitment.* When permissible under State law, Veterans Administration physicians, upon request of the District Counsel, will sign interrogatories or certificates of mental illness or insanity and, unless unavailable, as provided in paragraph (c) of this section, will testify in proceedings which the District Counsel is authorized to institute under § 14.701 to commit eligible veterans to the Veterans Administration.

(b) *Restoration.* (1) When permissible under State law, Veterans Administration physicians, upon the request of the District Counsel, will testify in proceedings brought for the purpose of restoring a committed veteran to full civil rights when the veteran is a committed patient in a Veterans Administration hospital.

(2) The Director of a Veterans Administration hospital or the District Counsel upon discharge of the veteran, may furnish a certificate of sanity or such similar certificate to the proper civil authorities.

(c) *Employment of private physicians.* When testimony of Veterans Administration physicians is prohibited or is unavailable because of a duty assignment, comparative expense or other valid reason, the Director of the Veterans Administration hospital, upon recommendation of the District Counsel, may employ any qualified physician for preliminary examination of the veteran and for testimony in any commitment or restoration proceeding which the District Counsel is authorized to institute under § 14.701, and authorize the payment of a fee not to exceed the prescribed fee, or in the absence thereof, the customary fee charged for the service rendered.

§ 14.703 Costs in commitment or restoration proceedings.

(a) When authorized to institute a proceeding under § 14.701, the District Counsel may authorize in advance or thereafter the payment or reimbursement of costs and other expenses for which the veteran is legally liable, including publication of notice necessary to accomplish the commitment.

(b) The District Counsel also may authorize the payment of necessary costs and expenses for which the veteran is

legally liable incident to his or her restoration to full civil rights in any case in which the District Counsel is authorized to institute restoration proceedings under § 14.701(b)(4).

§ 14.704 Authorization of transportation necessary for commitment of a veteran beneficiary.

When a mentally ill veteran who should be committed is hospitalized by the Veterans Administration and under the law of the State wherein the hospital is located, a commitment may not be had locally, the veteran may be returned temporarily to the jurisdiction of the appropriate court in order that the commitment can be accomplished. If the veteran is in a Veterans Administration hospital, the Hospital Director may authorize travel of the veteran and an attendant or attendants, if necessary, upon request of the District Counsel. If the veteran is being maintained in a non-Veterans Administration hospital, the Director of the facility authorizing and paying for the care may authorize such travel upon request of the District Counsel.

§ 14.705 Authority to file petitions for appointment of fiduciaries in State courts.

(a) *Adult beneficiary.* The District Counsel is authorized to file or cause to be filed on behalf of a petitioner in a case coming within § 14.706(a) a petition for the appointment of a fiduciary and all necessary legal papers for an adult beneficiary only if it has been determined that alternative methods of payment would not be to the best interests of the beneficiary and when the District Counsel has obtained the written consent of:

(1) The beneficiary's spouse.

(2) The beneficiary's adult child, parent, adult brother or sister if the beneficiary is unmarried, or consent of the spouse is mmaterial because of estrangement or mental incapacity, or refusal to consent coupled with failure to offer adequate alternative means for providing for the beneficiary's needs.

(3) A civil official or representative of a cooperating agency when none of the relatives listed in paragraph (a) (1) and (2) of this section can be located after reasonable inquiry or those located are not mentally competent to consent or refuse without offering adequate alternative means for providing for the needs of the beneficiary.

(b) *Minor beneficiaries.* The District Counsel is authorized to file or cause to be filed on behalf of a petitioner in a case coming within § 14.706(a) a petition for the appointment of a fiduciary for a minor, if permissible under the law of the jurisdiction concerned and if it has been determined that protection of the minor's rights under laws administered by the Veterans Administration requires the appointment, provided: the written consent of the minor's natural or adoptive parent or parents or the person or persons occupying the relationship of "in loco parentis" as defined, by the law of the jurisdiction, in which they reside has been obtained. The District Counsel will not institute a court proceeding for the appointment of a fiduciary over the objections of such parent or parents if they are sui juris unless the parent or parents have abandoned the minor or have otherwise refused to meet their parental obligations toward the minor or they have previously been appointed or recognized as the minor's fiduciary and failed to properly execute the duties of their trust. If the minor has no parent or the parent or parents are not sui juris, the District Counsel may file the petition without the consent of any relative.

(c) *Court-appointed fiduciaries.* In court-appointed fiduciary cases, the District Counsel may appear in the court of appointment or in any court having original, concurrent, or appellate jurisdiction, and make proper presentation relating to the foregoing matters. The District Counsel's authority includes but is not limited to:

(1) Petitioning the court to cite a fiduciary to account;

(2) Filing exceptions to accountings;

(3) Requiring fiduciaries to file bonds or make any necessary adjustments;

(4) Requiring investments;

(5) Filing petitions to vacate or modify court orders;

(6) Appearing or intervening in any State court as attorney for the Administrator of Veterans Affairs in litigation instituted by the Administrator or otherwise affecting money paid to such fiduciary by the Veterans Administration;

(7) Incurring necessary court costs and other expenses, including witness fees, appeal bonds, advertising in any newspaper or other publication, preparing briefs or transcripts, purchase of records of trial or other records;

(8) Instituting any other action necessary to secure proper administration of the estate of a Veterans Administration beneficiary, such as filing petitions for the removal of a fiduciary and appointment of a successor;

(9) Taking appropriate action to recover funds improperly disbursed.

(d) *Appeal.* Unless a trial is de novo, no appeal shall be taken to an appellate court and no costs incurred in connection therewith without the prior approval of the General Counsel and the Chief Benefits Director or their designees.

§ 14.706 Legal services in behalf of beneficiaries.

(a) The District Counsel may furnish legal services in behalf of minor and incompetent beneficiaries of the Veterans Administration in fiduciary appointment and estate administration matters involving Veterans Administration benefits or property derived therefrom when the beneficiary's estate or income is not sufficient to justify the employment of an attorney.

(b) The District Counsel may also furnish legal services in hardship situations when restoration from legal disability is a condition precedent to direct payment of Veterans Administration benefits.

(c) Where the fiduciary does not in due course institute the necessary action to terminate the trust relationship and the beneficiary requests representation by the District Counsel or in any such case where there is in question the proper administration of the estate, the District Counsel may file the necessary action and supply legal services. Costs, unless assessed against the fiduciary, should be charged to the estate of the beneficiary.

§ 14.707 Authorization of transportation of a veteran beneficiary for appointment of a fiduciary.

When the appointment of a fiduciary is required for an incompetent veteran hospitalized by the Veterans Administration and, under the law of the State wherein the hospital is located, the appointment cannot be had locally, the veteran may be returned temporarily to the jurisdiction of the appropriate court in order that the appointment can be accomplished. If the veteran is in a Veterans Administration hospital, the Hospital Director, upon request of the District Counsel, may authorize travel of the veteran and an attendant or attendants, if necessary. If the veteran is being maintained in a non-Veterans Administration hospital, the Director of the facility authorizing and paying for the care may authorize such travel upon request of the District Counsel.

§ 14.708 Costs and other expenses incident to appointment of fiduciary.

(a) The District Counsel may authorize the payment of costs and other necessary expenses incident to the appointment of an initial or successor fiduciary for a Veterans Administration beneficiary when:

(1) Authorized to render legal services under § 14.706.

(2) Appointment was caused by the Veterans Administration and it develops that no benefits are payable and there is no estate from which costs may be paid.

(3) Costs must be advanced when there is no immediate estate from which same may be paid. These costs are to be recovered from benefits payable unless the case falls within paragraph (a)(1) of this section.

(b) Costs and necessary expenses include:

(1) All those chargeable by statute or rule of court and certified by the clerk of court.

(2) Certified copies of court records required by the Veterans Administration.

(3) Fees for guardian ad litem when chargeable as court costs and required by State law.

§ 14.709 Surety bonds; court-appointed fiduciary.

(a) It is the policy of the Veterans Administration to require, where possible under State laws and rules of the court, corporate surety bonds in all court-appointed fiduciary cases where the fiduciary is an individual and the estate is sufficient to justify the expense of procuring a corporate surety bond. Corporate bonds may be required of corporate fiduciaries in accordance with State laws. In cases wherein fiduciaries neglect or

refuse to furnish corporate bonds, as requested by the District Counsel, the District Counsel should take appropriate court action and notify the Veterans Services Officer.

(b) When it is not practical or feasible to require a fiduciary to furnish a corporate surety bond, the District Counsel is authorized to accept bonds with such number of personal sureties as is permissible under State law, but in no event lses than one. To be acceptable for Veterans Administration purposes, each personal surety must be worth at least the penal sum named in the bond over and above all debts, liabilities and exemptions and qualify in accordance with the requirements of State law. The District Counsel will request suitable evidence of financial responsibility whenever there is any question as to the ability of a personal surety to meet any probable liability. When suitable evidence is not furnished as requested, or financial responsibility is found to be insufficient to meet the penal sum of the bond, the District Counsel should take appropriate court action and notify the Veterans Services Officer.

(c) It is the policy of the Veterans Administration to require surety bonds in an amount commensurate with value of the personal estate derived from Veterans Administration benefits plus the anticipated net income from Veterans Administration benefits received during the ensuing accounting period. In cases where the fiduciaries neglect or refuse to furnish surety bonds in the amount requested by the District Counsel, the District Counsel should take appropriate court action and notify the Veterans Services Officer. When permissible under State law, the District Counsel may accept, without objection, a lesser degree of protection approved by the court when it is determined that such action will adequately protect the beneficiary's estate.

[FR Doc.76-27011 Filed 9-14-76;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 STATE

Agency for International Development

[Delegation of Authority No. 99, Amdt. No. 6]

ASSISTANT ADMINISTRATOR FOR PROGRAM AND MANAGEMENT SERVICES, ET AL.

Delegation of Authority Concerning Contracting and Related Functions

Pursuant to authority delegated to me by Delegation of Authority No. 104 from the Secretary of State, dated November 3, 1961 (26 FR 10608), as amended, I hereby further amend Delegation of Authority No. 99, dated April 27, 1973 (38 FR 12834), as amended, as follows:

Paragraph "1A(i)e" is revised to read:

"e. Amendments, modifications, ratifications or other extraordinary contractual actions pursuant to Sections 3 or 4 of Executive Order 11223: *Provided*, That redelegation of such authority shall not extend to actions which (i) increase the amount payable to the contractor by more than $250,000, or (ii) relieve the contractor of the liability to make refund or restitution of more than $250,000."

This amendment is effective immediately.

Dated: August 23, 1976.

JOHN E. MURPHY,
Deputy Administrator.

[FR Doc.76-26936 Filed 9-14-76;8:45 am]

[Redelegation of Authority No. 99.1, Amdt. No. 2]

DIRECTOR, OFFICE OF CONTRACT MANAGEMENT

Redelegation of Authority Concerning Contracting and Related Functions

Pursuant to the authority delegated to me by Delegation of Authority No. 99, dated April 27, 1973, from the Administrator of the Agency for International Development (38 FR 12834), as amended, I hereby further amend Redelegation of Authority No. 99.1, dated May 1, 1973 (38 FR 12836) as amended, as follows:

Paragraph "e" is revised to read:

"e. Amendments, modifications, ratifications or other extraordinary contractual actions pursuant to Section 3 of Executive Order 11223: *Provided*, That redelegation of such authority shall not extend to actions which (i) increase the amount payable to the contractor by more than $50,000, or (ii) relieve the contractor of the liability to make refund or restitution of more than $50,000."

This amendment is effective immediately.

Dated: September 1, 1976.

CHARLES A. MANN,
Assistant Administrator, Bureau for Program and Management Services.

[FR Doc.76-26937 Filed 9-14-76;8:45 am]

[Redelegation of Authority No. 99.2]

DEPUTY ASSISTANT ADMINISTRATOR FOR PROGRAM SUPPORT BUREAU FOR PROGRAM AND MANAGEMENT SERVICES

Redelegation of Contracting Authority

Pursuant to the authority delegated to me by Delegation of Authority 99, dated April 27, 1973, from the Administrator, Agency for International Development (38 FR 12834) as amended, I hereby redelegate to the Deputy Assistant Administrator for Program Support, Bureau for Program and Management Services, the following authority:

(1) To sign or approve the following:

(a) U.S. Government contracts financed in whole or part by AID;

(b) Country contracts for technical assistance activities financed in whole or in part by an AID grant;

(c) Grants (other than grants to foreign governments or agencies of foreign governments) for technical assistance activities, and cooperative agreements for technical assistance activities;

(d) Project implementation orders-technical services (PIO/T) for activities for which said Assistant Administrator has program responsibility;

(e) Amendments, modifications, ratifications or other extraordinary contractual actions pursuant to Section 3 of Executive Order 11223: *Provided*, That redelegation of such authority shall not extend to actions which (i) increase the amount payable to the contractor by more than $250,000, or (ii) relieve the contractor of the liability to make refund or restitution of more than $250,000.

(2) With respect to those contracts, grants, and cooperative agreements referred to in paragraph 1.A.(1) above, to make findings and determinations with respect to advance payments, including those financed by Federal Reserve letters of credit, and to approve contract, grant, and cooperative agreement provisions relating to such advance payments.

(3) So much of the function contained in section 608(a) of the Foreign Assistance Act of 1961, as amended (the Act), as consists of acquiring, storing, renovating, rehabilitating, packing, crating, handling, transporting, and other acts related thereto, of property classified as domestic or foreign excess property pursuant to the Federal Property and Administrative Services Act of 1949, as amended, or other property, in advance of known requirements. The exercise of this function is subject to such limitations as to the funds made available and as to the furnishing of such property as are contained in section 608(a) of the Act.

(4) To sign agreements with any agency of the U.S. Government to undertake specific projects or programs financed in whole or in part by AID. This delegation does not include authority to execute general agreements.

The authority delegated herein may not be further redelegated.

This redelegation is effective immediately.

Dated: September 1, 1976.

CHARLES A. MANN,
Assistant Administrator, Bureau for Program and Management Services.

[FR Doc.76-26938 Filed 9-14-76;8:45 am]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[Order No. 157]

SPECIAL AGENTS AND INTERNAL SECURITY INSPECTORS ET AL.

Delegation of Authority Regarding Seizure and Forfeiture of Personal Property

(1) Pursuant to the authority granted to the Commisisoner of Internal Revenue by 26 CFR 403.65.

(a) Special Agents and Internal Security Inspectors are authorized:

1. To seize personal property for forfeiture to the United States when involved, used, or intended to be used, in violation of the internal revenue laws other than Chapters 35, 51, 52, and 53 of the Internal Revenue Code of 1954;

2. To estimate the value of seized personal property and if valued at $2,500 or less to cause a list to be prepared and appraisal to be obtained and to attest such list and appraisement, and to publish notice, as provided in 26 CFR 403.26; and

3. To cause notice of sale to be placed in accordance with 26 CFR 403.55 and to re-advertise the property when necessary in accordance with 26 CFR 403.57.

(b) District Directors and Regional Inspectors are authorized:

1. To make the determinations concerning type and conditions of cost bonds as provided in 26 CFR 403.27;

2. To exercise the authority of the Commissioner concerning disposition of perishable goods provided in 26 CFR 403.30;

3. To execute the declaration of forfeiture showing that personal property has been forfeited to the United States;

4. To acquire for official use seized property by exercising the authority of the Commissioner provided in 26 CFR 403.44;

5. To determine that seized property shall be sold at public auction as provided in 26 CFR 403.55;

6. To order the destruction of any coin-operated gaming device under the provisions of 26 CFR 403.65.

(c) The Director, Intelligence Division, and the Director, Internal Security Division, are authorized:

1. To allow or deny petitions for remission or mitigation of forfeiture, accept or reject any offer in compromise of the liability to forfeiture of personal property, and to make the necessary determinations and notifications, as provided in 26 CFR 403.43, and to authorize the District Directors or Regional Inspectors to notify the petitioner or offeror of the action taken on the petition or offer.

(2) The authority delegated herein may not be redelegated.

Date of issue and effective date: SEPTEMBER 15, 1976.

DONALD C. ALEXANDER,
Commissioner.

[FR Doc.76-27025 Filed 9-14-76;8:45 am]

DEPARTMENT OF DEFENSE

Defense Privacy Board

PRIVACY ACT OF 1974

Health Care Records and Guidelines for the Release of Information to the News Media

On April 13, 1976, a general notice, promulgated by the Defense Privacy Board, FR Doc. 76-10588, was published in the FEDERAL REGISTER (41 FR 15127) setting forth Department of Defense proposed guidelines under the Privacy Act in responding to news media or other requests for information, as affected by the Freedom of Information Act, about individuals treated or hospitalized in Department of Defense medical facilities or in a nonfederal facility which the Department of Defense reimburses for the costs of the care rendered. The notice invited interested parties to submit their views and comments to the Defense Privacy Board by May 14, 1976. All comments with respect to the proposed guidelines were given due consideration. As a result of comments received, the following changes in the revised final policy guidelines are made in addition to language changes for clarification:

1. The last sentence of paragraph 3. is deleted as it contradicts that portion of paragraph 4. which provides for release of certain information under the Freedom of Information Act, without consent of the patient concerned.

2. The phrase "whether the individual is conscious, semi-conscious, or unconscious" is moved from paragraph 5a(1)(a) to a new paragraph 4b(4). This was done because the last sentence of paragraph 5, taken in conjunction with the phrase in paragraph 5a(1)(a), might be construed to totally preclude the disclosure of a condition of unconsciousness.

3. A new paragraph is added to the end of the guidelines to point out that the restrictions imposed should not be construed as limiting the release of personal medical information to other government agencies for the purpose of determining eligibility for benefits or special assistance.

Accordingly, the Department of Defense policy on health care records and established guidelines for the release of information in responding to news media or other requests for information pertaining thereto, as revised, is set forth below.

Effective date: This policy guideline shall become effective October 18, 1976.

Adopted by the Defense Privacy Board at its office in Washington, D.C., on the 9th day of September 1976.

SEPTEMBER 9, 1976.

MAURICE W. ROCHE,
Director, Correspondence and Directives OASD (Comptroller).

1. *Purpose.* The following Department of Defense guidelines shall govern the application of the Privacy Act (5 U.S.C. 552a) in responding to news media or other requests for information under the control of the Department of Defense about individuals who are treated or hospitalized in Department of Defense medical facilities or in nonfederal facilities which the Department of Defense reimburses for the costs of the care rendered.

2. *Scope.* The provisions of the guideline apply to all Department of Defense components. This guideline is of concern to all Commanders, hospital administrators, Public Affairs Officers, Information Officers, Legal Counsel, and records administrators.

3. *Background.* It is the policy of the Department of Defense, consistent with the Freedom of Information Act, to make available to the public the maximum amount of information concerning its operations and activities. Section 552(b)(6) of that Act, however, clearly states that information in personnel and medical and similar files is exempt from the provisions of the Act if disclosure to a member of the public would result in a clearly unwarranted invasion of personal privacy. These guidelines attempt to strike a balance between the rights of a member of the public under the Freedom of Information Act to information in U.S. Government agency records and the protection afforded an individual against unwarranted invasions of personal privacy through release of information from medical records. These guidelines apply to information from records concerning persons treated or hospitalized in a Department of Defense medical facility or in a nonfederal facility which the Department of Defense reimburses for the costs of care rendered.

4. *Policy guidelines.* In structuring medical reports for release to news media or members of the public after notification of the next-of-kin, if appropriate, the following information may be provided under the Freedom of Information Act without the patient's consent:

a. *Biographical data*—(1) Name of patient and rank.

(2) Date of admission or disposition.

(3) Age.

(4) Sex.

(5) Component, base, station, or organization.

b. *To be release if requested*—(1) Marital status (i.e., married or unmarried).

(2) Occupation/job title.

(3) The present medical assessment of the individual's condition in the following terms if the medical doctor has volunteered the information and it is known: individual's condition is presently stable (good) (fair) (serious) (critical).

(4) Whether the patient is conscious, smiconscious, or unconscious.

5. *Informed consent.* More detailed medical and other information may be released in response to inquiries from third parties provided (a) the individual gives his informed consent and (b) release of such information would not jeopardize the patient's condition.

There is a presumption that individuals normally will consent to the release of the information described in 5.a.(1) below. To test this presumption, a patient who is conscious and competent must be given an opportunity to object to the release of any aspect of the description of condition set forth below. If he objects, the presumption is rebutted, and the objectionable information under 5.a.(1) below shall not be released. If the patient is not conscious or not mentally competent, such information may not be released until there has been enough improvement in condition to afford the patient the same opportunity to object to its release. In the case of incompetent patients a guardian, if one has been appointed, may waive the patient's opportunity to object to the proposed release.

a. *Description of condition*—(1) The condition may be described as a disease or injury. In either case, generally the following information may be given:

(a) Description of the type of injury or disease, e.g., burn, fracture, gunshot wound, pneumonia, pain in the chest.

(b) The general factual circumstances surrounding an injury, avoiding any statement that might invite speculation, conclusion, or hinder an investigation. For example: patient suffered a fracture in an automobile accident (but not, patient was the victim of a hit and run driver) or, patient suffered a fall (but not, patient tripped over equipment that was improperly stored).

(c) The general site of the injury (e.g., burns of the left leg), avoiding any specific location or description that might prove embarrassing to the individual or reflect bad taste.

(d) General extent of the injury (e.g., the injuries are described by the staff as being of moderate severity).

(2) Under no circumstances should a prognosis be given.

(3) If there is any sensitive information relating to the admission of the patient (e.g., sexual assault, criminal actions, drug or alcohol abuse, psychiatric/social conditions, venereal disease), no information other than that listed above in 4.a. and b. may be given. A statement to the following effect may be made: "Further details with regard to (individual's) admission to the hospital are not releasable at this time."

The above limitations on release of information to third parties are to be construed as limiting the disclosure of personal medical information to other government agencies for their use in determining a patient's eligibility for benefits or special assistance.

[FR Doc.76-27016 Filed 9-14-76;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

IMPORTATION OF CONTROLLED SUBSTANCES

Application

Pursuant to Section 1008 of the Controlled Substances Import and Export Act (21 U.S.C. 958(h)), the Attorney General shall, prior to issuing a registration under this section to a bulk manufacturer of a controlled substance in schedule I or II, and prior to issuing a regulation under section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore in accordance with § 1311.42 of Title 21, Code of Federal Regulations (CFR), notice is hereby given that on June 9, 1976, Research Technology Branch, Division of Research, National Institute on Drug Abuse, DHEW, 11400 Rockville Pike, Rockville, Maryland 20852, made application to the Drug Enforcement Administration to be registered as an importer of the basic class of controlled substances listed below to be imported for research purposes only:

Drug:	Schedule
Tetrahydrocannabinolos	I
Marihuana	I
Lysergic Acide Diethylamide	I
Etonitozene	I
Psilocybin	I
Psilocyn	I
5-methoxy-3, 4-methylenedioxy amphetamine	I
3,4,5-trimethoxy amphetamine	I
3,4-methylenedioxy amphetamine	I
4-bromo-2,5 dimethoxyamphetamine	I
Bufotenine	I
Dimethyltryptamine	I
2,5 dimethoxyamphetamine	I
4 - methyl-2,5-dimethoxyamphetamine	I
4-methoxyamphetamine	I

As to the basic class of controlled substances listed above for which application for registration has been made, any other applicant therefor, and any existing bulk manufacturer registered therefor, may file written comments on or objections to the issuance of such registration and may, at the same time, file a written request for a hearing on such application in accordance with 21 CFR 1301.54 in such form as prescribed by 21 CFR 1316.47. Such comments, objections and requests for a hearing may be filed no later than October 29, 1976.

Comments and objections may be addressed to the DEA Federal Register Representative, Office of Chief Counsel, Drug Enforcement Administration, Room 1203, 1405 Eye Street, N.W., Washington, D.C. 20537.

This procedure is to be conducted simultaneously with and independent of the procedures described in 21 CFR 1311.42 (b), (c), (d), (e) and (f). As noted in a previous notice at 40 FR 43745-46 (September 23, 1975), all applicants for registration to import a basic class of any controlled substance in schedule I or II are and will continue to be required to demonstrate to the Administrator of the Drug Enforcement Administration that the requirements for such registration pursuant to 21 U.S.C. 958(a), 21 U.S.C. 823(a), and 21 CFR 1311.42 (a), (b), (c), (d), (e) and (f) are satisfied

Dated: September 3, 1976.

JERRY N. JENSON,
Deputy Administrator,
Drug Enforcement Administration.

[FR Doc.76-26967 Filed 9-14-76;8:45 am]

[Docket No. 75-26]

KENNETH I. HUNT

Termination of Registration by Operation of Law

On August 12, 1975, the Acting Administrator, Drug Enforcement Administration, (DEA), issued to Kenneth I. Hunt, M.D. an Order to Show Cause as to why his registration (AH5157462) should not be revoked for the reason that he had been convicted on May 12, 1975, in the Superior Court of the State of Washington, of a felony in violation of the Controlled Substances Act of the State of Washington.

On September 12, 1975, Dr. Hunt, through his counsel requested a hearing on the Order to Show Cause and on February 24 and 25, 1976, a hearing was held in Seattle, Washington, before Administrative Law Judge Francis L. Young.

On August 4, 1976, Judge Young certified to the Administrator pursuant to 21 CFR 1316.65, the record of proceedings in this matter together with his recommended findings of fact, conclusions of law, and recommended decision. The Administrator pursuant to 21 CFR 1316.66 hereby publishes his final order in this proceeding based upon the findings of fact and conclusions of law set forth below.

The Administrative Law Judge found inter alia, that on May 12, 1975, Respondent pleaded guilty to five counts of violating the State of Washington Controlled Substances laws. Judge Young found that the Respondent committed these violations by obtaining a controlled substance, Demerol, through fraudulent prescriptions for his own personal abuse. The Administrative Law Judge found that following his plea of guilty, the Respondent received a deferred imposition of sentence for a period of four years beginning on June 19, 1975.

The Administrative Law Judge also found that the Respondent was currently serving as a resident in Internal Medicine in the Sacred Heart Hospital in Yankton, South Dakota and that this residency is scheduled to continue until July 1, 1978. Furthermore, Judge Young found that as a resident on the staff of Sacred Heart Hospital the Respondent must comply with terms of a drug control agreement which denies the Respondent access to all controlled drugs and substances and prohibits him from receiving, dispensing, administering or in any other way handling the same during the term of his deferred sentence. The Administrator adopts these findings of fact.

The Administrative Law Judge concluded as a matter of law that the Respondent had been convicted of a felony related to controlled substances in violation of the laws of the State of Washington. Judge Young also concluded as a matter of law that Respondent's DEA registration AH5157462 had terminated by operation of law when he ceased to practice medicine at his place of registration in the State of Washington and commenced his residency at the Sacred Heart Hospital in Yankton, South Dakota. The Administrative Law Judge therefore concluded as a matter of law that Respondent has no current DEA registration in force. The Administrator adopts these conclusions of law.

The Administrative Law Judge recommended that the Administrator:

1. Determine that the Respondent's registration under the Controlled Substances Act of 1970 has terminated by operation of law.

2. Direct Respondent to surrender his certificate of registration.

3. Direct the appropriate office within the Drug Enforcement Administration to disregard Respondent's May 12, 1975, conviction in the Superior Court of the State of Washington, and the facts and circumstances out of which it arose, whenever Respondent should apply again for registration, provided that, at such time, Respondent has committed no new infractions with respect to controlled substances.

Recommendation numbers 1 and 2 above, are adopted by the Administrator

since under 21 CFR 1301.62, the Respondent's registration has clearly terminated by operation of law. The Administrator finds it unnecessary to adopt or reject recommendation number 3, above. In the event Respondent applies for a new registration at some later time there will then be ample opportunity to consider his prior conduct, his record since his conviction, and the prognosis for his future conduct. The judgment of his parole officer may then be significant in the process of reaching a decision.

Therefore, under the authority vested in the Attorney General by section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 823), and redelegated to the Administrator of the Drug Enforcement Administration by $0.100, as amended, Title 28, Code of Federal Regulations, and Reorganization Plan No. 2 of 1973, the Administrator hereby declares that Respondent's Drug Enforcement Administration registration number AH5157462 has terminated by operation of law and that Respondent is hereby directed to surrender his certificate of registration to the Drug Enforcement Administration.

Dated: September 7, 1976.

PETER B. BENSINGER,
Administrator.

[FR Doc.76-26968 Filed 9-14-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Segregation of Lands

SEPTEMBER 3, 1976.

Notice is hereby given that pursuant to the act of May 24, 1928 (49 U.S.C. 211-214), George L. Faerber has applied for an airport lease for the following land:

SEWARD MERIDIAN, ALASKA

T. 12 N., R. 32 W.
Section 4, W½NE¼.

The purpose of this notice is to inform the public that the filing of this application segregates the described land from all other forms of use or disposal under the public laws.

Interested persons desiring to express their views should promtly send their name and address to State Director, Alaska State Office, Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.

CURTIS V. MCVEE,
State Director.

[FR Doc.76-26993 Filed 9-14-76;8:45 am]

[M 33777(SD)]

SOUTH DAKOTA

Proposed Withdrawal and Reservation of Lands

SEPTEMBER 2, 1976.

The Veterans Administration has filed an application, M 33777(SD), for the withdrawal of the lands described below which are located near the Fort Meade Veterans Administration Hospital in South Dakota. There is an existing historical cemetery and access road on this land. The land is part of a larger block of public land previously withdrawn from all forms of appropriation under the public land laws, including mining but not the mineral leasing laws nor from disposal of materials under the Act of July 31, 1947, 43 U.S.C. 601 (1970). There will be no additional segregation.

The applicant desires the land to include in the National Cemetery System for administration under the National Cemeteries Act of 1973, 38 U.S.C. 1000 (1970 Supplement V).

On or before October 15, 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, PO Box 30157, Billings, Montana 59107.

The Department's regulation (43 CFR 2351.4(c)) provides that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the 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 utilization of the lands for the purpose 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 FEREAL 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 this application are:

BLACK HILLS MERIDIAN, SOUTH DAKOTA

T. 5 N., R. 5 E.,
Sec. 11, Metes and bounds tracts in Lot 3 described as follows:

CEMETERY TRACT

Commencing at the corner of Secs. 11, 12, 13 and 14, T. 5 N., R. 5 E., B.H.M., S.D., thence N. 89°48' W., on the line between Secs. 11 and 14, 1066.33 ft. distance, thence N. 0°12' E., normal to the line between Secs. 11 and 14, 39.79 ft. distance to the point of beginning and corner No. 1:

From corner No. 1, by metes and bounds.

N. 86°25'45" W., 147.54 ft., to corner No. 2; thence N. 01°34'22" W., 268.80 ft., to corner No. 3; thence N. 83°35'54" E., 175.73 ft., to corner No. 4; thence S. 45°37'23" E., 110.91 ft., to corner No. 5; thence S. 01°18'44" E., 145.08 ft., to corner No. 6; thence S. 53°57'37" W., 126.91 ft., to corner No. 1, the place of beginning.

The tract has an area of 1.51 acres.

ACCESS ROAD TRACT

Commencing at the corner of Secs. 11, 12, 13, and 14, T. 5 N., R. 5 E., B.H.M., S.D., thence N. 89°48' W., on the line between Secs. 11 and 14, 1066.33 ft. distance, thence N. 0°12' E., normal to the line between Secs. 11 and 14, 39.79 ft. distance to corner No. 1 of the Fort Meade Cemetery Tract, thence N. 86°-25'45" W., on line 1-2 of the Fort Meade Cemetery Tract, 147.54 ft. distance to corner No. 2, thence N. 01°34'22" W., on line 2-3 of the Fort Meade Cemetery Tract, 109.54 ft. distance to the point of beginning and corner No. 1:

From corner No. 1, by metes and bounds.

S. 84°20' W., 87.53 ft., to corner No. 2 and point of curve, thence along a 9°12'36" curve to the right having a radius of 621.82 ft., 63.31 ft. to corner No. 3 and point of tangency, thence N. 89°50' W., 52.34 ft., to corner No. 4, thence N. 24°28'21" W., 72.62 ft., to corner No. 5, thence S. 89°50' E., 82.62 ft., to corner No. 6 and point of curve, thence along a 10°18'00" curve to the left having a radius of 555.82 ft., 56.59 ft. to corner No. 7 and point of tangency, thence N. 84°20' E., 92.26 ft., to corner No. 8, on line 2-3 of the Fort Meade Cemetery Tract, thence S. 01°34'-22" E., on line 32 of the Fort Meade Cemetery Tract, 66.16 ft., to corner No. 1, the place of beginning.

The tract has an area of 0.33 acres.

EDGAR D. STARK,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.76-26925 Filed 9-14-76;8:45 am]

Geological Survey

WENDEL-AMEDEE, CALIFORNIA

Known Geothermal Resources Area

The land description of the Wendel-Amedee KGRA is corrected to read as follows:

CALIFORNIA (5)

MT. DIABLO MERIDIAN

T. 28 N., R. 15 E.,
Sec. 1
T. 29 N., R. 15 E.,
Secs. 13, 14, 22 through 27; 35, 36
T. 28 N., R. 16 E.,
Secs. 4 through 9, 17, 18
T. 29 N., R. 16 E.,
Secs. 18 through 20, and 29 through 33

And unsurveyed land lying between Tps. 28 and 29 N., Rs. 15 and 16 E.; directly north of unsurveyed section 1, T. 28 N., R. 15 E.; and directly north of sections 4, 5, and 6, T. 28 N., R. 16 E.; totalling approximately 640 acres.

The area described aggregates 17,932 acres, more or less.

Dated: September 1, 1976.

REID T. STONE,
Acting Conservation Manager, Western Region.

[FR Doc.76-26909 Filed 9-14-76;8:45 am]

Office of Hearings and Appeals

[Docket No. M 76-549]

B & D COAL, 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), B & D Coal, Inc., has filed a petition to modify the application of 30 CFR 75.1710 to its No. 1 Underground Mine, Martin 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 § 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 states that the coal seam height in its No. 1 Underground Mine ranges between 48–58 inches.

2. Petitioner states that there are hills in the mine, at which point its buggies, which are 38 inches high, contact the roof.

3. Miners in Petitioner's subject mine, according to Petitioner, feel that they cannot run the following electric face equipment with canopies installed thereupon: buggies, a loader, a cutter, a coal drill, and a bolter.

4. Petitioner states that its employees must extend their heads from the sides of the foregoing equipment during operation thereof.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before October 15, 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.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

SEPTEMBER 6, 1976.

[FR Doc.76–26910 Filed 9–14–76;8:45 am]

[Docket No. M 76–504]

B & G GREENBRIAR 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), B & G Greenbriar Coal Company has filed a petition to modify the application of 30 CFR 75.1710 to its Mine No. 3, Leslie County, Kentucky.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coal bed 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 § 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 requests modification of the application of the foregoing mandatory safety standard for the reason that the application of such standard will result in a diminution of safety to the miners in the affected mine.

2. The average height of the seam of coal in the affected mine ranges between 36 to 44 inches. The seam heights vary over short distances in the mine, and frequent rolls occur.

3. The face equipment currently in use at the mine includes an 11 RU Joy cutting machine, an Elkhorn AR–4 scoop, and a Paul's Mark 4 roof bolter. This equipment was designed to operate without canopies in coal of the height encountered in the mine.

4. Petitioner has observed the operation of equipment similar to that now used in the affected mine in mines with similar seam heights. In such similar mines using an 11 RU Joy cutting machine, the canopy was mounted at the lowest possible position to permit the operator to sit in the canopy. The canopy had to be removed because it would not clear the roof and roof supports in many areas of the mine, particularly in areas where the coal seams rolled. In the use of such a cutting machine, sufficient safety hazards were created, according to Petitioner, by the use of the canopy to warrant its removal. Petitioner states that some of the hazards created were as follows:

(a) Due to the close confinement of the canopy, the operator's head had to extend beyond the protection of the canopy in order to observe in front of or behind the cutting machine, resulting in the danger of being crushed between the canopy and the rib;

(b) The canopy of the cutting machine did not afford enough room, and the operators had to sit outside the canopy to cut coal or to tram same; and

(c) Ingress to and egress from the cab is so limited that the operator might be held captive, preventing escape when such action is clearly warranted. The operator could also be held captive for an indefinite period in case of machine malfunction or power failure.

5. Petitioner states that the Paul's Mark 4 roof bolters observed in such mines with canopies had to be removed after a short period of use. During the period of operation, sufficient safety hazards were created by the use of the canopies to warrant this removal. Petitioner states that some of the hazards created were as follows:

(a) Due to close confinement in the canopy it was not possible for the operators to remain under the protection of the canopy while tramming the roof bolter;

(b) The operators were exposed to the risk of being pinned between the canopy, which extends beyond the extremities of the roof bolter, and the rib while tramming; and

(c) The operator's vision was severely impaired when roof bolting under the protection of the canopy, which could result in injury to the roof bolter helper.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before October 15, 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.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

SEPTEMBER 6, 1976.

[FR Doc.76-26911 Filed 9-14-76;8:45 am]

[Docket No. M 76-551]

BIG TEN CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Big Ten Corporation has filed a petition to modify the application of 30 CFR 75.1710 to its Mine No. 2, located in Dickenson County, 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 § 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 states that installation of canopies on its electric face equipment in its Mine No. 2 would result in unsafe working conditions therein.

2. Petitioner states that the height of the coal seam varies within the mine, but that at the portal it is approximately 45 inches.

3. Because of the uneven inside surface, Petitioner fears that canopies could tear loose roof supports or that the canopies themselves might be torn loose and thereby become a danger to men working on or near the machines.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before October 15, 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.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

SEPTEMBER 6, 1976.

[FR Doc.76-26912 Filed 9-14-76;8:45 am]

[Docket No. M 76-546]

BLUE DIAMOND 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), Blue Diamond Mining Inc, has filed a petition to modify the application of 30 CFR 75.1710 to its Leatherwood and Owens Branch Mines, Perry 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 § 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 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 states that the placing of canopies over cabs upon the equipment in the two subject mines greatly increases the danger to the health and safety of the workmen in said mines, and proposes as an alternative measure that in these particular mines, due to the condition of same and the height of coal therein, that they be permitted to remove the said canopies and cabs from said equipment.

2. In support of its allegations, Petitioner states as follows:

(a) The height of the coal in Petitioner's subject mines averages 30 to 60 inches. The seam height in the mines varies over short distances and frequently rolls;

(b) Petitioner has in the past installed canopies on equipment at its Leatherwood and Owens Branch Mines and has been directed by the Kentucky Department of Mines and Minerals to remove the same on the grounds that their installation increased the danger to workmen;

(c) Petitioner is advised that at least one other installation of such canopies in a coal mine, and the poor visibility created thereby, resulted in a fatal accident;

(d) Due to the close confinement of a canopy, it is not possible for the operator to remain under the protection of the canopy while moving the roof-bolter, but instead the operator is forced to remain outside or walk next to the said equipment, increasing the danger of being pinned against the rib;

(e) The operator is exposed to the risk of being pinned between the canopy, which extends beyond the extremities of the roof-bolter and the rib, while tramming or moving the roof-bolter;

(f) The operator's vision is severely impaired when operating on the roof-bolter, and on many occasions he is unable to visibly observe the roof-bolter helper, resulting in a danger to the said roof-bolter helper's safety;

(g) On shuttle cars, the operator's vision is severely impaired in that he cannot see over the top of the shuttle car, and operation of the shuttle car in this manner is hazardous to fellow workers, as well as to the operator;

(h) Due to the close confinement of the canpoy on the shuttle car, the operator's head must extend beyond the protection of the canopy in order to observe in front of or behind the shuttle car, resulting in a danger of being crushed between the canopy and the rib of the mine; and

(i) Ingress to and egress from the cab of the shuttle car is so limited that the operator may be held captive for indefi-

nite periods of time in case of machinery malfunction or power failure.

3. Modification of the canopies has been considered by Petitioner, but at the present time Petitioner is unaware of any means of modification to the canopies which could be made and utilized with the same degree of safety as the complete removal of the canopies would, it states, insure.

4. Petitioner states that no history of injury resulting from the use of face equipment without protective canopies exists in the subject mines. Operators are under fully supported roof at all times, pursuant to an approved roof-bolting plan. Such roof support is deemed satisfactory for all other personnel in the mine, including the helpers on self-propelled electric face equipment and the operators of the continuous miner. Other personnel and supervisors move around and adjacent to the equipment under the protection of the roof support.

5. Petitioner states that its employees have observed and reported safety hazards resulting from the use of canopies and have requested Petitioner to remove same.

6. Petitioner states that with respect to low-ceiling mines, the use of currently available canopies with mobile electric face equipment severely diminishes rather than increases the overall safety of the miners, and the use of these canopies in said mines will cause injuries to the operators or other personnel. Petitioner's alternative proposal would in these particular mines, it states, effectively make the areas safe for the miners and eliminate the possibility of loss of life. Petitioner further states that irreparable harm could result if the requirements of § 75.1710–1 are enforced prior to disposition of this petition for modification.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before October 15, 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.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

SEPTEMBER 6, 1976.

[FR Doc.76-26913 Filed 9-14-76;8:45 am]

[Docket No. M 76-543]

DARBY B 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), Darby B Coal Company has filed a petition to modify the application of 30 CFR 75.1710 to its No. 7 Underground 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 § 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 states that this petition is submitted in reference to canopies on haulage equipment at its #7 Underground Mine, including two S&S battery tractors, and one Paul's roof bolting machine.

2. Petitioner states that the foregoing equipment was built in the 1960's, and that it was not designed for the installation of canopies.

3. Petitioner states that installation of canopies on the foregoing equipment is creating a hazard to its equipment operators.

4. Petitioner states that its subject mine is in the Hazard No. 4 Rider coal seam, ranging from 38 to 44 inches in height. In this seam it is constantly running into ascending and descending grades, resulting in dips in the coalbed. By installing canopies on the battery tractor, it is limiting the visibility of the operators of the equipment, creating a hazard to them as well as to other employees in the mine.

5. Petitioner feels that in view of the operator's limited visibility and cramped operating position, the installation of canopies could be contributing factors to accidents that 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 October 15, 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.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

SEPTEMBER 6, 1976.

[FR Doc.76-26914 Filed 9-14-76;8:45 am]

[Docket No. M 76-553]

MILL 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), Mill Coal Company, Inc. has filed a petition to modify the application of 30 CFR 75.1710 to its Mine No. 2, 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 § 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 states that it is indicated in Section 317 of the aforesaid Act, that Congress recognized that there were coal seams wherein the height of the coal bed would not permit the use of canopies or cabs on electric face equipment.

2. Petitioner states that there is an urgent need for the present modification in its Mine No. 2, so as to allow time for meaningful technology for the development of cabs and canopies which will allow the operators of electric face equipment in coal seams with heights of less than 48 inches to enjoy protection from roof falls and from rib and face rolls without severely diminishing the overall safety of the miners.

3. Petitioner states that technology does not presently exist to equip its self-propelled electric face equipment with suitable canopies to protect and provide for the safety of the operators of said equipment. The use of presently available canopies results in a diminution of safety to the miners in Petitioner's Mine No. 2.

4. Petitioner endorses the use of canopies in seam heights above 48 inches and is convinced that they have saved lives. According to Petitioner, however, with the use of available canopies on continuous miners in seam heights below 48 inches, the operator's vision is severely impaired to the point that operation of the equipment becomes hazardous to the operator and to all other persons in the working area.

5. Petitioner seeks modification in the application of the foregoing standard to permit the use of existing mobile electric face equipment in seam heights under 48 inches without the installation of canopies or cabs until such time as technology is available that will allow installation of canopies or cabs on mobile electric face equipment that will not severely diminish the overall safety of the miners.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before October 15, 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.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

SEPTEMBER 6, 1976.

[FR Doc.76-26915 Filed 9-14-76;8:45 am]

[Docket No. M 76-537]

STERLING SMOKELESS 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), Sterling Smokeless Coal Co., has filed a petition to modify the application of 30 CFR 75.1710 to its Mine Nos. 10 and 12, Raleigh 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 § 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's Nos. 10 and 12 Mines employ approximately 89 union employees and 18 supervisory employees. The mines are both operating in the Poca 4 seam which is approximately 28 inches high, but the mining height in the seam may vary. The subject mines currently produce approximately 700 tons of coal per day on two coal producing shifts with four operating sections.

2. Petitioner states that after its thorough investigation, it has been determined that compliance with the foregoing standard for electric face equipment at its Nos. 10 and 12 Mines will result in a diminution of safety to the miners in such mines because the personnel who operate such equipment in such mines must constantly be on the lookout for other personnel working on that equipment or section. Because of the restricted height in the areas in which such equipment operates, if cabs or canopies are provided for such equipment, the visibility of the equipment operators is substantially restricted, so that safety hazards to other personnel in the section result. In addition to reduced visibility, such equipment operators of electric face equipment, equipped with cabs or canopies in a mining height of less than 30 inches, have difficulty reaching the controls of such equipment. Petitioner's operators are already in a difficult position and are, Petitioner states, working on their hands and knees operating the machines. If cabs and canopies are put on its machines, Petitioner states, the operators will not be able to run the equipment.

3. Petitioner states that statements of its machine operators show that the operators at the subject mines are of the opinion that the operation of electric face equipment with cabs or canopies installed is more hazardous to the personnel in the mines than operation of such equipment without cabs or canpoies.

4. Petitioner requests that in lieu of application of the foregoing mandatory safety standard, that it be permitted to continue to operate electric face equipment in the subject mines without cabs or canopies.

5. Petitioner seeks the foregoing modification with respect to the following electric face equipment:

(a) No. 10 Mine: Three Wilcox Mark 20 miners; three Wilcox Model PJ roof bolters; and four Kersey Model No. 944 DL tractors; and

(b) No. 12 Mine: One Helamic Model No. 101 bridge carrier; two Wilcox Model PJ roof bolters; and one Kersey Model No. 944DL tractor.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before October 15, 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.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

SEPTEMBER 6, 1976.

[FR Doc.76-26916 Filed 9-14-76;8:45 am]

[Docket No. M 76-545]

WM. R. 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.SC. 861(c) (1970), Wm. R. Coal Company has filed a petition to modify the application of 30 CFR 75.1710 to its Mine No. 1, Russell County, 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 § 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 states that installation of canopies on its electric face equipment in its Mine No. 1 would result in unsafe working conditions therein.

2. Petitioner states that the average height of the coal seam in the present mine is 42 inches.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before October 15, 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.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

SEPTEMBER 6, 1976.

[FR Doc.76-26917 Filed 9-14-76;8:45 am]

National Park Service

CAPE LOOKOUT NATIONAL SEASHORE

Order Establishing

Whereas, the Act of March 10, 1966 (80 Stat. 33; 16 U.S.C. 459g), authorized the inclusion of Cape Lookout National Seashore in the National Park System to preserve for public use and enjoyment an area of the State of North Carolina possessing outstanding natural and recreational values comprising the lands and adjoining marshlands and waters on the outer banks of the Carteret County, North Carolina, between Ocracoke Inlet and Beaufort Inlet; and

Whereas, section 406(1) of the Act of October 26, 1974 (88 Stat. 1445) amended section 1 of the Act of March 10, 1966, by deleting " 'Proposed Boundaries-Proposed Cape Lookout National Seashore,' dated April 1964, and numbered NS–CL–7101–B" and substituting in lieu thereof " 'Boundary Map, Cape Lookout National Seashore,' dated March 1974, and numbered 623–20,009," which changed the boundaries of the proposed seashore to include previously excluded lands on Core Banks, Carteret County; and

Whereas, it was determined that on July 4, 1976, with title to most of the Core Banks land vested in the United States and with the transfer of lands from the State of North Carolina to the United States, sufficient land to constitute an efficiently administrable unit for purposes of the Act of October 26, 1974, had been acquired and that Cape Lookout National Seashore should be established; and

Whereas, copies of the description of the boundaries of the seashore were provided to the Speaker of the House and the President of the Senate not less than 30 days prior to the date of publication hereof;

Now, therefore, under the authority contained in section 406(3) of the Act of October 26, 1974, Cape Lookout National Seashore is hereby declared established. The boundaries of the Seashore shall be as depicted on the map entitled "Boundary Map, Cape Lookout National Seashore," dated March 1974, and numbered 623–20,009 which is filed on this date with the Office of the Federal Register and is expressly incorporated herein by reference. Copies of the map are available for public inspection in the Office of the National Park Service, Department of the Interior, Washington, D.C. and in the Office of the Regional Director, Southeast Regional Office, National Park Service, 1895 Phoenix Boulevard, Atlanta, Georgia.

Dated: September 10, 1976.

JOHN E. COOK,
Acting Director,
National Park Service.

[FR Doc.76-27047 Filed 9-14-76;8:45 am]

Office of the Secretary

[Order No. 2991]

UJELANG ATOLL, MARSHALL ISLANDS DISTRICT, TRUST TERRITORY OF THE PACIFIC ISLANDS

Transfer

SEPTEMBER 9, 1976.

Whereas, on the 2nd day of December, 1947, the Security Council of the United Nations was informed by the United States of America that in accordance with the provisions of the Trusteeship Agreement, Enewetak Atoll in the Marshall Islands was closed for security reasons in order that "necessary experiments relating to nuclear fission" could be conducted; and

Whereas, the People of Enewetak, before the close of 1947, were, with their consent, relocated by the United States of America to Ujelang Atoll in the Marshall Islands, so that Enewetak Atoll could be used for the aforesaid purpose; and

Whereas, on the 21st day of December, 1947, John P. W. Vest, Captain, United States Navy and the Governor of the Marshall Islands, reportedly issued and subsequently delivered to the People of Enewetak on the 22nd day of December, 1947, a document recognizing a conveyance by the People of Enewetak of their proprietary rights to the lands of Enewetak Atoll to the United States of America, which document also reportedly contained a conveyance to the People of Enewetak by the United States of America of its proprietary rights in and to the lands to Ujelang Atoll; and

Whereas, neither the People of Enewetak, the United States of America, nor the Government of the Trust Territory of the Pacific Islands, recognize the above described conveyances to be effective; and

Whereas, by "Vesting Order" dated the 27th day of September, 1951, title to all of the lands of Ujelang Atoll, were vested in the Area Property Custodian of the Trust Territory of the Pacific Islands; and

Whereas, by a document entitled "Agreement In Principle Regarding the Use of Enewetak Atoll", and dated the 19th day of November, 1956, the Government of the Trust Territory of the Pacific Islands, with the full knowledge and consent of its Area Property Custodian, acquired full use rights in and to Enewetak Atoll in exchange for the granting to the People of Enewetak Atoll of full use rights in and to Ujelang Atoll, and for other valuable consideration; and

Whereas, the Trust Territory subsequently assigned said use rights in and to Enewetak Atoll to the United States of America by a "Use and Occupancy Agreement" effective as of the 2nd day of March, 1944; and

Whereas, it is thought by all concerned that it would be in the best interests of the United States of America, the Government of the Trust Territory of the Pacific Islands, and the People of Enewetak for the ownership of the lands of Ujelang Atoll to be permanently transferred to the People of Enewetak for their future use and benefit as additional consideration; and

Whereas, Order No. 2969 issued by the Secretary of the Interior on the 26th day of December, 1974, reserves title to Ujelang Atoll to the Government of the Trust Territory of the Pacific Islands with the intention that the Atoll will eventually be transferred to the People of Enewetak; and

Whereas, the Alien Property Custodian of the Trust Territory of the Pacific Islands, as successor to the Area Property Custodian, has transferred title to the lands of Ujelang Atoll to the Government

of the Trust Territory of the Pacific Islands;

Now, therefore, pursuant to the authority vested in me by Executive Order 11021, the following Order respecting the Government of the Trust Territory of the Pacific Islands is issued:

Section 1. Purpose.—The purpose of this Order is to allow the Government of the Trust Territory of the Pacific Islands to transfer title to the lands of Ujelang Atoll to all persons who hold traditional rights to the lands of Enewetak Atoll, and for other purposes.

Section 2. Authority to convey.—The High Commissioner of the Trust Territory of the Pacific Islands is hereby authorized and directed to issue a conveyance of all right, title and interest in or to the lands of Ujelang Atoll, Marshall Islands District, Trust Territory of the Pacific Islands, to all persons who hold traditional rights to the lands of Enewetak Atoll: *Provided, however,* That such conveyance shall not be issued until such time as the aforesaid "Use and Occupancy Agreement" and "Agreement in Principle Regarding the Use of Enewetak Atoll", as amended, have been formally terminated between the respective parties, and the United States and Trust Territory of the Pacific Islands have received from the People of Enewetak whatever rights may be needed to effect the cleanup and rehabilitation of Enewetak and to protect their ongoing programs for schools, dispensaries, administration, the marine biology laboratory, the Loran operation, and radiological monitoring, *And provided further,* That such conveyance shall not transfer any right, title, or interest in or to the lands required for existing public health or educational facilities located on Ujelang Island, Ujelang Atoll.

The High Commissioner of the Trust Territory is hereby additionally authorized and directed to issue on behalf of the United States of America and the Government of the Trust Territory of the Pacific Islands, a disclaimer of any right, title or interest in or to the land of Enewetak Atoll being held by or vested in either the United States of America or the Government of the Trust Territory of the Pacific Islands, by virtue of the aforesaid Deed dated the 21st day of December, 1947, as reportedly executed by John P. W. Vest, Captain, United States Navy and Governor for the Marshall Islands.

Section 3. Superceded authority.—This Order supersedes all provisions of prior Secretarial Orders and of the Code of the Trust Territory of the Pacific Islands inconsistent herewith.

Section 4. Effective date.—This Order shall take effect upon the date of its approval by the Secretary of the Interior.

KENT FRIZZELL,
Acting Secretary of the Interior.

SEPTEMBER 9, 1976.

[FR Doc.76-26926 Filed 9-14-76;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

FLUE-CURED TOBACCO ADVISORY COMMITTEE

Meeting

The Flue-Cured Tobacco Advisory Committee will meet in the Tobacco Division, Agricultural Marketing Service, United States Department of Agriculture, Laboratory, Room 223 Flue-Cured Tobacco Cooperative Stabilization Corporation, 1306 Annapolis Drive, Raleigh, North Carolina 27608, at 1 p.m., on Thursday, October 7, 1976.

The purpose of this meeting is to discuss necessary adjustments in the selling schedules to reflect producer redesignations and to consider the reallocation of selling time after the completion of marketings in Area B (South Carolina-Border North Carolina). Also, matters as specified in 7 CFR Part 29, Subpart G, § 29.9404 will be discussed.

The meeting is open to the public but space and facilities are limited. Public participation will be limited to written statements submitted before or at the meeting unless their participation is otherwise requested by the Committee Chairman. Persons, other than members, who wish to address the Committee at the meeting should contact Mr. J. W. York, Director, Tobacco Division, Agricultural Marketing Service, 300 12th Street, SW., United States Department of Agriculture, Washington, D.C. 20250, (202) 447-2567.

Dated: September 10, 1976.

WILLIAM T. MANLEY,
Deputy Administrator, Program Operations.

[FR Doc.76-27034 Filed 9-14-76;8:45 am]

Federal Crop Insurance Corporation

[Notice No. 115]

BARLEY, ALL COUNTIES, ARIZONA AND CALIFORNIA

Closing Date Extension for Filing of Applications for the 1977 Crop Year

Pursuant to the authority contained in § 401.103 of Title 7 of the Code of Federal Regulations, the time for filing applications for barley crop insurance in all counties in Arizona and California, where such insurance is otherwise authorized to be offered, is hereby extended until the close of business on November 15, 1976. Such applications received during this period will be accepted only after it is determined that no adverse selectivity will result.

Dated: September 1, 1976.

WARREN E. DIRKS,
Manager, Federal Crop Insurance Corporation.

[FR Doc.76-27031 Filed 9-14-76;8:45 am]

[Notice No. 113]

SUGAR BEETS, IMPERIAL COUNTY, CALIFORNIA

Closing Date Extension for Filing of Applications for the 1977 Crop Year

Pursuant to the authority contained in § 401.103 of Title 7 of the Code of Federal Regulations, the time for filing applications for sugar beet crop insurance in Imperial County, California, where such insurance is otherwise authorized to be offered, is hereby extended until the close of business on September 15, 1976. Such applications received during this period will be accepted only after it is determined that no adverse selectivity will result.

Dated: September 1, 1976.

WARREN E. DIRKS,
Manager, Federal Crop Insurance Corporation.

[FR Doc.76-27032 Filed 9-14-76;8:45 am]

[Notice No. 114]

WHEAT, ALL COUNTIES, ARIZONA AND CALIFORNIA

Closing Date Extension for Filing of Applications for the 1977 Crop Year

Pursuant to the authority contained in § 401.103 of Title 7 of the Code of Federal Regulations, the time for filing applications for wheat crop insurance in all counties in Arizona and California, where such insurance is otherwise authorized to be offered, is hereby extended until the close of business on November 15, 1976. Such applications received during this period will be accepted only after it is determined that no adverse selectivity will result.

Dated: September 1, 1976.

WARREN E. DIRKS,
Manager, Federal Crop Insurance Corporation.

[FR Doc.76-27033 Filed 9-14-76;8:45 am]

Office of the Secretary

AGRICULTURAL RESEARCH POLICY ADVISORY COMMITTEE

Meeting

Notice is hereby given in accordance with the Advisory Committee Act that a meeting of the Agricultural Research Policy Advisory Committee (ARPAC) will be held at 9 a.m. on Thursday, October 28, 1976 in Room 3109 of the USDA South Building, Independence Avenue between 12th and 14th Streets, SW., Washington, D.C.

The Committee is jointly sponsored and chaired by the Department of Agriculture and the National Association of State Universities and Land Grant Colleges.

The matters to be considered at this meeting include activities and progress

in national and regional planning for agricultural research, general relationships between USDA and university research agencies, activities by other organizations of interest to ARPAC, and future ARPAC plans and actions.

The meeting will be open to the public. Attendance will be limited to the space available. While no oral presentations will be entertained, anyone may file with the Committee, before or after the meeting a written statement concerning the matters to be discussed. Persons who wish to file written statements, may submit them to Dr. David J. Ward, Research Planning and Coordination, Office of the Secretary, Room 359-A, USDA, Washington, D.C.—Telephone 202-447-3854.

A record of the meeting will be available for public inspection at the above address 60 days after the meeting.

Dated: September 10, 1976.

ROBERT W. LONG,
Assistant Secretary.

[FR Doc.76-26965 Filed 9-14-76;8:45 am]

NATIONAL AGRICULTURAL RESEARCH PLANNING COMMITTEE

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the National Agricultural Research Planning Committee (NPC) will be held beginning at 1:30 p.m., October 27, 1976, in Room 3109 South Building, U.S. Department of Agriculture, Washington, D.C.

The Committee is jointly sponsored and chaired by the Department of Agriculture and the National Association of State Universities and Land Grant Colleges. The Committee deals with the planning clement of the Agricultural Research Policy Advisory Committee (ARPAC).

The matters to be considered at this meeting include activities and progress in national and regional planning for agricultural research, implementation of task force reports, and future NPC plans and actions.

The meeting will be open to the public. Attendance will be limited to the space available. While no oral presentations will be entertained, anyone may file with the Committee, before or after the meeting, a written statement concerning the matters to be discussed. Persons who wish to file written statements may submit them to Dr. David J. Ward, Research Planning and Coordination, Office of the Secretary, Room 359-A, USDA, Washington, D.C. 20250—Telephone 202-447-3854. A record of the meeting will be available for public inspection at the above address 60 days after the meeting.

Dated: September 10, 1976.

ROBERT W. LONG,
Assistant Secretary.

[FR Doc.76-26966 Filed 9-14-76;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

HARDWARE SUBCOMMITTEE OF THE COMPUTER SYSTEMS TECHNICAL ADVISORY COMMITTEE

Partially Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. V, 1975), notice is hereby given that a meeting of the Hardware Subcommittee of the Computer Systems Technical Advisory Committee will be held on Tuesday, October 5, 1976, at 9:00 a.m. in Room 4833, Main Commerce Building, 14th and Constitution Avenue NW., Washington, D.C.

The Computer Systems Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee for two additional years, pursuant to section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act. The Hardware Subcommittee of the Computer Systems Technical Advisory Committee was established on July 8, 1975, with the approval of the Director, Office of Export Administration, pursuant to the charter of the committee.

The Committee advises the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to computer systems, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls. The Hardware Subcommittee was formed to continue the work of the Performance Characteristics and Performance Measurements Subcommittee, pertaining to: (a) Maintenance of the processor performance tables and further investigation of total systems performance; and (b) Investigation of array processors in terms of establishing the significance of these devices and determining the differences in characteristics of various types of these devices.

The Subcommittee meeting agenda has four parts:

GENERAL SESSION

(1) Opening remarks by the Subcommittee Chairman.

(2) Presentation of papers or comments by the public.

(3) Performance measurement of peripheral equipment as part of computer systems.

EXECUTIVE SESSION

(4) Discussion of matters properly classified under Executive Order 11652, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

The General Session of the meeting is open to the public, at which a limited number of seats will be available. To the extent time permits members of the public may present oral statements to the Subcommittee. Written statements may be submitted at any time before or after the meeting.

With respect to agenda item (4), the Acting Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on November 25, 1975, pursuant to Section 10(d) of the Federal Advisory Committee Act that the matters to be discussed in the Executive Session should be exempt from the provisions of the Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552(b)(1), i.e., it is specifically required by Executive Order 11652 that they be kept confidential in the interest of the national seeurity. All materials to be reviewed and discussed by the Subcommittee during the Executive Session of the meeting have been properly classified under the Executive Order. All Subcommittee members have appropriate security clearances.

Copies of the minutes of the open portion of the meeting will be available upon written request addressed to the Freedom of Information Officer, Domestic and International Business Administration, Room 3100, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Domestic and International Business Administration, Room 1617M, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202-377-4196.

The Complete Notice of Determination to close portions of the series of meetings of the Computer Systems Technical Advisory Committee and of any subcommittees thereof, was published in the FEDERAL REGISTER on December 5, 1975 (40 FR 56960).

Dated: September 13, 1976.

RAUER H. MEYER,
Director, Office of Export Administration, Bureau of East-West Trade, U.S. Department of Commerce.

[FR Doc.76-27092 Filed 9-14-76;8:45 am]

TECHNOLOGY TRANSFER SUBCOMMITTEE OF THE COMPUTER SYSTEMS TECHNICAL ADVISORY COMMITTEE

Partially Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. V, 1975), notice is hereby given that a meeting of the Technology Transfer Subcommittee of the Computer Systems Technical Advisory Committee will be held on Tuesday, October 5, 1976, at 1:00 p.m. in Room 4833, Main Commerce Building, 14th and Constitution Avenue NW., Washington, D.C.

The Computer Systems Technical Advisory Committee was initially estab-

lished on January 3, 1973. On December 20, 1974, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee for two additional years, pursuant to section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act. The Technology Transfer Subcommittee of the Computer Systems Technical Advisory Committee was initially established on April 10, 1974. On July 8, 1975, the Director, Office of Export Administration approved the re-establishment of this Subcommittee pursuant to the charter of the Commitee.

The Committee advises the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to computer systems, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls. The Technology Transfer Subcommittee was formed to examine the impact of transferring Automatic Data Processing technology to Communist destinations.

The Subcommittee meeting agenda has four parts:

GENERAL SESSION

(1) Opening remarks by the Subcommittee Chairman.

(2) Presentation of papers or comments by the public.

(3) Completion of outline of the work program on software and discussion on how assignments will be made.

EXECUTIVE SESSION

(4) Discussion of matters properly classified under Executive Order 11652, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

The General Session of the meeting is open to the public, at which a limited number of seats will be available. To the extent time permits members of the public may present oral statements to the Subcommittee. Written statements may be submitted at any time before or after the meeting.

With respect to agenda item (4), the Acting Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on November 25, 1975, pursuant to Section 10(d) of the Federal Advisory Committee Act that the matters to be discussed in the Executive Session should be exempt from the provisions of the Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552(b)(1), i.e., it is specifically required by Executive Order 11652 that they be kept confidential in the interest of the national security. All materials to be reviewed and discussed by the Subcommittee during the Executive Session of the meeting have been properly classified under the Executive Order. All Subcommittee members have appropriate security clearances.

Copies of the minutes of the open portion of the meeting will be available upon written request addressed to the Freedom of Information Officer, Domestic and International Business Administration, Room 3100, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Domestic and International Business Administration, Room 1617M, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202/377-4196.

The complete Notice of Determination to close portions of the series of meetings of the Computer Systems Technical Advisory Committee and of any subcommittees thereof, was published in the FEDERAL REGISTER on December 5, 1975 (40 FR 56960).

Dated: September 13, 1976.

RAUER H. MEYER,
Director, Office of Export Administration, Bureau of East-West Trade, U.S. Department of Commerce.

[FR Doc.76-27091 Filed 9-14-76;8:45 am]

National Oceanic and Atmospheric Administration

FEDERAL PREPAREDNESS AGENCY

Receipt of Application for Certificate of Exemption

Notice is hereby given that the following applicant has applied in due form for a Certificate of Exemption under Pub. L. 94-359, and the regulations issued thereunder (50 CFR Part 222, Subpart B), to engage in certain commercial activities with respect to pre-Act endangered species parts or products.

APPLICANT

Federal Preparedness Agency, General Services Administration, 2000 L Street NW., Washington, D.C. 20036, Telephone: 202 634-6503.

PERIOD OF EXEMPTION

The applicant requests that the period of time to be covered by the Certificate of Exemption begin on the date of the original issuance of the Certificate of Exemption and be effective for a 3-year period.

COMMERCIAL ACTIVITIES EXEMPTED

(1) The prohibition, as set forth in section 9(a)(1)(A) of the Act, to export any such species part from the United States; (2) The prohibition, as set forth in section 9(a)(1)(E) of the Act, to deliver, receive, carry, transport, or ship in interstate or foreign commerce, by any means whatsoever and in the course of commercial activity any such species part;

(3) The prohibitions, as set forth in section 9(a)(1)(F) of the Act, to sell or offer for sale in interstate or foreign commerce any such species part.

PARTS OR PRODUCTS EXEMPTED

A. SPERM OIL THAT HAS BEEN SHIPPED

(1) 2,162,260 pounds of sperm oil have been delivered under contract GS-00-DS-(S) 41001 from the GSA-FSS Somerville Depot, Somerville, New Jersey, to:

Scandinavian Oil Co., Inc., 2061 Broadway, New York, New York 10023; Mr. Alexander S. Bistritzky, President, Telephone: 212-873-2500.

The initial delivery was March 8, 1974 and the final delivery was December 5, 1974.

(2) 3,946,908 pounds of sperm oil have been delivered under Contract GS-00-DS-(S) 41002 from the GSA-FSS New Bedford Depot, New Bedford, Massachusetts, to:

Werner G. Smith, Inc., 1730 Train Avenue, Cleveland, Ohio 44113; Mr. Waldemar Meckes, Jr., President, Telephone: 216-861-3676.

The initial delivery was February 8, 1974, and the final delivery was November 22, 1974.

(3) 2,536,000 pounds of sperm oil have been delivered under Contract GS-00-DS-(S) 41002 from the GSA-FSS Binghamton Depot, Binghamton, New York, to:

Werner G. Smith, Inc.

The initial delivery was May 9, 1974, and the final delivery was December 27, 1974.

B. SPERM OIL TO BE SHIPPED

(1) An additional quantity of 3,760,725 pounds of sperm oil located at the GSA-FSS Somerville Depot, Somerville, New Jersey, under Contract GS-00-DS-(S) 41001 to Scandinavian Oil Co., Inc.

(2) An additional quantity of 7,500,000 pounds of sperm oil located at the GSA-FSS Binghamton Depot, Binghamton, New York, and the GSA-FSS Casad Depot, New Haven, Indiana, under Contract GS-00-DS-(S) 41002 to Werner G. Smith, Inc.

Written comments on this application may be submitted to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235 on or before October 15, 1976.

Dated: September 13, 1976.

ROBERT J. AYERS,
Acting Associate Director for Resource Management.

[FR Doc.76-27130 Filed 9-14-76;8:45 am]

National Technical Information Service

GOVERNMENT-OWNED INVENTIONS

Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for U.S. and possibly foreign licensing, in accordance with the policies of the agency sponsors.

Copies of the patents cited are available from the Commissioner of Patents and Trademarks, Washington, D.C. 20231, for $.50 each. Requests for copies of patents must include the patent number.

Copies of the patent applications, either paper copy (PC) or microfiche (MF), can be purchased at the prices cited from the National Technical Information Service (NTIS), Springfield, Virginia 22161. Requests for copies of patent applications must include the PAT-APPL number. Claims are deleted from patent application copies sold to the public to avoid premature disclosure in the event of an interference before the Patent and Trademark Office. Claims and other technical data will usually be made available to serious prospective licensees by the agency which filed the case.

Requests for licensing information on a particular invention should be directed to the address cited for the agency-sponsor.

DOUGLAS J. CAMPION,
Patent Program Coordinator.

U.S. DEPARTMENT OF THE AIR FORCE, AF/JACP, Washington, D.C. 20314.

Patent application 660,574: Oscillating Liquid Nozzle; filed 23 February 1976; PC $3.50/MF $2.25.

U.S. DEPARTMENT OF THE NAVY, Assistant Chief for Patents, Office of Naval Research, Code 302, Arlington, Va. 22217.

Patent application 570,674: Towable VLF Sonar Projector; filed 23 April 1975; PC $4.00/MF $2.25.

Patent application 578,952: An Electronic Urn Decision Device; filed 19 May 1975; PC $3.50/MF $2.25.

Patent application 642,938: Expandable Element Check Valve; filed 22 December 1975; PC $3.50/MF $2.25.

Patent application 659,458: Remote Elevated Platform; filed 19 February 1976; PC $3.50/MF $2.25.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Assistant General Counsel for Patent Matters. NASA Code GP-2, Washington, D.C. 20546.

Patent application 562,499: Automatic Transponder; filed 27 March 1976; PC $3.50/MF $2.25.

Patent application 578,700: Camera Arrangement; filed 19 May, 1975; PC $3.50/MF $2.25.

Patent application 613,734: Percutaneous Connector Device; filed 16 September 1975; PC $3.50/MF $2.25.

Patent application 645,502: Bonding of Sapphire to Sapphire by Eutectic Mixture of Aluminum Oxide and Zirconium Oxide; filed 30 December 1975; PC $3.50/MF $2.25.

Patent application 651,002: Transonic and Supersonic Aircraft Wherein the Problems of Roll Control at High Angles of Attack are Minimized; filed 21 January 1976; PC $3.50/MF $2.25.

Patent application 658,450: Mechanical Sequencer; filed 17 February 1976; PC $4.00/MF $2.25.

Patent application 663,008: Hydrostatic Bearing Support: filed 2 March 1976; PC $3.50/MF $2.25.

Patent application 665,032: Optical Instrument Employing Reticle having Preselected Visual Response Pattern Formed Thereon; filed 8 March 1976; PC $3.50/MF $2.25

Patent application 665,034: Flexible Formulated Plastic Separators for Alkaline Batteries; filed 8 March 1976; PC $3.50/MF $2.25.

Patent application 665,364: A Method for Fabricating Graphite/Epoxy Laminate from Ultrathin Laminae; filed 10 March 1976; PC $3.50/MF $2.25.

Patent application 665,734: Semiconductor Projectile Impact Detector; filed 11 March 1976; PC $3.50/MF $2.25.

Patent application 667,010: System for Measuring Three Fluctuating Velocity Components in a Turbulently Flowing Fluid; filed 15 March 1976; PC $4.00/MF $2.25.

Patent application 667,928: Tachometer; filed 18 March 1976; PC $3.50/MF $2.25.

Patent application 667,929: Thermocouples of Molybdenum and Iridium Alloys for More Stable Vacuum-High Temperature Performance; filed 18 March 1976; PC $3.50/MF $2.25.

Patent application 667,930: Wideband Heterodyne Receiver for a Laser Communication System; filed 18 March 1976; PC $3.50/MF $2.25.

Patent application 669,928: Solar Hydrogen Generator; filed 24 March 1976; PC $3.50/MF $2.25.

Patent application 672,210: Fuel Combustor; filed 31 March 1976; PC $3.50/MF $2.25.

Patent application 672,220: Closed Loop Spray Cooling Apparatus; filed 31 March 1976; PC $3.50/MF $2.25.

Patent application 672,222: Counter Pumping Debris Excluder and Seperator; filed 31 March 1976; PC $3.50/MF $2.25.

Patent application 672,223: Tread Drum for Animals; filed 31 March 1976; PC $3.50/MF $2.25.

Patent 3,930,735: Traffic Survey System; patented 6 January 1976; not available NTIS.

Patent 3,936,927: Auger Attachment Method for Insulation; patented 10 February 1976; not available NTIS.

Patent 3,937,212: Miniature Muscle Displacement Transducer; patented 10 February 1976; not available NTIS.

Patent 3,937,215: Therapeutic Hand Exerciser; patented 10 February 1976; not available NTIS.

Patent 3,938,035: Electrical Conductivity Cell and Method for Fabricating the Same; patented 10 February 1976; not available NTIS.

Patent 3,938,892: Electronic Optical Transfer Function Analyzer; patented 17 February 1976; not available NTIS.

Patent 3,941,355: Mixing Insert for Foam Dispensing Apparatus; patented 2 March 1976; not available NTIS.

Patent 3,942,398: Zero Torque Gear Head Wrench; patented 9 March 1976; not available NTIS.

Patent 3,943,368: Method and Apparatus for Compensating Reflection Losses in a Path Length Modulated Absorption-Absorption Trace Gas Detector; patented 9 March 1976; not available NTIS.

Patent 3,943,442: Method and Apparatus for Measurement of Trap Density and Energy Distribution in Dielectric Films; patented 9 March 1976; not available NTIS.

Patent 3,943,763: Magnetic Heading Reference; patent 16 March 1976; not available NTIS.

[FR Doc.76-26996 Filed 9-14-76;8:45 am]

GOVERNMENT-OWNED INVENTIONS

Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for U.S. and possibly foreign licensing, in accordance with the policies of the agency sponsors.

Copies of the patents cited are available from the Commissioner of Patents and Trademarks, Washington, D.C. 20231, for $.50 each. Requests for copies of patents must include the patent number.

Copies of the patent applications, either paper copy (PC) or microfiche (MF), can be purchased at the prices cited from the National Technical Information Service (NTIS), Springfield, Virginia 22161. Requests for copies of patent applications must include at PAT-APPL number. Claims are deleted from patent application copies sold to the public to avoid premature disclosure in the event of an interference before the Patent and Trademark Office. Claims and other technical data will usually be made available to serious prospective licensees by the agency which filed the case.

Requests for licensing information on a particular invention should be directed to the address cited for the agency-sponsor.

DOUGLAS J. CAMPION,
Patent Program Coordinator.

U.S. DEPARTMENT OF THE AIR FORCE, AF/JACP, WASHINGTON, D.C. 20314.

Patent application 656,915: Electrical Connector Holding Tool; filed 10 February 1976; PC $3.50/MF $2.25.

Patent application 656,917: Preparation of Thermally Stable Ammonium Perchlorate; filed 10 February 1976; PC $3.50/MF $2.25.

Patent application 660,521: Fabrication of Ion Implanted P-N Junction Devices; filed 23 February 1976; PC $3.50/MF $2.25.

Patent application 660,573: Pulse Peak Sample and Hold Circuit; filed 23 February 1976; PC $3.50/MF $2.25.

Patent application 661,462: Prismatic Anamorphic System for Optical Correlators; filed 26 February 1976; PC $3.50/MF $2.25.

Patent application 661,581: Oxygen Generation Method and System; filed 26 February 1976, PC $3.50/MF $2.25.

U.S. ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION, ASSISTANT GENERAL COUNSEL FOR PATENTS, WASHINGTON, D.C. 20545.

Patent application 533,048: Improved Water Softening Process; filed 25 February 1975; PC $3.50/MF $2.25.

Patent application 548,058: Improved Method for Storage of Solid Waste; filed 7 February 1975; PC $3.50/MF $2.25.

Patent application 550,099: Method and Apparatus for Measuring Incombustible Content of Coal Mine Dust Using Gamma Ray Backscatter; filed 14 February 1975; PC $3.50/MF $2.25.

Patent 3,893,939: Activated Phosphors Having Matrices of Yttrium-Transition Metal Compound; filed 4 January 1973; patented 8 July 1975; not available NTIS.

Patent 3,895,935: Process for Electroslag Refining of Uranium and Uranium Alloys; filed 16 December 1974; patented 22 July 1975; not available NTIS.

Patent 3,895,939: Weldable, Age Hardenable, Austenitic Stainless Steel; filed 31 October 1973; patented 22 July 1975; not available NTIS.

Patent 3,896,501: Mechanical Drive for Blood Pump; filed 2 November 1973; patented 29 July 1975; not available NTIS.

Patent 3,898,101: Thermal Battery; filed 30 May 1974; patented 5 August 1975; not available NTIS.

Patent 3,898,309: Method of Forming High Density Oxide Pellets by Hot Pressing at 50–100° C above the Cubic to Monoclinic Phase Transformation Temperature; filed 11 May 1973; patented 5 August 1975; not available NTIS.

Patent 3,898,456: Electron Multiplier-Ion Detector System; filed 25 July 1974; patented 5 August 1975; not available NTIS.

Patent 3,898,586: Coaxial Short Pulsed Laser; filed 8 January 1974; patented 5 August 1975; not available NTIS.

Patent 3,902,038: Displaced Electrode Process for Welding; filed 22 July 1974; patented 26 August 1975; not available NTIS.

Patent 3,908,278: Calibration Block; filed 21 March 1974; patented 30 September 1975; not available NTIS.

Patent 904,815: Electrically Insulating Feed-Through for Cryogenic Applications; filed 17 September 1974; patented 9 September 1975; not available NTIS.

U.S. DEPARTMENT OF HEALTH, EDUCATION AND WELFARE, National Institutes of Health, Chief, Patent Branch, Westwood Bldg., Bethesda, MD 20014.

Patent 3,946,734: Apparatus for Controlling the Release of a Drug; filed 19 February 1975; patented 30 March 1976; not available NTIS.

U.S. DEPARTMENT OF THE INTERIOR, Branch of Patents, 18th and C Streets, NW., Washington, D.C. 20240.

Patent application 669,360: Reduction of Laterite Ores; filed 22 March 1976; PC $3.50/MF $2.55.

Patent application 670,213: Radon Daughter Dosimeter; filed 25 March 1976; PC $3.50/MF $2.25.

Patent 3,946,279: Active Impedance Multiplier; filed 10 December 1974; patented 23 March 1976; not available NTIS.

Patent 3,947,341: Scale Inhibition; filed 29 August 1974; patented 30 March 1976; not available NTIS.

Patent 3,948,734: Direct Contact Multi-Stage Flash Desalination; filed 23 July 1974; patented 6 April 1976; not available NTIS.

Patent 3,950,163; Quaternary Fluxes for Electroslag Remelting Ferrous Alloys and Superalloys; filed 8 January 1975; patented 13 April 1976; not available NTIS.

U.S. DEPARTMENT OF THE NAVY, Assistant Chief for Patents, Office of Naval Research, Code 302, Arlington, VA 22217.

Patent application 584,679: Apparatus for Computing an Arithmetically Accumulated Sequence of Numbers; filed 6 June 1975; PC $3.50/MF $2.25.

Patent application 598,495: Shallow Water Moored Buoy; filed 23 July 1975; PC $3.50/MF $2.25.

Patent application 605,572: Submersible Barge Control System; filed 18 August 1975; PC $4.00/MF $2.25.

Patent application 616,237: Precision Laser Beam Deflection Detector; filed 24 September 1975; PC $3.50/MF $2.25.

Patent application 616,521: Inflatable Survival Gear; filed 25 September 1975; PC $3.50/MF $2.25.

Patent application 617,912: Submersible Load Cell for Measuring Gas Buoyancy; filed 29 September 1975; PC $3.50/MF $2.25.

Patent application 623,858: Ship's Bottom Inspection Apparatus; filed 20 October 1975; PC $3.50/MF $2.25.

Patent application 626,403: Stereoscopic Viewer Attachment; filed 28 October 1975; PC $3.50/MF $2.25.

Patent application 628,433: Modular Discrete Cosine Transform System; filed 3 November 1975; PC $4.00/MF $2.25.

Patent application 643,454: An Acoustic Hologram Reconstructor Using Surface Acoustic Wave Devices; filed 22 December 1975; PC $4.00/MF $2.25.

Patent application 645,965: Tension Release; filed 2 January 1976; PC $3.50/MF $2.25.

Patent application 646,227: Type Recovery Tool; filed 2 January 1976; PC $3.50/MF $2.25.

Patent application 646,810: Towed Hydrophone Preamplifier and Receiver; filed 5 January 1976; PC $3.50/MF $2.25.

Patent application 648,304: High Sensitivity Flowmeter; filed 12 January 1976; PC $3.50/MF $2.25.

Patent application 651,660: Solid State Memory; filed 22 January 1976; PC $3.50/MF $2.25.

Patent application 652,252: Planar to Channel Waveguide Coupler; filed 26 January 1976; PC $3.50/MF $2.25.

Patent application 652,433: Variable Ballast System for a Submersible Platform; filed 26 January 1976; PC $3.50/MF $2.25.

Patent application 652,453: Holographic Lens Binocular System; filed 26 January 1976; PC $3.50/MF $2.25.

Patent application 654,124: Electrically Controllable Wide Angle of View Optical Notch Filter; filed 2 February 1976; PC $4.00/MF $2.25.

Patent application 655,182: Drilling machine; filed 4 February 1976; PC $3.50/MF $2.25.

Patent application 658,640: High Peak Power Pulsed Light Source; filed 17 February 1976; PC $3.50/MF $2.25.

Patent application 659,295: Stemless Bantam Valve; filed 19 February 1976, PC $3.50/MF $2.25.

Patent application 661,208: Automodulated Relativistic Electron Beam Microwave Source; filed 25 February 1976; PC $3.50/MF $2.25.

Patent application 661,472: Fungus Resistant Protective Coatings; filed 26 February 1976; PC $3.50/MF $2.25.

Patent application 661,689: High-Frequency CCD Adder and Multiplier; filed 26 February 1976; PC $3.50/MF $2.25.

Patent application 662,646: Marker Buoy Recovery Aid; filed 1 March 1976; PC $3.50/MF $2.25.

Patent 3,930,804: Deep Sea Gas Generator Container; filed 4 November 1974; patented 6 January 1976; not available NTIS.

TENNESSEE VALLEY AUTHORITY, Division of Law, Muscle Shoals, Ala. 35660.

Patent 3,954,942: Granular Ammonium Phosphate Sulfate and Monoammonium Phosphate Using Common Pipe-Cross-Type Reactor; filed 24 April 1975; patented 4 May 1976; not available NTIS.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Assistant General Counsel for Patent Matters, NASA Code GP–2, Washington, D.C. 20546.

Patent application 665,033: Anode for Ion Thruster; filed 8 March 1976; PC $3.50/MF $2.25.

Patent application 672,219: Circumferential Shaft Seal; filed 31 March 1976; PC $3.50/MF $2.25.

Patent application 672,223: Tread Drum for Animals; filed 31 March 1976; PC $3.50/MF $2.25.

Patent application 672,815: Manufacture of Glass-to-Metal Seals Wherein the Cleanliness of the Process Is Enhanced and the Leak Resistance of the Resulting Seal Is Maximized; filed 1 April 1976; PC $3.50/MF $2.25.

Patent 3,945,801: Indicator Providing Continuous Indication of the Presence of a Specific Pollutant in Air; patented 23 March 1976; not available NTIS.

Patent 3,949,206: Filtering Device; Patented 6 April 1976; not available NTIS.

Patent 3,949,404: Highly Efficient Antenna System Using a Corrugated Horn and Scanning Hyperbolic Reflector; patented 6 April 1976; not available NTIS.

Patent 3,950,729: Shared Memory for a Fault-Tolerant Computer; patented 13 April 1976; not available NTIS.

[FR Doc.76-26997 Filed 9-14-76;8:45 am]

GOVERNMENT-OWNED INVENTIONS

Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for U.S. and possibly foreign licensing, in accordance with the policies of the agency sponsors.

Copies of the patents cited are available from the Commissioner of Patents and Trademarks, Washington, D.C. 20231, for $.50 each. Requests for copies of patents must include the patent number.

Copies of the patent applications, either paper copy (PC) or microfiche (MF), can be purchased at the prices cited from the National Technical Information Service (NTIS), Springfield, Virginia 22161. Requests for copies of patent applications must include the PAT-APPL number. Claims are deleted from patent application copies sold to the public to avoid premature disclosure in the event of an interference before the Patent and Trademark Office. Claims and other technical data will usually be made available to serious prospective licensees by the agency which filed the case.

Requests for licensing information on a particular invention should be directed to the address cited for the agency-sponsor.

DOUGLAS J. CAMPION,
Patent Program Coordinator.

U.S. DEPARTMENT OF THE AIR FORCE, AF/JACP, WASHINGTON, D. C. 20314.

Patent application 661, 463: Real Time Peak Detector. Filed 26 February 1976, PC $3.50/MF $2.25

Patent application 661, 464: Infrared Plume Enhancement. Filed 26 February 1976, PC $3.50/MF $2.25

U.S. ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION, ASSISTANT GENERAL COUNSEL FOR PATENTS, WASHINGTON, D.C. 20545.

Patent application 541, 177: Active-R Filter; filed 15 January 1975.

Patent application 548, 941: Elution Electrophoresis; filed 11 February 1975; PC $3.50/MF $2.25.

Patent 3,782,455: Heat Exchanger Tube Mounts; filed 1 May 1972; patented 1 January 1974; not available NTIS.

Patent 3,894,476: Self-Adjusting Load Balancing Pneumatic Hoist; filed 5 April 1974; patented 15 July 1975; not available NTIS.

Patent 3,894,554: Liquid Level Controller; filed 10 May 1972; patented 15 July 1975; not available NTIS.

Patent 3,895,674: Inlet Flow Distributor for a Heat Exchanger; filed 24 February 1972; patented 22 July 1975; not available NTIS.

Patent 3,895,810; Mechanically Actuated Temporary Pump Shaft Maintenance Seal; filed 15 March 1948; patented 22 July 1975; not available NTIS.

Patent 3,896,392: All-Magnetic Extraction for Cyclotron Beam Reacceleration; filed 21 February 1974; patented 22 July 1975; not available NTIS.

Patent 3,898,172: Irreversible Humidity Indicator; filed 3 May 1973; patented 5 August 1975; not available NTIS.

Patent 3,902,695: Valve for Cryogenic Service; filed 13 December 1973; patented 2 September 1975; not available NTIS.

Patent 3,904,815: Electrically Insulating Feed-Through for Cryogenic Applications; filed 17 September 1974; patented 9 September 1975; not available NTIS.

Patent 3,905,243: Liquid-Level Sensing Device; filed 11 September 1973; patented 16 September 1975; not available NTIS.

Patent 3,906,858: Miniature Igniter; filed 30 July 1974; patented 23 September 1975; not available NTIS.

Patent 3,909,713: Device for Measuring Biaxial Strain; filed 26 April 1974; patented 30 September 1975; not available NTIS.

Patent 3,986,873: Heat Exchanger with a Removable Tube Section; filed 1 May 1972; patented 29 July 1975; not available NTIS.

U.S. DEPARTMENT OF HEALTH, EDUCATION AND WELFARE, National Institutes of Health, Chief, Patent Branch, Westwood Bldg., Bethesda, Md. 20014.

Patent 3,956,130: Filtering Apparatus; filed 27 June 1974; patented 11 May 1976; not available NTIS.

U.S. DEPARTMENT OF THE INTERIOR, Branch of Patents, 18th and C Streets, NW., Washington, D.C. 20240.

Patent 3,951,549: Transmitter-Receiver System; filed 20 August 1974; patented 20 April 1976; not available NTIS.

Patent 3,954,419: Fabrication of Nonsparking Titanium Dioboride Mining Tools; filed 19 June 1975; patented 4 May 1976; not available NTIS.

U.S. DEPARTMENT OF THE NAVY, Assistant Chief for Patents, Office of Naval Research, Code 302, Arlington, Va. 22217.

Patent application 605,490: Improved Hydroacoustic Transducer; filed 18 August 1975; PC $3.50/MF $2.25.

Patent application 664,786: A Gimballed Active Optical System; filed 8 March 1976; PC $3.50/MF $2.25.

Patent 3,886,550: Dual Oscillator; filed 26 August 1969; patented 27 May 1975; not available NTIS.

Patent 3,895,385: Delay Type Probe Antenna Noise Cancellation System; filed 29 June 1956; patented 15 July 1975; not available NTIS.

Patent 3,929,308: Local Derailment Sensor and Brake Actuator System; filed 7 August 1974; patented 30 December 1975; not available NTIS.

Patent 3,930,629: Overheated Journal Bearing Derailment Prevention System; filed 7 August 1974; patented 6 January 1976; not available NTIS.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Assistant General Counsel for Patent Matters, NASA Code GP-2, Washington, D.C. 20546.

Patent 3,945,879: Apparatus for Positioning Modular Components on a Vertical or Overhead Surface; patented 23 March 1976; not available NTIS.

Patent 3,947,933: Method of Constructing Dished Ion Thruster Grids to Provide Hole Array Spacing Compensation; patented 6 April 1976; not available NTIS.

Patent 3,948,102: Trielectrode Capacitive Pressure Transducer; patented 6 April 1976; not available NTIS.

Patent 3,948,470: System for Imposing Directional Stability on a Rocket-Propelled Vehicle; patented 6 April 1976; not available NTIS.

Patent 3,949,400: Position Determination Systems; patented 6 April 1976; not available NTIS.

[FR Doc.76-26998 Filed 9-14-76;8:45 am]

GOVERNMENT-OWNED INVENTIONS

Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for U.S. and possibly foreign licensing, in accordance with the policies of the agency sponsors.

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Requests for licensing information on a particular invention should be directed to the address cited for the agency-sponsor.

DOUGLAS J. CAMPION,
Patent Program Coordinator.

U.S. ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION, Assistant General Counsel for Patents, Washington, D.C. 20545.

Patent 3,897,659: Ultrasonic-Acoustic Grinding Wheel Setting Station for Automatic Numerically-Controlled Machines; filed 30 August 1974; patented 5 August 1975; not available NTIS.

Patent 3,902,000: Termination for Superconducting Power Transmission Systems; filed 12 November 1974; patented 26 August 1975; not available NTIS.

Patent 3,906,858: Miniature Igniter; filed 30 July 1974; patented 23 September 1975; not available NTIS.

Patent 3,986,873: Heat Exchanger with a Removable Tube Section; filed 1 May 1972; patented 29 July 1975; not available NTIS.

U.S. DEPARTMENT OF HEALTH, EDUCATION AND WELFARE, NATIONAL INSTITUTES OF HEALTH, Chief, Patent Branch, Westwood Bldg., Bethesda, Md. 20014.

Patent application 671,713: Apparatus for Producing High-Purity Water; filed 29 March 1976; PC $4.00/MF $2.25.

Patent 3,948,697: Synthesis of 1-(Tetrahydro-2-Furanyl) 5-Fluorouracil (Ftorafur) via Direct Fluorination; filed 9 October 1973; patented 6 April 1976; not available NTIS.

Patent 3,952,578: Scanning Ultrasonic Spectrograph for Fluid Analysis: 27 April 1976; not available NTIS.

Patent 3,954,033: Method and Apparatus for Cutting Cylinders of Gelatinous Materials Into Discs of Precise Thickness; filed 27 June 1974; patented 4 May 1976; not available NTIS.

U.S. DEPARTMENT OF THE INTERIOR, Branch of Patents, 18th and C Streets, N.W., Washington, D.C. 20240.

Patent application 672,901: Mine Ventilating Control Device; filed 2 April 1976; PC $3.50/MF $2.25.

Patent application 673,558: Electro-Optical Speed Transducer; filed 5 April 1976; PC $4.00/MF $2.25.

Patent 3,949,594: Two-Stage Disposable Particle Sampling Head; filed 25 September 1974; patented 13 April 1976; not available NTIS.

U.S. DEPARTMENT OF THE NAVY, Assistant Chief for Patents, Office of Naval Research, Code 302, Arlington, Va. 22217.

Patent application 663,003: Test System for Evaluation of Armors Using Duplicate Fragments; filed 1 March 1976; PC $3.50/MF $2.25.

Patent application 667,315: Deep Towing Cable and Handling System; filed 16 March 1976; PC $4.00/MF $2.25.

Patent 3,909,108: Optical Switch and Modulator; filed 28 May 1974; patented 30 September 1975; not available NTIS.

Patent 3,916 313: PSK-FSK Spread Spectrum Modulation/Demodulation; filed 25 November 1974; patented 28 October 1975; not available NTIS.

Patent 3,916,510: Method for Fabricating High Efficiency Semi-Planar Electro-optic Modulators; filed 1 July 1974; patented 4 November 1975; not available NTIS.

Patent 3,920,907: Periodic Signal Detector; filed 3 July 1974; patented 18 November 1975; not available NTIS.

Patent 3,920,982: Continuous Fiber Optical Transmit and Receive Terminal; filed 8 February 1974; patented 18 November 1975; not available NTIS.

Patent 3,922,522: Optical Receiver Assembly; filed 20 November 1969; patented 25 November 1975; not available NTIS.

Patent 3,923,374: High Speed Electro-optic Waveguide Modulation; filed 22 July 1974; patented 2 December 1975; not available NTIS.

Patent 3,923,376: Electro-optic Waveguide Beam Deflector; filed 2 August 1974; patented 2 December 1975; not available NTIS.

Patent 3,924,182: Signal Analyzer; filed 30 January 1967; patented 2 December 1975; not available NTIS.

Patent 3,924,458: Pressure Sensitive Control Device; filed 1 April 1974; patented 9 December 1975; not available NTIS.

Patent 3,925,710: General Purpose Electronic Interface Equipment Package; filed 1 July 1974; patented 9 December 1975; not available NTIS.

Patent 3,927,562: Environmental Profiler; filed 4 November 1974; patented 23 December 1975; not available NTIS.

Patent 3,927,849: Fluidic Analog Ring Position Device; filed 17 November 1969; patented 23 December 1975; not available NTIS.

Patent 3,928,851: Object Locator System; filed 31 August 1960; patented 23 December 1975; not available NTIS.

Patent 3,929,074: Means for the Elimination of a Cartridge Rim; filed 5 April 1974; patented 30 December 1975; not available NTIS.

Patent 3,931,592: Surface Acoustic Wave Tuned Laser; filed 14 June 1974; patented 6 January 1976; not available NTIS.

Patent 3,932,240: Burning Rate Modifying Binder for Propellant and Method; filed 4 January 1973; patented 13 January 1976; not available NTIS.

Patent 3,934,511: Linear Shaped Charge warhead; filed 15 August 1968; patented 27 January 1976; not available NTIS.

Patent 3,936,760: D.C. Restorer Circuit; filed 14 January 1975; patented 3 February 1976; not available NTIS.

Patent 3,936,837: Corrugated Horn Fed Offset Paraboloidal Reflector; filed 25 February 1975; patented 3 February 1976; not available NTIS.

Patent 3,938,385: Distributed Temperature Sensor; filed 24 May 1974; patented 17 February 1976; not available NTIS.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Assistant General Counsel for Patent Matters, NASA Code GP-2, Washington, D.C. 20546.

Patent 3,949,400: Position Determination Systems; patented 6 April 1976; not available NTIS.

[FR Doc.76-26999 Filed 9-14-76;8:45 am]

GOVERNMENT-OWNED INVENTIONS

Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for U.S. and possibly foreign licensing, in accordance with the policies of the agency sponsors.

Copies of the patents cited are available from the Commissioner of Patents and Trademarks, Washington, D.C. 20231, for $.50 each. Requests for copies of patents must include the patent number.

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DOUGLAS J. CAMPION,
Patent Program Coordinator.

U.S. ENERGY AND DEVELOPMENT ADMINISTRATION, Assistant General Counsel for Patents, Washington, D.C. 20545.

Patent 3,986,873: Heat Exchanger with a Removable Tube Section; filed 1 May 1972; patented 29 July 1975; not available NTIS.

U.S. DEPARTMENT OF THE NAVY, Assistant Chief for Patents, Office of Naval Research, Code 302, Arlington, Va. 22217.

Patent application 663,887: 2-Keto-4-Trifluoromethyl-1,6,6,7,8-Pentamethyl - 6, 7 - Dihydro-1H, 2H, 8H - Pyrido(3,2-f)-Indole, A Stable, Efficient Laser Dye; filed 4 March 1976; PC $3.50/MF $2.25.

Patent application 673,223: Method and Apparatus for Semiconductor Profiling Using an Optical Probe; filed 2 April 1976; PC $3.50/MF $2.25.

Patent 3,916,704: Vibratory Locomotion Means; filed 23 April 1973; patented 4 November 1975; not available NTIS.

Patent 3,923,376: Electro-optic Waveguide Beam Deflector; filed 2 August 1974; patented 2 December 1975; not available NTIS.

Patent 3,929,074: Means for the Elimination of a Cartridge Rim; filed 5 April 1974; patented 30 December 1975; not available NTIS.

Patent 3,931,592: Surface Acoustic Wave Tuned Laser; filed 14 June 1974; patented 6 January 1976; not available NTIS.

Patent 3,933,118: Chemiluminescent Signal Device, filed 26 March 1974; patented 20 January 1976; not available NTIS.

Patent 3,934,511: Linear Shaped Charge Warhead; filed 15 August 1968; patented 27 January 1976; not available NTIS.

Patent 3,934,539: Chemiluminescent Foldable Signal Device; filed 26 March 1974; patented 27 January 1976; not available NTIS.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Assistant General Counsel for Patent Matters, NASA Code GP-2, Washington, D.C. 20546.

Patent 3,949,400: Position Determination Systems; patented 6 April 1976; not available NTIS.

[FR Doc.76-27000 Filed 9-14-76;8:45 am]

GOVERNMENT-OWNED INVENTIONS

Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for U.S. and possibly foreign licensing, in accordance with the policies of the agency sponsors.

Copies of the patents cited are available from the Commissioner of Patents and Trademarks, Washington, D.C. 20231, for $.50 each. Requests for copies of patents must include the patent number.

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Requests for licensing information on a particular invention should be directed to the address cited for the agency sponsor.

DOUGLAS J. CAMPION,
Patent Program Coordinator.

U.S. DEPARTMENT OF THE AIR FORCE, AF/JACP, Washington, D.C. 20314.

Patent application 576,058: Thermionic Cathode Transverse- Discharge Gas Laser Tube; filed 9 May 1975; PC $3.50/ MF $2.25.

Patent application 612,070: Method and Apparatus for Determining Changes in Spacing Between Two Positions of Interest; filed 10 September 1975; PC $3.50/MF $2.25.

Patent 3,940,847: Method of Fabricating Ion Implanted ZnSe P-N Junction Devices; filed 26 July 1974; Patented 2 March 1976; not available NTIS.

Patent 3,944,967: Updated Diver Navigation Device; filed 23 December 1974; patented 16 March 1976; not available NTIS.

Patent 3,946,331: Nernst Lamp for Laser Pumping; filed 30 April 1974; patented 23 March 1976; not available NTIS.

Patent 3,946,349: High-Power, Low-Loss High-Frequency Electrical Coil; filed 3 August 1973; patented 23 March 1976; not available NTIS.

Patent 3,946,685: Hover Control Valve for Submarine Hovering System; filed 11 July 1974; patented 30 March 1976; not available NTIS.

Patent 3,951,086: Floating Support Structure; filed 31 May 1973; patented 20 April 1976; not available NTIS.

Patent 3,951,137: Rebreathing System; filed 20 November 1974; patented 20 April 1976; not available NTIS.

Patent 3,952,216: Multiple-Frequency Transducer; filed 4 April 1975; patented 20 April 1976; not available NTIS.

Patent 3,952,245: Calibrated Quadraxial System for Measuring Shielding Transfer Impedance; filed 6 February 1975; patented 20 April 1976; not available NTIS.

Patent 3,952,267: Metal Spray Forming of Waveguide for Phase Shifter Case; filed 3 January 1975; patented 20 April 1976; not available NTIS.

Patent 3,952,306: Serrodyne Generator; filed 4 February 1970; patented 20 April 1976; not available NTIS.

Patent 3,952,307: Deactivating Radar Chaff; filed 18 June 1963; patented 20 April 1976; not available NTIS.

Patent 3,953,126: Optical Convolution Velocimeter; filed 8 November 1974; patented 27 April 1976; not available NTIS.

Patent 3,953,871: Precision Light Exposure Timing and Shutter Mechanism for a Wide Range of Exposure Durations; filed 20 December 1974; patented 27 April 1976; not available NTIS.

U.S. DEPARTMENT OF AGRICULTURE, Research Agreements and Patent Mgmt. Branch, General Services Division, Federal Bldg., Agricultural Research Service, Hyattsville, Md. 20782.

Patent application 671,751: Method of Concentrating Liquids; filed 30 March 1976; PC $3.50/MF $2.25.

Patent application 675,105: Ready-to-Eat Potao Products; filed 9 April 1976; PC $3.50/MF $2.25.

Patent application 680,643: Method of Removing Corn from the Cob; filed 27 April 1976; PC $3.50/MF $2.25.

Patent application 682,069: Method of Removing Wax Moth Larvae from Infested Enclosures; filed 30 April 1976; PC $3.50/ MF $2.25.

U.S. DEPARTMENT OF TRANSPORTATION, Patent Counsel, 400 7th Street, S.W., Washington, D.C. 20590.

Patent 3,948,080: Apparatus for Testing the Traction Properties of Pneumatic Tires; filed 3 September 1974; patented 6 April 1976; not available NTIS.

U.S. ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION, Assistant General Counsel for Patents, Washington, D.C. 20545.

Patent 3,986,873: Heat Exchanger with a Removable Tube Section; filed 1 May 1972; patented 29 July 1975; not available NTIS.

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, NATIONAL INSTITUTES OF HEALTH, Chief, Patent Branch, Westwood Bldg., Bethesda, Md. 20014.

Patent application 655,262: System for Combining Analog and Image Signals into a Standard Video Format; filed 4 February 1976; PC $3.50/MF $2.25.

Patent application 661,114: Flow-Through Centrifuge; filed 25 February 1976; PC $3.50/MF $2.25.

Patent 3,505,309: Process for Lactulose; filed 25 September 1967; patented 7 April 1970; not available NTIS.

Patent 3,949,554: Heat Engine; filed 10 October 1974; patented 13 April 1976; not available NTIS.

Patent 3,952,097: Nuclease-Resistant Hydrophilic Complex of Polyriboinosinic-Polyribocytidylic Acid; filed 27 September 1974; patented 20 April 1976; not available NTIS.

U.S. DEPARTMENT OF THE NAVY, Assistant Chief for Patents, Office of Naval Research, Code 302, Arlington, Va. 22217.

Patent 3,909,139: Method and Means for Inspection Bore Surfaces in Elongate Articles; filed 17 December 1973, patented 30 September 1975; not available NTIS.

Patent 3,911,439: Apparatus for Automatically Determining the Bearing Center of Radar Beams; filed 22 February 1971; patented 7 October 1975; not available NTIS.

Patent 3,913,099: Automatic, Digitally Controlled Radar Target Matched Filter; filed 24 June 1970, patented 14 October 1975; not available NTIS.

Patent 3,921,391: Combustor Wing Vortex Generators; filed 13 April 1972; patented 25 November 1975; not available NTIS.

Patent 3,922,762: Automatic Power Adapter for Manual Quick-Release Connectors; filed 4 October 1974; patented 2 December 1975; not available NTIS.

Patent 3,922,904: Method and Apparatus for Detecting Dissolved Gases in Liquids; filed 2 October 1962; patented 2 December 1975; not available NTIS.

Patent 3,936,831: Single Pulse TOA Measurement System; filed 15 December 1971; patented 3 February 1976; not available NTIS.

Patent 3,936,832: System to Process Antenna Beams to Obtain the Angular Location of Target with High Resolution and Accuracy; filed 13 September 1974; patented 3 February 1976; not available NTIS.

Patent 3,938,319: Method of and Apparatus for Preventing Compressor Stall in a Gas Turbine Engine; filed 13 August 1974; patented 17 February 1976; not available NTIS.

Patent 3,938,456: Automatic Steering System for a Torpedo; filed 4 October 1950; patented 17 February 1976; not available NTIS.

Patent 3,938,964: Beryllium Reinforced Composite Solid and Hollow Shafting; filed 18 March 1974; patented 17 February 1976; not available NTIS.

Patent 3,939,347: Two Dimensional Display of Detector Response; filed 5 November 1974; patented 17 February 1976; not available NTIS.

Patent 3,939,408: Conductivity Cell and Measuring System; filed 5 August 1974; patented 17 February 1976; not available NTIS.

Patent 3,939,461: Correlation System Using Matched Signals; filed 19 November 1962; patented 17 February 1976; not available NTIS.

Patent 3,939,466: Spatially Distributed Transducer for Towed Line Array Applications; filed 24 January 1975; patented 17 February 1976; not available NTIS.

Patent 3,940,286: Deep Sea Pressure Compensated Expendable Energy Source; filed 13 June 1975; patented 24 February 1976; not available NTIS.

Patent 3,940,674: Submarine or Vehicle Steering System; filed 14 April 1972; patented 24 February 1976; not available NTIS.

Patent 3,940,693: Phase Sensitive Detector; filed 24 October 1974; patented 24 Feb 1976; not available NTIS.

Patent 3,940,814: Portable Salvage Lift; filed 13 September 1974; patented 2 March 1976; not available NTIS.

Patent 3,940,982: Subbottom Rock Mapping Probe; filed 16 September 1974; patented 2 March 1976; not available NTIS.

Patent 3,943,455: Analog Feedback Amplifier Employing a Four-Quadrant Integrated Circuit Multiplier as the Active Control Element; filed 3 June 1974; patented 9 March 1976; not available NTIS.

Patent 3,944,964: Air Dropped Linear Acoustic Detector; filed 19 December 1973; patented 16 March 1976; not available NTIS.

Patent 3,945,555: Production of Beryllium Reinforced Composite Solid and Hollow Shafting; filed 17 March 1975; patented 23 March 1976; not available NTIS.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Assistant General Counsel for Patent Matters, NASA Code GP-2, Washington, D.C. 20546.

Patent application 672,221: Two Dimensional Wedge/Translating Shroud Nozzle; filed 31 March 1976; PC $3.50.

Patent application 674,340: Splash Groove Fuel Injector; filed 7 April 1976; PC $3.50/MF $2.25.

Patent application 676,432: Atomic Hydrogen Storage Method and Apparatus; filed 13 April 1976; PC $3.50/MF $2.25.

Patent 3,949,400: Position Determination Systems; patented 6 April 1976; not available NTIS.

Patent 3,952,083: Silica Reusable Surface Insulation; Patented 20 April 1976; not available NTIS.

Patent 3,952,971: Airfoil Shape for Flight at Subsonic Speeds; patented 27 April 1976; not available NTIS.

Patent 3,952, 976: Deployable Flexible Tunnel; patented 27 April 1976; not available NTIS.

[FR Doc.76-27001 Filed 9-14-76;8:45 am]

GOVERNMENT-OWNED INVENTIONS

Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for U.S. and possibly foreign licensing, in accordance with the policies of the agency sponsors.

Copies of the patents cited are available from the Commissioner of Patents and Trademarks, Washington, D.C. 20231, for $0.50 each. Requests for copies of patents must include the patent number.

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DOUGLAS J. CAMPION,
Patent Program Coordinator.

U.S. DEPARTMENT OF AGRICULTURE, Research Agreements and Patent Mgmt. Branch, General Services Division, Federal Bldg., Agricultural Research Service, Hyattsville, Md. 20782.

Patent application 637,250: Process for Recovering Usable Olive-Processing Liquor from Olive-Processing Waste; filed 3 December 1975; PC $3.50/MF $2.25.

Patent application 676,948: Process for Simultaneously Flameproofing and Shrinkproofing Wool; filed 14 April 1976; PC $3.50/MF $2.25.

Patent 3,941,767: Method of Preparing Powdered Elastomer Compositions; filed 5 May 1975; patented 2 March 1976; not available NTIS.

Patent 3,947,354: Removal of Heavy Metal Ions From Wastewater; filed 18 April 1975, patented 30 March 1976; not available NTIS.

Patent 3,949,145: Degradable Starch-Based Agricultural Mulch Film; filed 27 February 1975; patented 6 April 1976, not available NTIS.

Patent 3,955,008: Preparation of Icings; filed 14 August 1975; patented 4 May 1976; not available NTIS.

Patent 3,959,246: Preparation of Soluble Edible Protein from Leafy Green Crops; filed 8 July 1974; patented 25 May 1976; not available NTIS.

U.S. DEPARTMENT OF HEALTH, EDUCATION AND WELFARE, National Institutes of Health, Chief, Patent Branch, Westwood Bldg., Bethesda, Md. 20014.

Patent application 680,705: Uterine Caliper and Depth Gauge; filed 27 April 1976; PC $3.50/MF $2.25.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Assistant General Counsel for Patent Matters, NASA Code GP-2, Washington, D.C. 20546.

Patent application 462,341: Improved Solar Cell Grid Patterns; filed 19 April 1974; PC $3.50/MF $2.25.

Patent application 672,209: A Cervix-to-Rectum Measuring Device in a Radiation Applicator for Use in the Treatment of Cervical Cancer; filed 31 March 1976; PC $3.50/MF $2.25.

Patent application 672,695: Thermal Shock and Erosion Resistant Tantalum Carbide Ceramic Materials; filed 1 April 1976; PC $3.50/MF $2.25.

Patent application 674,195: Optical Scanner; filed 6 April 1976; PC $3.50/MF $2.25.

Patent application 676,433: Corneal Seal Device; filed 13 April 1976; PC $3.50/MF $2.25.

Patent application 676,957: Notch Filter; filed 14 April 1976; PC $3.50/MF $2.25.
Patent application 676,958: Locking Mechanism for Orthopedic Braces; filed 14 April 1976; PC $3.50.
Patent application 676,958: Locking Mechanism for Orthopedic Braces; filed 14 April 1976; PC $3.50.
Patent application 677,352: Remote Sensing of Vegetation and Soil Using Microwave Ellipsometry; filed 15 April 1976; PC $3.50/MF $2.25.
Patent application 680,957: Opto-Mechanical Subsystem with Temperature Compensation Through Isothermal Design; filed 28 April 1976; PC $3.50/MF $2.25.
Patent application 680,958: Magnifying Image Intensifier; filed 28 April 1976; PC $3.50/MF $2.25.
Patent application 681,000: Flexible Pile Thermal Barrier Seal; filed 28 April 1976; PC $3.50/MF $2.25.
Patent application 681,001: Optical Alignment Device; filed 28 April 1976; PC $3.50.
Patent application 682,416: Vortex Generator Controlling the Dispersion of Effluents in a Flowing Liquid; filed 3 May 1976; PC $3.50/MF $2.25.
Patent application 682,435: Method of Treating the Surface of a Glass Member; filed 3 May 1976; PC $3.50/MF $2.25.
Patent application 684,807: Plasma Cleaning Device; filed 10 May 1976; PC $3.50/MF $2.25.
Patent application 684,810: Charge Injection Method and Apparatus of Producing Large Area Electrets; filed 10 May 1976; PC $3.50/MF $2.25.
Patent application 686,449: Thermal Barrier Coating System; filed 14 May 1976; PC $3.50/MF $2.25.
Patent application 687,822: Multi-Cell Battery Protection System; filed 19 May 1976; PC $3.50/MF $2.25.
Patent 3,951,129: Solar Energy Absorber; patented 20 April 1976; not available NTIS.
Patent 3,952,590: Apparatus for Reducing Aerodynamic Noise in a Wind Tunnel; patented 27 April 1976; not available NTIS.
Patent 3,953,038: Fluid Seal for Rotating Shafts; patented 27 April 1976; not available NTIS.
Patent 3,953,343: Bearing Material; patented 27 April 1976; not available NTIS.
Patent 3,953,674: Telemetary Synchronizer; patented 4 April 1976; not available NTIS.
Patent 3,953,734: Nulling Device for Detection of Trace Gases by Ndir Absorption; patented 27 April 1976; not available NTIS.
Patent 3,953,792: Particulate and Aerosol Detector; patented 27 April 1976; not available NTIS.
Patent 3,955,034: Three-Component Ceramic Coating for Silica Insulation; patented 4 May 1976; not available NTIS.
Patent 3,957,030: Solar Energy Power System; patented 18 May 1976; not available NTIS.
Patent 3,958,238: Binary Concatenated Coding System; patented 18 May 1976; not available NTIS.

[FR Doc.76-27002 Filed 9-14-76;8:45 am]

GOVERNMENT-OWNED INVENTIONS

Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for U.S. and possibly foreign licensing, in accordance with the policies of the agency sponsors.

Copies of the patents cited are available from the Commissioner of Patents and Trademarks, Washington, D.C. 20231, for $.50 each. Requests for copies of patents must include the patent number.

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DOUGLAS J. CAMPION,
Patent Program Coordinator.

U.S. DEPARTMENT OF AGRICULTURE, Research Agreements and Patent Management Branch, General Services Division, Federal Bldg., Agricultural Research Service, Hyattsville, Md. 20782.

Patent application 675,104: Protectant for Wood; filed 9 April 1976, PC $3.50/MF $2.25.
Patent 3,954,991: Mosquito Larvicide; filed 27 February 1975; patented 4 May 1976; not available NTIS.
Patent 3,959,489: Polybutyl-2-Cinnamylphenols as Insect Anti-Procreants; filed 24 March 1975; patented 25 May 1976; not available NTIS.

U.S. DEPARTMENT OF TRANSPORTATION, Patent Counsel, 400 7th Street SW., Washington, D.C. 20590.

Patent 3,946,385: Interferometric Navigation and Guidance System; filed 20 January 1975; patented 23 March 1976; not available NTIS.

U.S. DEPARTMENT OF THE INTERIOR, Branch of Patents, 18th and C Streets NW., Washington, D.C. 20240.

Patent application 667,060: Sulfur Recovery from H_2S and SO_2-Containing Gases; filed 15 March 1976; PC $3.50/MF $2.25.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Assistant General Counsel for Patent Matters, NASA Code GP-2, Washington, D.C. 20546.

Patent application 662,181: Air Removal Device; filed 27 February 1976; PC $3.50/MF $2.25.
Patent application 677,353: Improved Tissue Macerating Instrument; filed 15 April 1976; PC $3.50/MF $2.25.
Patent application 678,813: Cubic Interleaver; filed 21 April 1976; PC $4.00/MF $2.25.
Patent application 684,045: Reduction of Nitric Oxide Emissions from a Combustor; filed 7 May 1976; PC $3.50/MF $2.25.
Patent 3,957,104: Method of Making an Apertured Casting; patented 18 May 1976; not available NTIS.

[FR Doc.76-27003 Filed 9-14-76;8:45 am]

GOVERNMENT-OWNED INVENTIONS

Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for U.S. and possibly foreign licensing, in accordance with the policies of the agency sponsors.

Copies of the patents cited are available from the Commissioner of Patents and Trademarks, Washington, D.C. 20231, for $.50 each. Requests for copies of patents must include the patent number.

Copies of the patent applications, either paper copy (PC) or microfiche (MF), can be purchased at the prices cited from the National Technical Information Service (NTIS), Springfield, Virginia 22161. Requests for copies of patent applications must include the PAT-APPL number. Claims are deleted from patent application copies sold to the public to avoid premature disclosure in the event of an interference before the Patent and Trademark Office. Claims and other technical data will usually be made available to serious prospective licensees by the agency which filed the case.

Requests for licensing information on a particular invention should be directed to the address cited for the agency-sponsor.

DOUGLAS J. CAMPION,
Patent Program Coordinator.

U.S. DEPARTMENT OF THE ARMY, Office of Judge Advocate General, Patent Division, Room 2C-455, Pentagon, Washington, D.C. 20310.

Patent 3,904,156: External Load Stabilization Apparatus; filed 11 July 1974; patented 9 September 1975; not available NTIS.
Patent 3,930,032: Baking Powder of Improved Stability and Method of Producing Same; filed 4 February 1975; patented 30 December 1975; not available NTIS.
Patent 3,943,592: Tongue Cleaning Device; filed 22 November 1974; patented 16 March 1976; not available NTIS.

U.S. DEPARTMENT OF THE AIR FORCE, AF/JACP, Washington, D.C. 20314.

Patent application 635,192: Automatic Line Release System; filed 25 November 1975; PC $3.50/MF $2.25.
Patent application 667,749: Bulkhead Adapter Assembly; filed 17 March 1976; PC $3.50/MF $2.25.
Patent application 667,750: Trapatt Planar-Mesa Diode; filed 17 March 1976; PC $3.50/MF $2.25.
Patent application 667,927: Nutating Antenna Drive Mechanism; filed 10 March 1976; PC $3.50/MF $2.25.
Patent application 669,948: Stowable Airfoil Structure; filed 24 March 1976; PC $3.50/MF $2.25.
Patent application 675,677: Ethynyl-Substituted Aromatic Ortho Diamines and Method of Synthesis; filed 9 April 1976; PC $3.50/MF $2.25.
Patent application 677,589: Method of Hermetically Sealing Semiconductor Devices; filed 16 April 1976; PC $3.50/MF $2.25.

U.S. DEPARTMENT OF AGRICULTURE, Research Agreements and Patent Mgmt. Branch, General Services Division, Federal Bldg., Agricultural Research Service, Hyattsville, Md. 20782.

Patent application 648,835: Chemical Attractant for the Smaller European Bark Beetle; filed 14 January 1976; PC $3.50/MF $2.25.

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, National Institutes of Health, Chief, Patent Branch, Westwood Bldg., Bethesda, MD 20014.

Patent application 695,171: An apparatus for Capping and Uncapping Containers; filed 11 June 1976; PC $3.50/MF $2.25.

U.S. DEPARTMENT OF THE INTERIOR, Branch of Patents, 18th and C Streets, NW., Washington, D.C. 20240.

Patent application 688,657: Deductive Method for Measuring Ion Concentration Electrically; filed 21 May 1976; PC $3.50/MF $2.25.

Patent application 688,659: Method for Rapid Sedimentation of Fine Particles from Suspensions; filed 21 May 1976; PC $3.50/MF $2.25.

Patent 3,958,983: Decomposition of Chalcopyrite; filed 19 June 1975; patented 25 May 1976; not available NTIS.

Patent 3,962,408: Dehydration of Magnesium Chloride; filed 14 July 1975; patented 8 June 1976; not available NTIS.

U.S. DEPARTMENT OF THE NAVY, Assistant Chief for Patents, Office of Naval Research, Code 302, Arlington, Va. 22217.

Patent application 571,658: Coated Magnetically Biased Reed Switch; filed 25 April 1975; PC $3.50/MF $2.25.

Patent application 572,473: Dual Threshold Magnetic Proximity Switch; filed 25 April 1975; PC $3.50/MF $2.25.

Patent application 669,418: Cure Catalyst Systems for Polyurethanes; filed 22 March 1976; PC $3.50/MF $2.50.

Patent application 671,236: Pyranoquinoline Laser Dyes; filed 29 March 1976; PC $3.50/MF $2.25.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Assistant General Counsel for Patent Matters, NASA Code GP-2, Washington, D.C. 20546.

Patent application 657,907: Flame Retardant Elastomeric Compositions; filed 13 February 1976; PC $4.00/MF $2.25.

Patent application 657,998: Flame Retardant Elastomeric Compositions; filed 13 February 1976; PC $4.00/MF $2.25.

Patent application 680,938: Gregorian All-Reflective Optical System; filed 28 April 1976; PC $3.50/MF $2.25.

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Patent 3,956,050: Vacuum Pressure Molding Technique; patented 11 May 1976; not available NTIS.

Patent 3,956,223: Non-Flammable Elastomeric Fiber from a Fluorinated Elastomer and Containing an Halogenated Flame Retardant; patented 11 May 1976; not available NTIS.

Patent 3,956,833: Vehicle Simulator Binocular Multiplanar Visual Display System; patented 18 May 1976; not available NTIS.

Patent 3,956,919: High Temperature Strain Gage Calibration Fixture; patented 18 May 1976; not available NTIS.

Patent 3,956,932: Wind Sensor; patented 18 May 1976; not available NTIS.

Patent 3,957,037: Readout Electrode Assembly for Measuring Biological Impedance; patented 18 May 1976; not available NTIS.

Patent 3,957,044: Self-Contained Breathing Apparatus; patented 18 May 1976; not available NTIS.

Patent 3,957,675: Ultraviolet Light Reflective Coating; Patented 18 May 1976; not available NTIS.

Patent 3,958,188: Fiber Distributed Feedback Laser; patented 18 May 1976; not available NTIS.

[FR Doc.76-27004 Filed 9-14-76;8:45 am]

GOVERNMENT-OWNED INVENTIONS

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DOUGLAS J. CAMPION,
Patent Program Coordinator.

U.S. DEPARTMENT OF THE ARMY, Office of Judge Advocate General, Patent Division, Room 2C-455, Pentagon, Washington, D.C. 20310.

Patent 3,913,406: Digital Pulse Rebalance Accelerometer; filed 2 August 1973; patented 21 October 1975; not available NTIS.

Patent 3,924,534: Lightweight Cartridge Case of Improved Aluminum Alloy Material Which Eliminates Catastrophic Failures; filed 8 November 1974; patented 9 December 1975; not available NTIS.

Patent 3,930,032: Baking Powder of Improved Stability and Method of Producing Same; filed 4 February 1975; patented 30 December 1975; not available NTIS.

U.S. DEPARTMENT OF THE AIR FORCE, AF/JACP, Washington, D.C. 20314.

Patent application 663,639: Pop-Up Cover for Slipstream Generator; filed 4 March 1976; PC $3.50/MF $2.25.

Patent application 665,216: Bolted Paired Vanes for Turbine; filed 9 March 1976; PC $3.50/MF $2.25.

Patent application 667,041: Augmented Tracking System; filed 15 March 1976; PC $3.50/MF $2.25.

Patent application 674,020: Method for Improving Metal Combustion in Solid Rocket Propellants; filed 5 April 1976; PC $3.50/MF $2.25.

Patent application 674,021: Film Slewing Device for Drum Type Contact Printer; filed 5 April 1976; PC $3.50/MF $2.25.

Patent application 674,022: Variable Area Combustor; filed 5 April 1976; PC $3.50/MF $2.25.

Patent application 675,434: Meter Box Assembly; filed 9 April 1976; PC $3.50/MF $2.25.

Patent application 675,676: Method of Obtaining a D(Log E) Curve; filed 9 April 1976; PC $3.50/MF $2.25.

Patent application 675,678: Self-Contained Power Subsystem; filed 9 April 1976; PC $3.50/MF $2.25.

U.S. DEPARTMENT OF THE INTERIOR, Branch of Patents, 18th and C Streets, NW., Washington, D.C. 20240.

Patent 3,967,990: Combination of Band-Type and Line-Type Emission Phosphors with Explosive; filed 3 March 1975; patented 6 July 1976; not available NTIS.

U.S. DEPARTMENT OF THE NAVY, ASSISTANT CHIEF FOR PATENTS, OFFICE OF NAVAL RESEARCH, CODE 302, ARLINGTON, VA., 22217.

Patent application 580,436: A Faired Multi-Strength Member Towcable and Associated Sequential Load Distribution System; filed 23 May, 1976; PC $3.50/MF $2.25.

Patent application 598,474: Programmable Underwater Acoustic Beacon; filed 23 July 1975; PC $3.50/MF $2.25.

Patent application 612,148: An Obstacle Detection and Evaluation System; filed 10 September 1975; PC $3.50/MF $2.25.

Patent application 619,555: A Tacan Flying Target Control System; filed 3 October 1975; PC $3.50/MF $2.25.

Patent application 633,523: Stereoscopic Viewer Power Supply; filed 19 November 1975; PC $3.50/MF $2.25.

Patent application 648,615: Submersible Power Package; filed 12 January 1976; PC $3.50/MF $2.25.

Patent application 651,877: Aural Angle of Attack Warning System; filed 23 January 1976; PC $3.50/MF $2.25.

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Patent application 670,013: Split-Path Receiver for Fiber Optics Application; filed 24 March 1976; PC $3.50/MF $2.25.

Patent application 670,197: Anticompromise Device; filed 25 March 1976; PC $3.50/MF $2.25.

Patent application 670,499: Fan Lift-Cruise V/STOL Aircraft; filed 25 March 1976; PC $3.50/MF $2.25.

Patent application 671,234: IR Imaging with Surface Wave Readout; filed 29 March 1976; PC $3.50/MF $2.25.

Patent application 671,235: Weapon Retention Device; filed 29 March 1976; PC $3.50/MF $2.25.

Patent application 671,525: Time Domain Filter for Recursive Type Signals; filed 29 March 1976; PC $3.50/MF $2.25.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, ASSISTANT GENERAL COUNSEL FOR PATENT MATTERS, NASA CODE GP-2, WASHINGTON, D.C. 20546.

Patent application 657,998: Flame Retardant Elastomeric Compositions; filed 13 February 1976; PC $4.00/MF $2.25.

Patent application 680,938: Gregorian All-Reflective Optical System; filed 28 April 1976; PC $3.50/MF $2.25.

Patent application 690.815: A Sampling Video Compression System; filed 27 May 1976; PC $3.50/MF $2.25.

Patent 3,956,032: Process for Fabricating SiC, Semiconductor Devices; patented 11 May 1976; not available NTIS.

Patent 3,956,050: Vacuum Pressure Molding Technique; patented 11 May 1976; not available NTIS.

Patent 3,956,233: Non-Flammable Elastomeric Fiber from a Fluorinated Elastomer and Containing an Halogenated Flame Retardant; patented 11 May 1976; not available NTIS.

Patent 3,956,833: Vehicle Simulator Binocular Multiplanar Visual Display System; patented 18 May 1976; not available NTIS.

Patent 3,958,553: Solar Energy Trap; patented 25 May 1976; not available NTIS.

[FR Doc.76-27005 Filed 9-14-76;8:45 am]

GOVERNMENT-OWNED INVENTIONS

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DOUGLAS J. CAMPION,
Patent Program Coordinator.

U.S. DEPARTMENT OF THE AIR FORCE, AF/JACP, Washington, DC 20314.

Patent application 605,578: A System to Simulate Motion and Plasma Induced Signal Variations from Reentry Vehicles; filed 18 August 1975; PC $3.50/MF $2.25.

Patent application 656,918: Photo Electronic Direction of Motion Indicator; 10 February 1976; PC $3.50/MF $2.25.

Patent application 667,820: Probe Contact and Junction Detector; filed 16 March 1976; PC $4.00/MF $2.25.

Patent application 669,543: Method and Means for Equalizing the Sensitivity of a Multi-Element Sensor Array; filed 23 March 1976; PC $3.50/MF $2.25.

Patent application 669,584: Phase Compensated Zone Plate Photodetector; filed 23 March 1976; PC $3.50/MF $2.25.

Patent application 671,537: Hot Working of Titanium and Titanium Alloys; filed 29 March 1976; PC $3.50/MF $2.25.

Patent application 675,435: Digital Correlator Using Compilation; filed 9 April 1976; PC $3.50/MF $2.25.

Patent application 675,675: Programming Valve for Modulated Pressure Control Systems; filed 9 April 1976; PC $3.50/ MF $2.25.

Patent application 677,591: Hydraulic Grip for Tubular Mechanical Properties Specimen; filed 16 April 1976; PC $3.50/ MF $2.25.

U.S. DEPARTMENT OF AGRICULTURE, Research Agreements and Patent Management Branch, General Services Division, Federal Building, Agricultural Research Service, Hyattsville, Md. 20782.

Patent 3,962,339: Process for the Production of Bicyclo Decenone Derivatives; filed 6 April 1973; patented 8 June 1976; not available NTIS.

Patent 3,966,981: Process for Removing Residual Solvents; filed 26 November 1974; patented 29 June 1976; not available NTIS.

U.S. DEPARTMENT OF TRANSPORTATION, Patent Counsel, 400 7th Street, S.W., Washington, D.C. 20590.

Patent 3,947,695: Signal Conditioner Front-End; filed 21 October 1974; patented 30 March 1976; not available NTIS.

Patent 3,963,202: Grade-Crossing Motorist Warning System; filed 3 March 1975; patented 15 June 1976; not available NTIS.

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, National Institutes of Health, Chief, Patent Branch, Westwood Building, Bethesda, Md. 20014.

Patent application 690,361: Intermediates for Total Steroid Synthesis from the Condensation Product of Dimethyl 3–Ketoglutarate and Glyoxal Useful as Precursors for the Total Synthesis of Steroids; filed 26 May 1976; PC $3.50/MF $2.25.

Patent 3,959,653: Fast Charge Digitizer and Digital Data Acquisition System for Measuring Time Varying Radiation Fields; filed 14 April 1975; patented 25 May 1976; not available NTIS.

U.S. DEPARTMENT OF THE INTERIOR, BRANCH OF PATENTS, 18TH AND C STREETS, N.W., WASHINGTON, D.C. 20240.

Patent application 688,515: Dosimeter for Oxides of Nitrogen; filed 20 May 1976; PC $3.50/MF $2.25.

Patent application 689,757: A Submicron Particle Detector; filed 25 May 1976; PC $3.50/MF $2.25.

Patent 3,956,116: Process for Separating Liquids from Suspensions; filed 16 October 1974; patented 11 May 1976; not available NTIS.

Patent 3,958,637: Technique for Lining Shaft; filed 22 May 1975; patented 25 May 1976; not available NTIS.

Patent 3,958,644: Pressure Sensitive Explosion Barrier; filed 2 July 1975; patented 25 May 1976; not available NTIS.

Patent 3,958,650: Drilling System Using Weight of Mud; filed 28 May 1975; patented 25 May 1976; not available NTIS.

Patent 3,960,217: Passive Explosion Barrier; filed 14 October 1975; patented 1 June 1976; not available NTIS.

Patent 3,961,106: Method for Applying Wax or Plastic Coatings to Granular Materials; filed 3 March 1975; patented 1 June 1976; not available NTIS.

Patent 3,961,524: Method and Apparatus for Determining Rock Stress in situ; filed 6 May 1975; patented 8 June 1976; not available NTIS.

Patent 3,961,942: Hydrometallurgical Process for Copper Recovery from Sulfide Ores; filed 19 March 1975; patented 8 June 1976; not available NTIS.

Patent 3,962,050: Recovery of Zinc from Zinc Chloride by Fused Salt Electrolysis; filed 21 May 1975; patented 8 June 1976; not available NTIS.

Patent 3,966,590: Magnetic Ore Separator; filed 20 September 1974; patented 29 June 1976; not available NTIS.

Patent 3,967,455: Controlled Yielding Rock Bolt; filed 3 February 1975; patented 6 July 1976; not available NTIS.

U.S. DEPARTMENT OF THE NAVY, Assistant Chief for Patents, Office of Naval Research, Code 302, Arlington, Va. 22217.

Patent application 553,698: An Alpha Meter Attachment for Underwater Optical Systems; filed 27 February 1975; PC $3.50/MF $2.25.

Patent application 554,875: Modular System for Performing the Discrete Fourier Transform via the Chirp-Z Transform; filed 3 March 1975; PC $4.00/MF $2.25.

Patent application 583,083: Pressurized Ship Structure for Slamming Loads; filed 2 June 1975; PC $3.50/MF $2.25.

Patent application 596,329: Tethered Vehicle Location System; filed 16 July 1975; PC $3.50/MF $2.25.

Patent application 618,725: Pipe End Machining Apparatus; filed 1 October 75; PC $3.50/MF $2.25.

Patent application 647,686: Propeller-Driven Hydrophone Array Tensioning Device; filed 9 January 1976; PC $3.50/MF $2.25.

Patent application 648,220: Remote Unmanned Work System (RUWS) Mating Latch; filed 12 January 1976; PC $3.50/MF $2.25.

Patent application 648,353: Ring Type Recovery Tool; filed 12 January 1976; PC $3.50/MF $2.25.

Patent application 650,104: Multiple-Channel Data Switch; filed 19 January 1976; PC $3.50/MF $2.25.

Patent application 669,051: A Common Aperture Laser Transmitter/Receiver; filed 22 March 1976; PC $3.50/MF $2.25.

Patent application 671,902: Large, Nonplanar Poly(Methyl Methacrylate) Pre-holographic Element; filed 29 March 1976, PC $3.50/MF $2.25.

Patent application 673,230: Parallel to Serial Digital Converter; filed 2 April 1976; PC $3.50/MF $2.25.

Patent application 673,830: Data Acquisition and Transfer System; filed 5 April 1976; PC $3.50/MF $2.25.

Patent application 674,025: Programmable Data Terminal Set; filed 5 April 1976, PC $5.50/MF $2.25.

Patent application 679,127: Silent Self-Controlled Orificial Restrictor; filed 21 April 1976; PC $3.50/MF $2.25.

Patent application 3,921,121: Selectable Up or Down Doppler Simulator; filed 12 June 1964; patented 18 November 1975; not available NTIS.

Patent application 3,931,586: Scanning Oscillator Stabilization; filed 21 March 1975; patented 6 January 76; not available NTIS.

Patent 3,936,763: Null Input Omega Tracking Filter System; filed 15 November 1974; patented 3 February 1976; not available NTIS.

Patent application 3,936,763: Null Input Omega Tracking Filter System; filed 15 November 1974; patented 3 February 1976; not available NTIS.

Patent application 3,938,157: Rotatable Radar Antenna Feed and Receiver Horn; filed 14 August 1969; patented 10 February 1976; not available NTIS.

Patent application 3,938,438: Pressure-Armed Explosive Apparatus; filed 12 April 1971; patented 17 February 1976, not available NTIS.

Patent application 3,938,441: Terrain Clearing Device and Method; filed 2 August 1971; patented 17 February 1976; not available NTIS.

TENNESSEE VALLEY AUTHORITY, Division of Law, Muscle Shoals, Ala. 35660.

Patent 3,967,948: Purification of Phosphoric Acid with Urea and Nitric Acid; filed 29 September 1975; patented 6 July 1976; not available NTIS.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Assistant General Counsel for Patent Matters, NASA Code GP-2, Washington, D.C. 20546.

Patent 3,956,050: Vacuum Pressure Molding Technique; patented 11 May 1976; not available NTIS.

Patent 3,956,233: Non-Flammable Elastomeric Fiber from a Fluorinated Elastomer and Containing an Halogenated Flame Retardant; patented 11 May 1976; not available NTIS.

Patent 3,956,833: Vehicle Simulator Binocular Multiplanar Visual Display System; patented 18 May 1976; not available NTIS.

Patent 3,958,553: Solar Energy Trap; patented 25 May 1976; not available NTIS.

[FR Doc.76-27006 Filed 9-14-76;8:45 am]

United States Travel Service

TRAVEL ADVISORY BOARD

Meeting

As noted in the FEDERAL REGISTER dated August 19, 1976, on page 35087, a meeting of the Travel Advisory Board of the U.S. Department of Commerce will be held on September 21, 1976, at 9:30 a.m., in Room 4830, of the Main Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D.C. 20320.

Established in July, 1968, the Travel Advisory Board consists of senior representatives of 15 U.S. travel industry segments who are appointed by the Secretary of Commerce to serve two-year terms.

Members advise the Secretary of Commerce and Assistant Secretary of Commerce for Tourism on policies and programs designed to accomplish the purposes of the International Travel Act of 1961, as amended.

Agenda items are as follows:

1. Introduction by the Assistant Secretary for Tourism and the Deputy Assistant Secretary for Tourism.
2. Code of conduct for tourism.
3. Impact of floating currencies on balance of payments.
4. Fly U.S. Flag program.
5. Expo 81 update.
6. Charter revision.
7. Advertising strategies update.
8. Adjournment.

A limited number of seats will be available to observers from the public and the press. The public will be permitted to file written statements with the Committee before or after the meeting. To the extent time is available, the presentation of oral statements will be allowed.

Melinda Carr, Acting Director of Media Services, of the United States Travel Service, Room 1519, U.S. Department of Commerce, Washington, D.C. 20230, (telephone 202/377-4987) will respond to public requests for information about the meeting.

CREIGHTON HOLDEN,
Assistant Secretary for Tourism, Department of Commerce.

[FR Doc.76-26964 Filed 9-14-76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[Docket No. NFD-363; (FDAA-3014-EM)]

WISCONSIN

Amendment to Notice of Emergency Declaration

Notice of Emergency for the State of Wisconsin, dated June 17, 1976, and amended on July 29, 1976, is hereby further amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared an emergency by the President in his declaration of June 17, 1976, and to make emergency assistance available to these additional counties effective the date of this amended Notice:

The Counties of:

Brown	Kewaunee
Dane	Lafayette
Door	Monroe
Green	Rock
Iowa	Sauk
Jefferson	Walworth
Juneau	Waukesha

Dated: September 7, 1976.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.76-26971 Filed 9-14-76;8:45 am]

Office of Interstate Land Sales Registration

[Docket No. N-76-630]

SKY VALLEY

Notice of Hearing

In the matter of: Sky Valley, R. Thomas Thayer, President and Sky Valley, Inc., 76-243-IS, OILSR No. 0-1226-24-21 and (A).

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(b); Notice is hereby given that: 1. Sky Valley, R. Thomas Thayer, President and Sky Valley, Inc., authorized agent and officers, hereinafter referred to as "Respondent, being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90-448) (15 U.S.C. 1701 et seq.) received a notice of proceedings and opportunity for hearing issued August 16, 1976, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Sky Valley located in Garrett County, Maryland, contain untrue statements of material fact or omit to state material facts required to be stated therein or necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received September 1, 1976, in response to the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d): *It is hereby ordered,* That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, SW., Washington, D.C., on October 31, 1976 at 2:00 p.m.

The following time and procedure is applicable to such hearing:

All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before October 11, 1976.

6. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an ORDER Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: September 7, 1976.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.76-26970 Filed 9-14-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ADVISORY COMMITTEE

Meeting

This notice announces the forthcoming meetings of a public advisory committee of the Food and Drug Administration and is issued under section 10(a)(1) and (2) of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)):

Committee name	Date, time, and place	Type of meeting and contact person
National Advisory Food and Drug Committee.	Sept. 27 and 28, Conference Room G, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open public hearing Sept. 27, 9 a.m. to 10 a.m.; open committee discussion Sept. 27, 10 a.m. to 4 p.m. and Sept. 28, 9 a.m. to 1 p.m.; William V. Whitehorn, M.D., (HFG-1), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-1547.

General function of the committee. Reviews and evaluates agency programs and advises on policy matters of national significance as they relate to the statutory mission of the Food and Drug Administration in the areas of foods, drugs, cosmetics, medical devices, biological products, and electronic products. Reviews and makes recommendations on applications for grants-in-aid for research projects relevant to the mission of the Food and Drug Administration as required by law.

Agenda—Open public hearing. Any interested person may present data, information or views, orally or in writing, on issues pending before the committee.

Open committee discussion. Discussion on the status reports of the Subcommittee on Antibiotics in Animal Feeds and the Subcommittee on Review of Kennedy/Javits Bills; state of the agency updates; discussion of the blending issue; and concerns of the members.

The Committee will also conduct a final review of grant applications for Federal assistance. Although it is anticipated that this entire portion of the meeting will be held in open session, it may be necessary to close the part of this meeting during which the qualifications of an applicant are discussed if such disclosure would constitute a clearly unwarranted invasion of personal privacy (5 U.S.C. 552(b)(6)).

Agenda items are subject to change as priorities dictate.

Dated: September 9, 1976.

JOSEPH P. HILE,
Acting Associate Commissioner for Compliance.

[FR Doc. 76-27058 Filed 9-14-76;8:45 am]

[Docket Nos. 76N-0231, 0232, 0233]

FURALTADONE (NF-260), NITROFURAZONE (NF-7), NIHYDRAZONE (NF-64); OPPORTUNITY FOR HEARING ON PROPOSAL TO WITHDRAW APPROVAL OF CERTAIN NEW ANIMAL DRUG APPLICATIONS

Extension of Time for Requesting a Hearing

The Food and Drug Administration (FDA) is extending to October 16, 1976 the time for requesting a hearing on notices of opportunity for hearing on proposal to withdraw approval of new animal drug applications providing for use of furaltadone (NF-260), nitrofurazone (NF-7), and nihydrazone (NF-64).

The notices, which were published in the FEDERAL REGISTER of August 17, 1976 (41 FR 34891, 34899, and 34908), gave interested persons to September 16, 1976 for requesting a hearing.

The Director of the FDA Bureau of Veterinary Medicine has received a request for an extension of an additional 30 days to respond to the subject notices. Because of the amount of scientific material in the notices, which must be reviewed and evaluated, the request for an additional 30 days is granted.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-351 (21 U.S.C. 360b)) and under authority delegated to the Commissioner (21 CFR 5.1) and redelegated to the Director of the Bureau of Veterinary Medicine (21 CFR 5.29) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)), the time for filing requests for a hearing on the subject notices is extended to October 16, 1976.

Dated: September 10, 1976.

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

[FR Doc.76-27056 Filed 9-14-76;8:45 am]

Health Services Administration

HOME HEALTH SERVICES

Delegation of Authority

Notice is hereby given that the following delegations have been made under Section 602 of Pub. L. 94-63, providing for Home Health Services:

1. Delegation from the Assistant Secretary for Health to the Regional Health Administrators, with authority to redelegate, of authority under section 602 of Pub. L. 94-63 for grants within their respective regions other than grants that are national or multi-regional in scope.

2. Delegation from the Assistant Secretary for Health to the Administrator, Health Services Administration, with authority to redelegate, of all authorities under section 602 of Pub. L. 94-63 except those specifically delegated to the Regional Health Administrators.

This delegation supersedes the December 29, 1975 (41 FR 2842) delegation of authority by the Assistant Secretary for Health to the Administrator, Health Services Administration and cancels all redelegations pursuant thereto.

The above delegations were effective on September 9, 1976.

Dated: September 1, 1976.

R. MOURE,
Executive Officer,
Public Health Service.

[FR Doc.76-26991 Filed 9-14-76;8:45 am]

National Institutes of Health

CANCER CONTROL AND REHABILITATION ADVISORY COMMITTEE

Amended Notice of Meeting

Notice is hereby given of a change in the meeting on September 23-24, 1976, 9:00 a.m., National Institutes of Health, Building 31, Conference Room 8, of the Cancer Control and Rehabilitation Advisory Committee, National Cancer Institute, which was published in the Federal Register August 2, 1976, 41 FR 32281.

This Committee was to have convened at 9:00 a.m. on September 23-24, 1976, but has been changed to 9:00 a.m. September 23, 1976, Building 31, Conference Room 8. The September 24 session is cancelled.

The meeting will be open to the public from 9:00 a.m. to adjournment.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

SEPTEMBER 13, 1976.

[FR Doc.76-27221 Filed 9-14-76;10:38 am]

EPA'S SAMPLING OF PCB'S IN MOTHER'S MILK

Meeting

A meeting will be held September 23 beginning at 9:00 a.m. in Wilson Hall, third floor, Building 1, on the campus of the National Institutes of Health in Bethesda, Maryland, at which time Federal health and environmental officials will meet with leading pediatricians, obstetricians and other specialists to review and evaluate the Environmental Protection Agency's recently reported sampling of PCB's in the fat of mother's milk. This meeting is sponsored by the DHEW Committee to Coordinate Toxicology and Related Programs in cooperation with the Environmental Protection Agency.

The meeting is open to the public; attendance will be limited to space available.

Dated: September 13, 1976.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.76-27220 Filed 9-14-76;10:38 am]

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

RAILROAD OPERATING RULES ADVISORY COMMITTEE

Meeting

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 the final meeting of the Railroad Operating Rules Advisory Committee to be held September 20, 21 and 22, 1976, at 9:00 a.m. each day at the Ramada Inn, Pueblo, Colorado. The agenda for this meeting is as follows: (a) Completion of final recommendations of the Committee and other administrative matters prior to termination; (b) Review of Committee activities and text of final report to the Federal Railroad Administrator; and (c) Tour of facilities of the Transportation Test Center.

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 hearing. Persons wishing to present oral statements should notify, not later than the day before the meeting Mr. Gene O. Cox, Executive Secretary, Office of Federal Assistance, Federal Railroad Administration, 400 7th Street, SW., Washington, D.C. 20590, telephone 202–426–4950. Any member of the public may present a written statement to the Committee at any time.

The Federal Railroad Administration acknowledges that, due to administrative oversight, the publication of this notice does not comply with the 15-day notice requirement of Office of Management and Budget Circular A–63. However, oral notice of this meeting was provided to interested persons present at the last Committee meeting on August 18, 1976. The Committee must meet at the time in order to assure completion of administrative matters and review of the text of a final report to the Federal Railroad Administration prior to the termination of the Committee charter.

Issued in Washington, D.C., on September 14, 1976.

R. LAWRENCE MCCAFFREY, Jr.,
Chief Counsel.

[FR Doc.27215 Filed 9–14–76;10:26 am]

CIVIL AERONAUTICS BOARD

AIRLINE COMPLIANCE PROBLEMS ON THE NORTH ATLANTIC

Meeting

Notice is hereby given that a presentation will be made by Michael J. Dargan, former Chief Executive of Irish Airlines, on Monday, September 27, 1976, at 2:30 p.m. (local time), in Room 1027, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., regarding a study he made at the request of the Executive Committee of IATA of the compliance problems and their causes of the international airlines on the North Atlantic.

Dated at Washington, D.C., September 10, 1976.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.76–27012 Filed 9–14–76;8:45 am]

[Docket Nos. 22859, 26838; Order 76–9–50]

CONTINENTAL AIR LINES, INC.

Domestic Air Freight Rate Investigation; Priority Reserved Air Freight Rates Investigation; Order of Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of September 1976.

By tariff revisions [1] issued August 16 and marked to become effective September 15, 1976, Continental Air Lines, Inc. (Continental) proposes to increase regular and priority general and specific commodity rates between Honolulu/Hilo, on the one hand, and the continental U.S., on the other, with certain exceptions.[2] Bulk rates on shipments 1,000 pounds and over are to be increased by 7 percent and container rates by 10 percent, rounded to the nearest dollar. Bulk minimum charges are to be increased by $2.00 per shipment to a level of $14.00. The bulk general commodity rates at the 100-, 250-, and 500-pound weightbreaks would not be increased and priority rates would continue to reflect the current 30 percent premium above regular rates.

No complaints have been filed.

In support of its proposal, Continental asserts, *inter alia*, that its proposed Mainland-Hawaii rate increase matches the recent Northwest Airlines increase which became effective August 15, 1976; that the proposed increase would bring its return on investment for Hawaiian freight operations from a −2.07 percent to a more favorable 1.09 percent while the operating loss would be reduced from $1,062,000 to $382,000; and that net income improvements can only be generated, at the present time, by rate increases.

The proposed rates all come within the scope of either the Domestic Air Freight Rate Investigation (DAFRI), Docket 22859, or the Priority Reserved Air Freight Rates Investigation (PRAFRI), Docket 26838, and their lawfulness will be determined in those proceedings. The issue now before the Board is whether to suspend the rates or to permit them to become effective pending the decisions in those investigations.

Upon consideration of all relevant factors, the Board finds that Continental's proposed Type D container rates exceed industry-average costs in 8 markets and may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful and should be suspended. As to the remainder of the filing, Continental's proposed bulk and container rates do not exceed industry-average costs [3] and match or are comparable to those recently filed by Northwest Airlines. See Order 76–8–71, August 13, 1976. Therefore, they will be permitted to become effective.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly Sections 204(a), 403, 404, and 1002 thereof:

It is ordered, That: 1. Pending hearing and decision by the Board, the rates, charges, and provisions described in Appendix A hereto [4] are suspended and their use deferred to and including December 13, 1976, unless otherwise ordered by the Board, and that no change be made therein during the period of suspension except by order or special permission of the Board; and

2. Copies of this order shall be filed with the tariffs.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.76–27013 Filed 9–14–76;8:45 am]

[Docket No. 29719; Order 76–9–47]

PAKISTAN INTERNATIONAL AIRLINES CORP.

Order of Suspension and Investigation

In the matter of advance-purchase fares proposed by Pakistan International Airlines Corporation.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 30th day of August 1976.

On August 9, 1976, Pakistan International Airlines Corporation (PIA) filed with the Board, pursuant to a Pakistan Government order, a tariff proposing one-way, seven-day advance-purchase discount fares from Pakistan to the United States, effective September 8, 1976. The fares, which would be limited in availability to citizens of Pakistan, are discounted by 48 percent from the applicable one-way normal economy fare.

On August 13, 1976, Pan American World Airways, Inc. (Pan American) filed a complaint against the filing, requesting that the Board suspend and investigate the proposed fares. Pan American argues that the fare level is uneconomically low and that, because the restrictions on use of the fares are minimal, they will result in substantial revenue loss due to diversion of traffic from higher-priced services. The advance-purchase requirement of only seven days, it argues, is not sufficient to prevent extensive use by those who would otherwise choose higher-fare service, since most passengers purchase their tickets seven days in advance in any event. Pan American further contends that the fares are unjustly discriminatory because their use is restricted to citizens of Pakistan.

Upon full consideration of the tariff, Pan American's complaint, and all other relevant matters, the Board has concluded that the proposed fares may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and should be investigated. We further conclude that the fares should be suspended pending investigation.

PIA's proposed fares are discriminatory and the United States Court of Appeals has stated that "the rule of equality is the very core and essence of the fare structure in the transportation industry." Thus, "equality of treatment is paramount" and the factors alleged to justify departure from the rule of equality "are to be weighed in light of that pervasive requirement." [1] In the case before us,

[1] Revisions to Airline Tariff Publishing Company, Agent, Tariffs C.A.B. Nos. 169 and 227.

[2] Specific commodity rates between Los Angeles/Seattle and Honolulu/Hilo for Item 2190, fruits, vegetables, spices or beverages, and for Item 0821, papaya, are not increased.

[3] Industry-average costs, as adopted by the Administrative Law Judge in DAFRI, revised for cost increases through the 2nd Quarter of 1976.

[4] Filed as part of the original document.

[1] *Trancontinental Bus System, Inc.*, vs. *C.A.B.*, 383 F. 2d 466 (C.A. 5, 1967).

there would appear to be no justification for restricting use of the fares to citizens of Pakistan, which clearly raises a prima facie question of unjust discrimination.

In addition to the discrimination question, the fares, discounted by almost 50 percent from the normal fare and subject to virtually no restrictive conditions, would likely cause substantial revenue dilution. The consequent decline in carrier profitability created by such diversion of traffic from higher-fare services, could necessitate increases in all fares and place an unacceptable burden on the normal fare passenger.[2]

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, and particularly sections 204(a), 403, 801, and 1002(j) thereof:

It is ordered, that: 1. An investigation be instituted to determine whether the provisions in Rule 41 on 18th Revised Page 38 to International Passenger Fares Tariff No. 3, C.A.B. No. 15, issued by John M. Sampson, Agent, and rules, regulations, or practices affecting such provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to take appropriate action to prevent the use of such provisions or rules, regulations, or practices;

2. Pending hearing and decision by the Board, the tariff provisions specified in ordering paragraph one above are suspended and their use deferred from September 1976 to and including September 1977, unless otherwise ordered by the Board; and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The suspension herein shall not stay the cancellation of 16th Revised Page 38 to International Passenger Fares Tariff No. 3, C.A.B. No. 15, issued by John M. Sampson, Agent;

4. This order shall be submitted to the President[3] and shall become effective on September 1976;

5. The investigation ordered herein be assigned for hearing before an administrative law judge of the Board at a time and place hereafter to be designated;

6. Copies of this order be filed in the aforesaid tariff and be served upon Pakistan International Airlines Corporation; and

7. Except to the extent granted, the complaint of Pan American World Airways, Inc. in Docket 29659 be and hereby is dismissed.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.76-27161 Filed 9-14-76;8:45 am]

[2] U.S. carrier reports indicate that with the Boeing-747 aircraft operated by PIA the fares are below fully allocated cost.

[3] This order was submitted to the President on August 31, 1976.

ENVIRONMENTAL PROTECTION AGENCY

[FRL 615-8; PP5G1626/T82]

SODIUM AZIDE

Extension of a Temporary Tolerance

On September 25, 1975, the Environmental Protection Agency (EPA) announced (40 FR 44186) that in response to a pesticide petition (PP 5G1626) submitted by PPG Industries, Inc., One Gateway Center, Pittsburgh, PA 15222, a temporary tolerance was established for residues of the fungicide sodium azide (expressed as the azide ion (N_3)) in or on the raw agricultural commodities green beans (pole and snap), tomatoes, and potatoes at 0.1 part per million (ppm). This temporary tolerance expires September 19, 1976.

PPG Industries has requested a six-month extension of this temporary tolerance both to permit continued testing to obtain additional data and to permit the marketing of the above raw agricultural commodities when treated in accordance with the provisions of the experimental use permit which is being extended concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act.

The scientific data reported and all other relevant material having been evaluated, it has been determined that an extension of the temporary tolerance will protect the public health, and it is concluded, therefore, that the temporary tolerance be extended on condition that the pesticide be used in accordance with the experimental use permit with the following provisions:

1. The total amount of the fungicide to be used must not exceed the quantity authorized by the experimental use permit.

2. PPG Industries, Inc. must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The firm must also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

This temporary tolerance expires March 1, 1977. Residues in or on green beans (pole and snap), tomatoes, and potatoes not in excess of 0.1 ppm remaining after this expiration date will not be considered to be actionable if the pesticide is legally applied during the term of and in accordance with the provisions of the experimental use permit and temporary tolerance. This temporary tolerance may be revoked if the experimental use permit is revoked or if any scientific data or experience with this pesticide indicate such revocation is necessary to protect the public health.

(Sec. 408(j), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(j)).)

Dated: September 9, 1976.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc.76-26903 Filed 9-14-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 1000]

RULE MAKING PROCEEDINGS FILED

Petitions for Reconsideration of Actions

SEPTEMBER 13, 1976.

Docket or RM No.	Rule No.	Subject	Date received
20120		In the matter of: Revision of operating rules for class D stations in the Citizens Radio Service.	
		Filed by Ernest W. Jennes and Terry Coleman for Association of Maximum Service Telecasters, Inc.	Sept. 3, 1976
		Filed by Everett H. Erlick, Robert J. Kaufman, James A. McKenna, Jr., and Thomas N. Frohock for American Broadcasting Companies, Inc.	Do.
20740	Pt. 15	In the matter of: Revision of pt. 15 to extend the receiver certification program, to revise the technical specifications for receivers, and to make other changes.	
		Filed by William I. Thomas, chairman and John Sodolski, staff vice president for citizens radio section, communications division of The Electronic Industries Association.	Do.
20665	Pts. 89, 91, and 93	In the matter of: Amendment of pts. 89, 91, and 93 of the Commission's rules and regulations to eliminate the required annual measurement of transmitter power, frequency, and modulation, and to specify transmitter power in terms of output power.	
		Filed by Leo I. George for Chicago Communication Service, Inc.	Sept. 7, 1976

NOTE: Oppositions to petitions for reconsideration must be filed on or before September 30, 1976. Replies to an opposition must be filed within 10 days after time for filing oppositions has expired.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.76-26988 Filed 9-14-76;8:45 am]

FEDERAL ENERGY ADMINISTRATION

COMMONWEALTH NATURAL GAS CORP.

Synthetic Natural Gas Feedstocks; Opportunity To Submit Written Comments and To Participate in Public Hearing on Petition for Assignment of Supplier and Base Period Use

The Federal Energy Administration (FEA) hereby gives notice that written comments will be received and a public hearing will be held on the June 30, 1976 petition of Commonwealth Natural Gas Corporation (Commonwealth), a synthetic natural gas (SNG) manufacturer, for the assignment of supplier and base period use of butane for SNG feedstock use after September 30, 1976, pursuant to 10 CFR 211.29, and Special Rule No. 1 issued thereunder.

The volume of SNG feedstock requested is 1,127,470 barrels of butane for the heating period November 1, 1976, through March 31, 1977.

Commonwealth's Chesapeake, Virginia, SNG facility design output is 29.56 million cubic feet (29.56 MMcf) per day for the 154 days of the 1976–1977 heating year; the design feedstock input to the plant is 7,311 barrels of butane per day.

The petition requests the assignment of 1,127,470 barrels of butane. Of this quantity, Commonwealth will have 209,376 barrels, including an unrecoverable base of 2,857 barrels, in its SNG feedstock storage as of September 30, 1976. The remaining 918,093 barrels of feedstock needed will be acquired through contract and spot purchases or non-Canadian foreign butane and domestic surplus butane as permitted by the FEA.

Commonwealth is currently producing SNG from an allocation of butane assigned to Commonwealth by FEA's Decision and Order dated November 28, 1975. The June 30, 1976 petition, if granted, would allow Commonwealth to continue operation of its Chesapeake, Virginia, SNG facility after September 30, 1976, in a manner consistent with the November 28, 1975 Order.

A file containing all information and data filed in conjunction with Commonwealth's petition, other than confidential business information which FEA has determined to be exempt from the disclosure requirements of 5 USC 552, is available for public inspection and copying at the FEA Freedom of Information Public Reading Room, Room 2107, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Written comments regarding Commonwealth's petition will be accepted and considered if filed by October 8, 1976. Any person submitting written comments with respect to Commonwealth's petition should comply with the requirements of 10 CFR 205.33 of the FEA procedural regulations. Comments should be submitted to the Office of Product Allocations, Specialty Fuels Branch, Federal Energy Administration, Room 6318, 2000 M Street, NW., Washington, D.C. 20461, Attention Mr. Finn Neilsen. Comments should be identified on the outside envelope and on documents submitted to FEA with the designation, "Allocation of Feedstocks for Commonwealth Natural Gas Corporation's SNG Plant." Five copies should be submitted to FEA and one copy to Commonwealth Natural Gas Corporation, 200 South Third Street, Richmond, Virginia, 23218, Attention Mr. Frank T. Sutton, III.

FEA believes that factual disputes between interested parties respecting this petition are likely and that a public hearing on this petition will materially advance consideration of the issues involved. Therefore, a public hearing on Commonwealth's petition will be held beginning at 9:30 a.m., e.s.t., on October 12, 1976, in the Auditorium, Room 2105, 2000 M Street, NW., Washington, D.C., to receive comments from interested persons.

Any person who has an interest in the petition set forth above or who is a representative of a group or class of persons which has an interest in the petition, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, Room 3309, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C. 20461, and must be received before 4:30 p.m., e.s.t., October 4, 1976. Such a request may be hand-delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned; if appropriate, to state why he or she is a proper representative of a group or class of persons which has such an interest; and give a concise summary of the proposed oral presentation and a phone number where he or she may be reached through October 7, 1976. Each person selected to be heard will be notified by FEA before 4:30 p.m., e.s.t., October 7, 1976, and must submit 50 copies of his or her statement to Allocation Regulations Development Office, FEA, Room 2214, 2000 M Street, NW., Washington, D.C. 20461 before 4:30 p.m., e.s.t., on October 8, 1976.

The FEA reserves the right to select the persons to be heard at this hearing, to schedule their respective presentations and to establish the procedures governing the conduct of the hearing. Each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearing. This will not be a judicial or evidentiary-type hearing. Questions may be asked only by those conducting the hearing and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearing will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any interested person may submit questions to be asked of any person making a statement at the hearing to Executive Communications, FEA, Room 3309, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C. 20461, before 4:30 p.m., e.s.t., October 8, 1976. Any person who makes an oral statement and who wishes to ask a question at the hearing may submit the question in writing to the presiding officer. The FEA, or the presiding officer if the question is submitted at the hearing, will determine whether the question is relevant, and whether time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearing will be announced by the presiding officer.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing in accordance with the procedures stated in 10 CFR 205.9(f). FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

Additional public comments on all written and oral presentations received by October 12, 1976, will be permitted through October 26, 1976. Comments should be submitted to the Office of Product Allocations, Specialty Fuels Branch, Room 6318, 2000 M Street, NW., Washington, D.C. 20461, Attention Mr. Finn Neilsen. Persons submitting comments during this additional period must send five copies to FEA and one copy each to Commonwealth and to all persons who participated in the public hearings or who submitted written comments. A list of such persons will be made available for public viewing on October 13, 1976, at the Freedom of Information Public Reading Room, Room 2107, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The transcript of the public hearing will be available for public review at the Freedom of Information Public Reading Room, Room 2107, FEA, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. Any person may purchase a copy of the transcript from the reporter.

Dated: September 9, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.76-26918 Filed 9-10-76;10:21 am]

ENERGY FINANCE ADVISORY COMMITTEE

Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given that the Energy Finance Advisory Committee will meet Tuesday, October 5, 1976, 10 a.m., Conference Room B, Old Labor Building, Constitution Avenue, between 12th & 14th Sts, NW., Washington, D.C.

The Committee was established to provide independent advice to the Federal Energy Administration concerning the following areas: The projected capital needs of the domestic energy industries; the characteristics, conditions, and projected changes in the money and capital markets; the financial disincentives to domestic energy development; and the effectiveness of Federal financial incentive programs to enhance domestic energy supply.

The agenda for the meeting is as follows:

1. Update on Energy Legislation.
2. Update on FEA Resource Development Programs.
3. Update on Synthetic Fuel Development.
4. Committee Administrative/Operational Discussion.
5. Subcommittee Reports.

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform Lois G. Weeks, Director, Advisory Committee Management, at (202) 961-7022 at least 5 days prior to the meeting and reasonable provision will be made for their appearance on the agenda.

Further information concerning this meeting may be obtained from the Advisory Committee Management Office.

Minutes of the meeting will be made available for public inspection at the Federal Energy Administration.

Issued at Washington, D.C. on September 9, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.76-26919 Filed 9-10-76;10:21 am]

GASOLINE MARKETING ADVISORY COMMITTEE

Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given that the Gasoline Marketing Advisory Committee will meet Tuesday, October 5, 1976, 9 a.m., in the Silver Glade Room, Cosmopolitan on Broadway, 1780 Broadway, Denver, Colorado 80202.

The Committee was established to provide the Administrator, FEA, with expert and technical advice concerning the wholesale and retail selling of gasoline.

The agenda for the meeting is as follows:

1. Simplification of gasoline regulations
2. EPA Schedule for lead reduction in gasoline
3. Dealer day in court legislation (H.R. 13000)
4. New business

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform Lois G. Weeks, Director, Advisory Committee Management, at (202) 961-7022 at least 5 days prior to the meeting and reasonable provision will be made for their appearance on the agenda.

Further information concerning this meeting may be obtained from the Advisory Committee Management Office.

Minutes of the meeting will be made available for public inspection at the Federal Energy Administration.

Issued at Washington, D.C. on September 10, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.76-27037 Filed 9-10-76;4:52 pm]

INTERNATIONAL ENERGY PROGRAM

Voluntary Agreement and Plan of Action for Implementation; Amendment

The Federal Energy Administration has received the approval of the Attorney General, after consultation with the Federal Trade Commission, of certain amendments to the Voluntary Agreement and Plan of Action to Implement the International Energy Program. The text of the amendments is set forth below (Annex A) with the letter of the Attorney General, approving the amendments (Annex B). The amendments are explained at 41 FR 34112 (August 12, 1976); they became effective September 7, 1976, upon the approval of the Attorney General. The Voluntary Agreement, prior to amendment, is published at 1 Federal Energy Guidelines ¶ 13,498.

MICHAEL F. BUTLER,
General Counsel, Federal Energy Administration.

ANNEX A

1. The first sentence of subsection 5(b)(1) is amended to read:

(b)(1) Each participant to this Agreement may as a member of a group, or subgroup thereof, established as provided in subsection 5(a) advise and consult with the IEA or the U.S. Government or with other persons or entities, at meetings held in accordance with subsection 5(c), or, as necessary, during an IEA allocation systems test, with respect to the allocation and information provisions of the IEP, including the development and recommendation to the IEA of emergency measures and programs and plans subsidiary thereto, to be implemented pursuant to section 6.

2. The last sentence of subsection 5(b)(1) is amended to read:

Any written confidential or proprietary information or data furnished or exchanged pursuant to this section shall be retained by the participant furnishing such data and provided upon request to the Administrator, the Attorney General and the Federal Trade Commission.

ANNEX B

LETTER OF THE ATTORNEY GENERAL

TO THE ADMINISTRATOR

DATED SEPTEMBER 7, 1976

By letter of August 9, 1976, you submitted for my approval two proposed amendments to the Voluntary Agreement and Plan of Action to Implement the International Energy Program, which was established pursuant to Section 252 of the Energy Policy and Conservation Act (EPCA). These proposals have been the subject of interagency staff discussions among the Federal Energy Administration, the Departments of Justice and State, and the Federal Trade Commission, and have been published in the FEDERAL REGISTER for public comment (41 FR 34112, August 12, 1976).

The first change would amend the first sentence of subsection 5(b)(1) to read:

(b)(1) Each participant to this Agreement may as a member of a group, or subgroup thereof, established as provided in subsection 5(a) advise and consult with the IEA or the U.S. Government or with other persons or entities, at meetings held in accordance with subsection 5(c), or, as necessary, during an IEA allocation systems test, with respect to the allocation and information provisions of the IEP, including the development and recommendation to the IEA of emergency measures and programs and plans subsidiary thereto, to be implemented pursuant to section 6. [Amendment underlined]

In making preparation for an IEA allocation systems test, it was found that the existing language of subsection 5(b)(1) did not make adequate provision for all the discussions which would be required during a test of the emergency-sharing system. Advice and consultation would be permitted among members of the group conducting the test at meetings, but perhaps not in furtherance of the test among individual members of the Industry Supply Advisory Group (ISAG) outside of meeting sessions. In addition, it is unclear whether discussions by telephone or telex between ISAG and companies in the Reporting Company Group, necessary to carry out the test, are permitted under section 5(b)(1).

Accordingly, it was proposed that the Voluntary Agreement be amended to ensure that during an IEA allocation systems test the individual members of the ISAG group may advise and consult with each other and with the IEA, the U.S. Government, or companies in the Reporting Company Group whether or not such consultation takes place in a meeting. Of course, as your letter notes, such consultation by participants in the Voluntary Agreement outside the meeting format would be subject to present recordkeeping regulations governing "communications." See 10 CFR 209.34(b).

The second change would amend the last sentence of subsection 5(b)(1) to read:

Any *written* confidential or proprietary information or data furnished or exchanged pursuant to this section shall be retained by the participant furnishing such data and provided *upon request* to the Administrator, the Attorney General and the Federal Trade Commission. [Amendment underlined]

The existing language of section 5(b)(1) could be construed to apply to oral as well as written exchanges of confidential or proprietary information. Such a construction would mean that each U.S. company representative participating in the test would have to determine whether any conversation of his contained such information, reduce it to writing and forward it to the U.S. Government. That requirement might frustrate the test. Accordingly, it was proposed that the language be amended to make clear that it applies only to written information. This would not exempt oral provision or exchange of confidential data from all Government scrutiny; as your letter notes, any provision or exchange of such data under the Voluntary Agreement requires our approval, which would be conditioned as we deem appropriate under the circumstances.

The amendment would also change the Agreement so that written confidential or proprietary information would not automatically be provided to the Government, but would only be submitted on request. As you indicate, copies of each questionnaire submitted to IEA by a U.S. Reporting Company for use in the test would still be required to be provided to the Government as well. Under the amended agreement, however, such questionnaires, when used by ISAG during the test, need not be submitted to the Government a second time by the U.S. company's ISAG member. In addition, under the amendment, U.S. company ISAG members need not submit to the Government, except upon request, any of the voluminous number of ISAG work documents or IEA computer printouts that ISAG may use during the test.

Section 252(d)(1) of the EPCA empowers the Attorney General to review, amend, modify, disapprove or revoke at any time a voluntary agreement or plan of action created under the Act. This right may be exercised on his own motion or upon the request of the Federal Trade Commission or any interested person. The subsection also requires prior consultation with the Federal Trade Commission, the Secretary of State and the Federal Energy Administrator, which as I have indicated has already taken place at the staff level. Accordingly, for the reasons stated, I hereby amend the Voluntary Agreement and Plan of Action to Implement the International Energy Program so that the first and last sentences of subsection 5(b)(1) read as set forth above.

[FR Doc.76-26920 Filed 9-10-76;10:21 am]

FEDERAL MARITIME COMMISSION

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Certificates Revoked

Notice of voluntary revocation is hereby given with respect to Certificates fo Financial Responsibility (Oil Pollution) which had been issued by the Federal Maritime Commission, covering the below indicated vessels, pursuant to Part 542 of Title 46 CFR and section 311(p)(1) of the Federal Water Pollution Control Act, as amended.

Certificate No.	*Owner/Operator and Vessels*
01088	Schulte & Bruns, Ringstrasse 2: *Auguste Schulte.*
01185	Aksjeselskapet Kosmos: *Jarmona, Jacara.*
01210	A/S Brovigtank: *Bertha Brovig.*
01466	Common Brothers (Management) Ltd.: *Joseph R. Smallwood.*
01584	Eagle Terminal Tankers, Inc.: *Eagle Transporter, Eagle Courier.*
01641	The Bank Line Ltd.: *Pinebank.*
01755	Hugo Stinnes Zweigniederlassung Hamburg: *Monsun.*
01861	BP Tanker Co. Ltd.: *British Admiral.*
01871	F. Scinicariello: *Bruna.*
01931	Brigantine Transport Corp.: *Jesper Maersk.*
02163	J. Lauritzen A/S: *Selma Dan.*
02241	Cape Continent Shipping Co. (Proprietary) Ltd.: *Woermann Sambesi.*
02284	Gypsum Transportation Ltd.: *Gypsum Prince.*
02416	Boland and Cornelius, Inc.: *Diamond Alkali.*
02522	Sugar Line Ltd.: *Sugar Exporter.*
02531	Simbolo Atlantico Navegacion S.A.: *Aggeliki.*
02760	Florida Panama S.A.: *Olympic Lake.*
02764	Transcontinental Trading Co. S.A.: *Olympic Dale.*
02877	Nippon Yusen K.K.: *Toyama Maru.*
02940	J. S. Gissel & Co.: *Star Sun.*
02959	Kokuyo Kaiun Kabushiki Kaisha: *Tonegawa Maru.*
02961	Kobe Kisen Kabushiki Kaisha: *Tatekawa Maru.*
03094	Malaysia Marine Corp., Liberia: *Singapore Triumph.*
03292	Maritimecor S.A.: *Navelina.*
03301	Prudential Lines Inc.: *Santa Ines.*
03329	Hudson Waterways Corp.: *Transerie, Transsuperior.*
03387	Deutsche Shell Tanker G.m.b.H.: *Capsa.*
03536	Herlofson Shipping Co. A/S: *Black Osprey.*
03623	Crowley Derrick Barges, Inc.: *DB 300.*
03693	Tex-Tow Inc.: *George Jr., David.*
03501	Osaka Shosen Mitsui Senpaku K.K.: *Hague Maru.*
03733	Great Lakes Dredge & Dock Co.: *GL No. 16.*
03736	Bethlehem Steel Corp.: *Portmar, Pennmar, Marymar.*
03968	Zim-Israel Navigation Co., Ltd.: *Beer Sheva.*
04040	Halfdan Ditlev Simonsen & Co.: *Vitoria.*
04168	Dillingham Line Inc.: *Maukana.*
04170	Dillingham Corp.: *Gaylord.*
04276	Rivtow Straits Ltd.: *Johnstone Straits.*
04288	Horn-Linie: *Hornbelt.*
04347	Maroceano Compania Naviera S.A.: *Lykaion.*
04358	Holland Bulk Transport, B.V.: *Shouwen, Goeree.*
04502	Kotoshiro Gyogyo K.K.: *Kotoshiro Maru No. 2.*
04614	Messabec Limitee: *Quebec.*
04770	Texaco Panama Inc.: *Texaco Arkansas, Texaco Bristol.*
04765	A/S Oddero M/Flere: *Maple.*
04808	TRI-W Towing Co. Inc.: *TRI-W.*
04820	Ocean Oil International Inc.: *Golar Siri.*
05046	Magnolia Marine Transport Co.: *MM6, MM5, MM4.*
05053	Wakefield Seafoods, Inc.: *Akutan.*
05114	N.V. Stoomvaartmaatschappij De Maas: *Waardrecht.*
05148	Samyang Navigation Co., Ltd.: *King Star, New Star.*
05153	William Holm Jacobsen: *Christian Holm.*
05278	Twin City Barge & Towing Co.: *Colonel George Lambert.*
05317	Vira Compania Naviera S.A.: *Okeanis.*
05500	Petroleos Mexicanos: *Pemex XXX.*
05734	Federico E. Ford S.A.: *Don Basilio.*
05919	Harvard Shipping, Inc.: *Banana Planter.*
05920	Yale Shipping Inc.: *Banana Reefer.*
06434	Dampskibsaktieselskabet Den Norske-Afrika-Og Australielinie, A/S Tankfart VI: *Tamano.*
06596	Issei Kisen K.K.: *Takao Maru.*
06648	Dietrich Sander Bereederungs G.m.b.h.: *Stroller Grund.*
06662	Reederei Claus-Peter Offen K.G.: *Holstenbank.*
06765	Samelet M/S Pan: *Pan.*
06785	Universal Enterprise Inc.: *Oriental Destiny.*
07005	CIA Paisano De Navegacion S.A.: *Usa.*
07155	NV Volendam: *Volendam.*
07253	Oxford Shipping, Inc.: *Lord Frontenac.*
07254	Temple Shipping, Inc.: *Lord Niagara.*
07623	Hawaiian Tug and Barge Co., Ltd.: *HTB-5, HTB-7, HTB-16.*
08041	Compania Alecos S.A.: *Alecos.*
08127	Cornell Shippers, Inc.: *Fruco.*
08240	Penn Shipping Inc.: *Lord de France.*
08317	South East Asia Shipping Co., Ltd.: *Mahajagvijay.*
08425	Navieros Armadora S.A.: *Ivory Neptune.*
08873	Krania Maritime Corp.: *Calypso.*
08904	Susy de Navegacion S.A. Panama: *Jasmine.*
09546	Roberts Shipping Co. Ltd.: *Ana Patricia.*
09601	Foster Shipping Co.: *Sirapil, Lumber Trader, Twin Ship, Friendship, Otto.*
09612	Oceanic Shipping Corp.: *St. Unzen.*
09740	Kommanditselskapet Kristina, Joachim Grieg & Co. Holdings A/S: *Kristina.*
09746	Dranlama, Ltd.: *Caribbean Flower.*
10260	Hollywood Marine Inc.: *S-1513, Hollywood 1502, Hollywood 2006.*
10434	Chelsea Navigation Co., Inc.: *Paola.*
10459	Maritima Santo Domingo CXA: *Don Cesar, Don Tabo.*
10492	Rederij M.S. (Shipmari IV): *Shimair IV.*
10663	G.D.M. Barge Co. Inc.: *GDM-20, GDM-10, GDM-30, GDM-60.*
10965	Pacific Fishing Co., Ltd.: *Bong San No. 1.*
10982	Samelet M/T Skaugum: *Skaugum.*
11005	Reederei E. Jacob KG: *Josef Stewing.*
11011	Power Corp. of Canada Ltd.: *Eskimo.*
11051	Octamaris Maritime Corp.: *Eurometal.*
11242	Primula Shipping Co., Ltd. Cyprus: *Falcon.*
11345	Norfolk Shipping Ltd.: *Aster.*
11365	E. J. Patterson, Inc.: *Bill Lueck.*
11444	Samelet Permina III: *Permina III.*

By the Commission.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.76-27022 Filed 9-14-76;8:45 am]

JAPAN LINE, LTD. ET AL.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, NY., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before October 5, 1976. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Charles F. Warren, Esq., 1100 Connecticut Avenue, NW., Washington, D.C. 20036.

Agreement No. 9975–5, among Japan, Line, Ltd., Kawasaki Kisen Kaisha, Ltd., Mitsui O.S.K. Lines, Ltd., Nippon Yusen Kaisha and Yamashita-Shinnihon Steamship Co., Ltd. (all Japanese flag carriers), is a petition to add an additional containership for operation under Agreement No. 9975, as amended, the Japan-East Coast U.S.A. Containership Service Agreement. Presently, the agreement authorizes the parties to operate a total of seven containerships thereunder.

Dated: September 10, 1976.

By order of the Federal Maritime Commission.

JOSEPH C. POLKING,
Assistant Secretary.

[FR Doc.76–27021 Filed 9–14–76;8:45 am]

[Independent Ocean Freight Forwarder License No. 1594–R]

WATERWAY EXPRESS, INC.

Order of Revocation

By letter dated August 3, 1976, Waterway Express, Inc., 11 Broadway, Suite 1516, New York, NY 10004 was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 1594–R would be automatically revoked or suspended unless a valid surety bond was filed with the Commission on or before September 2, 1976.

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.9 of Federal Maritime Commission General Order 4, further provides that a license will be automatically revoked or suspended for failure of a licensee to maintain a valid bond on file.

Waterway Express, Inc., has failed to furnish a valid surety bond.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised) section 5.01(c) dated June 30, 1975;

It is ordered, That Independent Ocean Freight Forwarder License No. 1594–R issued to Waterway Express, Inc., be returned to the Commission for cancellation.

It is further ordered, That Independent Ocean Freight Forwarder License No. 1594–R be and is hereby revoked effective September 2, 1976.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Waterway Express, Inc.

LEROY F. FULLER,
Director, Bureau of Certification and Licensing.

[FR Doc.76–27020 Filed 9–14–76;8:45 am]

FEDERAL POWER COMMISSION

[Rate Schedule Nos. 150, etc.]

AMOCO PRODUCTION CO., ET AL.

Rate Change Filings

SEPTEMBER 1, 1976.

Take notice that the producers listed in the Appendix attached below have filed proposed increased rates to the applicable new gas national ceiling based on the interpretation of vintaging concepts set forth by the Commission in its Opinion No. 699–H, issued December 4, 1974. Pursuant to Opinion No. 699–H the rates, if accepted, will become effective as of the date of filing.

The information relevant to each of these sales is listed in the Appendix below.

Any person desiring to be heard or to make any protest with reference to said filings should on or before September 15, 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). A protest will not serve to make the protestant a party to the proceeding. Any party wishing to become a party to a proceeding must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

Filing date	Producer	Rate schedule No.	Buyer	Area
Aug. 16, 1976	Amoco Production Co. 500 Jefferson Bldg., P.O. Box 3092, Houston Tex., 77001.	150	Texas Eastern Transmission Corp.	Other southwest.
Do	Mobil Oil Corp. 3 Greenway Plaza East, Suite 800, Houston, Tex. 77046.	178	Tennessee Gas Pipeline Co	Texas Gulf Coast.
Aug. 20, 1976	Mobile Oil Corp	87	do	Do.
Aug. 23, 1976	Skelly Oil Co., P.O. Box 1650, Tulsa, Okla. 74102.	18	United Gas Pipe Line Co	Other southwest.
Do	Exxon Corp., P.O. Box 2180, Houston, Tex. 77001.	[1] 191	Natural Gas Pipeline Co. of America.	Hugoton-Anadarko.
Do	Atlantic Richfield Co., P.O. Box 2819, Dallas, Tex. 75221.	39	do	Texas Gulf Coast
Do	do	159	do	Do.
Do	do	246	do	Do.
Do	do	247	do	Do.

[1] Consolidates Exxon's rate schedule Nos. 191, 200, 215, 242, 253, and 256 under FPC gas rate schedule No. 191.

[FR Doc.76–26802 Filed 9–14–76;8:45 am]

[Docket No. CP76–481]

NORTHERN NATURAL GAS CO.

Application

SEPTEMBER 3, 1976.

Take notice that on August 16, 1976, Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP76–481 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the continued sale and delivery of natural gas in interstate commerce to existing customers with realigned volumes within their authorized contract demand for the 1976–77 heating season and thereafter, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it has received requests from seven of its utility customers, including its Peoples Natural Gas Division, for realignment of their present contract demand and peaking service volumes, including cancellation and adjustment of firm service for certain commercial and industrial customers to meet most effectively their requirements for the 1976–77 heating season. Applicant states further that the adjustment and realignment of contract demand and peaking service volumes would not increase or decrease the presently authorized total contract demand or peaking

service volumes of the seven utilities. The adjustments and realignments are more fully described in the appendix below.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 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.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission of its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,

NORTHERN NATURAL GAS COMPANY
Realignment of The Presently Authorized Firm Entitlement
For The 1976-77 Heating Season
Mcf @ 14.73 Psia

Utility Group Rate Zone Community	Presently Effective				Adjustments				1976-77 Heating Season				
	Contract Demand	Seasonal Service	Winter Period Service	Peaking Service	Contract Demand	Seasonal Service	Winter Period Service	Peaking Service	Contract Demand	Seasonal Service	Winter Period Service	Peaking Service	Total
Austin Utilities													
Group E-F													
Rate Zone 3													
Austin, Minnesota	14,200	385			200				14,400	385			14,785
Austin Municipal Power Plant, N.E.	200				(200)				-				-
Total Utility	14,400	385			-				14,400	385			14,785
Inter-City Gas Limited /													
Sub-Group E-F													
Rate Zone B													
Barnum, Minnesota	208				2				210				210
Carlton, Minnesota	240				111				351				351
Cloquet, Minnesota	(3,698)	30			3,797				99	30			129
Conwed Corporation	4,400								4,400				4,400
North West Paper	3,000								3,000				3,000
Scanlon	-								-				-
Crosby, Minnesota	1,115				(49)				1,066				1,066
Ironton	-								-				-
Deerwood, Minnesota	222				50				272				272
Kettle River, Minnesota	93				6				99				99
Moose Lake, Minnesota	801				124				925				925
Proctor, Minnesota	1,242				(351)				891				891
Total Sub-Group E-F	7,623	30			3,690				11,313	30			11,343
Sub-Group E-F													
Rate Zone C													
Aurora, Minnesota	479				14				493				493
Biwabik, Minnesota	401				207				608				608
Buhl, Minnesota	15				389				404				404
Coleraine, Minnesota	259				49				308				308
Bovey	-				-				-				-
Eveleth, Minnesota	904		400		155				1,059		400		1,459
Gilbert, Minnesota	561				79				640				640
Grand Rapids, Minnesota	-				3,132				3,132				3,132
Blandin Paper Company	-				-				-				-
Keewatin, Minnesota	198				(37)				161				161
Marble, Minnesota	112				(1)				111				111
Calumet	-				-				-				-
Mountain Iron, Minnesota	276				(42)				234				234
Nashwauk, Minnesota	385				(13)				372				372
Silver Bay, Minnesota	220		418		216				436		418		854
Reserve Mining Co.	9,863				(7,838)				2,025				2,025
Other Communities	1,195	429			-				1,195	429			1,624
Total Sub-Group E-F	14,868	429	818		(3,690)				11,178	429	818		12,425
Total Utility	22,491	459	818		-				22,491	459	818		23,768

NORTHERN NATURAL GAS COMPANY
Realignment of The Presently Authorized Firm Entitlement
For The 1976-77 Heating Season
Mcf @ 14.73 Psia

Utility Group / Rate Zone / Community	Presently Effective: Contract Demand	Seasonal Service	Winter Period Service	Peaking Service	Adjustments: Contract Demand	Seasonal Service	Winter Period Service	Peaking Service	1976-77 Heating Season: Contract Demand	Seasonal Service	Winter Period Service	Peaking Service	Total
Minnesota Gas Company													
Sub-Group A													
Rate Zone 2													
Lincoln, Nebraska	63,173	2,383	1,884		(500)			3,000	63,173	2,383	1,884	3,000	70,440
Other Communities	21,234	785	653						21,234	785	653		22,672
Total Sub-Group A	84,907	3,168	2,537		(500)			3,000	84,407	3,168	2,537	3,000	93,112
Sub-Group B													
Rate Zone 2													
Vermillion, South Dakota	2,100	119	105					1,000	2,100	119	105	1,000	3,324
Other Communities	4,372	162	120						4,372	162	120		4,654
Total Sub-Group B	6,472	281	225					1,000	6,472	281	225	1,000	7,978
Sub-Group B													
Rate Zone 3													
Luverne, Minnesota	1,332	129	67					250	1,332	129	67	250	1,778
Luverne Coop Creamery	88								88				88
Pipestone, Minnesota	1,310	38	66					250	1,310	38	66	250	1,664
Sioux Falls, South Dakota	31,245	1,165	858		(500)			3,500	30,745	1,165	858	3,500	36,268
Western Mall Properties	300								300				300
Other Communities	4,744	187	160						4,744	187	160		5,091
Total Sub-Group B	39,019	1,519	1,151		(500)			4,000	38,519	1,519	1,151	4,000	45,189
Total Group B	45,491	1,800	1,376		(500)			5,000	44,991	1,800	1,376	5,000	53,167
Sub-Group E-F													
Rate Zone 3													
Minneapolis, Minnesota	329,265	11,276	-	35,708	2,100			(8,000)	331,365	11,276		27,708	370,349
Champion Packages Co.	340								340				340
Electric Machinery Co. 4th St.	400								400				400
Electric Machinery Co. 8th St.	250								250				250
General Mills, Inc. Lab	300								300				300
General Motors Co	340								340				340
Hiawatha Metalcraft, Inc.	380								380				380
Fortec, Inc.	550								550				550
Prospect Foundry, Inc.	420								420				420
Tennant Company	370								370				370
Veterans Administration Hospital	1,100				(1,100)				-				-
Other Communities	78,824	6,793	3,364	288					78,824	6,793	3,364	288	89,269
Total Sub-Group E-F	412,539	18,069	3,364	35,996	1,000			(8,000)	413,539	18,069	3,364	27,996	462,968
Total Utility	589,090	25,617	9,101	36,295	-			-	589,090	25,617	9,101	36,295	660,103

NORTHERN NATURAL GAS COMPANY
Realignment of The Presently Authorized Firm Entitlement
For The 1976-77 Heating Season
Mcf @ 14.73 Psia

Utility Group / Rate Zone / Community	Presently Effective: Contract Demand	Seasonal Service	Winter Period Service	Peaking Service	Adjustments: Contract Demand	Seasonal Service	Winter Period Service	Peaking Service	1976-77 Heating Season: Contract Demand	Seasonal Service	Winter Period Service	Peaking Service	Total
Peoples Natural Gas Division													
Sub-Group A													
Rate Zone 2													
Bellevue, Nebraska	4,171	747				(700)			4,171	47			4,218
Council Bluffs, Iowa	25,900		2,465				(1,500)		25,900		965		26,865
Beefland International, Inc.	850								850				850
Ralston, Nebraska	1,643	25							1,643	25			1,668
La Vista	1,225	857				(800)			1,225	57			1,282
Other Communities	38,995	1,691	1,318						38,995	1,691	1,318		42,004
Total Sub-Group A	72,784	3,320	3,783			(1,500)	(1,500)		72,784	1,820	2,283		76,887
Sub-Group B													
Rate Zone 2													
Wayne, Nebraska	2,230	68	53			1,000			2,230	1,068	53		3,351
Other Communities	4,710	104	93						4,710	104	93		4,907
Total Sub-Group B	6,940	172	146			1,000			6,940	1,172	146		8,258
Sub-Group B													
Rate Zone 3													
Estherville, Iowa	4,447		513				500		4,447		1,013		5,460
Jackson, Minnesota	1,743	71	181			500			1,743	571	181		2,495
Spencer, Iowa	5,472	95	422				1,000		5,472	95	1,422		6,989
Other Communities	9,916	212	585						9,916	212	585		10,713
Total Sub-Group B	21,578	378	1,701			500	1,500		21,578	878	3,201		25,657
Total Group B	28,518	550	1,847			1,500	1,500		28,518	2,050	3,347		33,915
Sub-Group C													
Rate Zone 2													
Denison, Iowa	2,486	17	242		(50)				2,436	17	242		2,695
Farmland Foods, Inc.	225				50				275				275
Iowa Beef Packers, Inc.	100								100				100
World Wide Meats, Inc.	60								60				60
Other Communities	36,986	77	1,001						36,986	77	1,001		38,064
Total Sub-Group C	39,857	94	1,243		-				39,857	94	1,243		41,194
Sub-Group C													
Rate Zone 3													
Ackley, Iowa	814	5	105		100				914	5	105		1,024
Grundy Center, Iowa	1,185	1	153		200				1,385	1	153		1,539
New Hampton, Iowa	1,566	1	242		400				1,966	1	242		2,209
Kitchens of Sarah Lee, Inc.	300								300				300
Rockford, Iowa	566	5	74						566	5	74		645
Rockford Brick & Tile Co.	700				(700)				-				-
Other Communities	17,686	94	1,420						17,686	94	1,420		19,200
Total Sub-Group C	22,817	106	1,994		-				22,817	106	1,994		24,917
Total Group C	62,674	200	3,237		-				62,674	200	3,237		66,111

NORTHERN NATURAL GAS COMPANY
Realignment of The Presently Authorized Firm Entitlement
For The 1976-77 Heating Season
Mcf @ 14.73 Psia

Utility Group / Rate Zone / Community	Presently Effective: Contract Demand	Seasonal Service	Winter Period Service	Peaking Service	Adjustments: Contract Demand	Seasonal Service	Winter Period Service	Peaking Service	1976-77 Heating Season: Contract Demand	Seasonal Service	Winter Period Service	Peaking Service	Total
Peoples Natural Gas Division (Cont'd.)													
Group D													
Rate Zone J													
Darling & Company	75				(75)				-				-
Elkader, Iowa	784		72						784		72		856
Central Dairy Cooperative	200				(200)				-				-
Luana, Iowa	65	174	6						65	174	6		245
Miss. Valley Milk Prod. Assn.	200				200				400				400
Strawberry Point, Iowa	481	55	44		75				556	55	44		655
Other Communities	51,596	2,776	4,326						51,596	2,776	4,326		60,698
Total Group D	55,401	3,005	4,448		-				55,401	3,005	4,448		62,854
Sub-Group E-F													
Rate Zone J													
Lakeville, Minnesota	859	209	83		125				984	209	83		1,276
New Market, Minnesota	44		134						44		134		178
Assoc. Milk Prod., Inc. of Texas	125				(125)				-				-
Preston, Minnesota	578	23	66		80				658	23	66		747
Meadowland Dairy Assn.	165				(80)				85				85
Other Communities	67,914	2,905	5,205						67,914	2,905	5,205		76,024
Total Sub-Group E-F	69,685	3,137	5,488		-				69,685	3,137	5,488		78,310
Total Utility	464,117	10,575	19,217		-				464,117	10,575	19,217		493,909
Superior Water, Light And Power Co.													
Group E-F													
Rate Zone B													
Superior, Wisconsin	9,215	589		1,048	300				9,515	589		1,048	11,152
Superior Fiber Prod., Inc.	1,500				(300)				1,200				1,200
Total Utility	10,715	589		1,048	-				10,715	589		1,048	12,352
Two Harbors, Minnesota - City of													
Group E-F													
Rate Zone C													
Two Harbors, Minnesota	1,775	136			350				2,125	136			2,261
American Brake Shoe Co.	350				(350)				-				-
Total	2,125	136			-				2,125	136			2,261
Wisconsin Gas Company		-											
Sub-Group E-F													
Rate Zone B													
Black River Falls, Wisconsin	-				300				300				300
Jackson County Iron Co.	2,400				(300)				2,100				2,100
Other Communities	24,165	1,631							24,165	1,631			25,796
Total Sub-Group E-F	26,565	1,631			-				26,565	1,631			28,196
Total Utility	36,165	2,090		2,166	-				36,165	2,090		2,166	40,421

[FR Doc.76-26787 Filed 9-14-76;8:45 am]

[Docket No. E-8953]

SUPERIOR WATER, LIGHT & POWER CO.

Order Approving Settlement Agreement

SEPTEMBER 8, 1976.

On August 2, 1974, Superior Water, Light & Power Company (Superior) submitted for filing a proposed increase in rates to its only jurisdictional customer, Dahlberg Light & Power Company (Dahlberg). By order issued August 30, 1974, the Commission accepted the proposed rates for filing, suspended the rates for one day until September 2, 1974, and set the matter for hearing. As a result of conferences among the parties, an agreement for settlement of the issues in this docket was filed on December 24, 1975. The Commission herein approves the settlement agreement, directs Superior to file revised tariff sheets, and orders refunds.

Superior's August 2, 1974, filing provided for a $148,482 (27 percent) rate increase to Dahlberg, based upon the twelve months ending July 31, 1974. Notice of Superior's filing was issued on August 12, 1974, with petitions to intervene or protests due on or before August 23, 1974. No petitions or protests had been received as of August 23, 1974. On August 30, 1974, the Commission accepted for filing and suspended the proposed rate increase. On January 6, 1975, the Public Service Commission of Wisconsin filed an untimely petition to intervene. By order issued January 24, 1975, the Commission granted late intervention to the Public Service Commission. Dahlberg did not petition to intervene.

A settlement agreement resulting from conferences among the parties was filed on December 24, 1975. The agreement and the record in this docket were certified to the Commission by the Presiding Administrative Law Judge on December 29, 1975. Notice of the certification was issued on April 9, 1976, with comments due on or before May 21, 1976. No comments opposing the settlement have been filed.

The Commission's review of the proposed settlement agreement indicates that it is a just and reasonable resolution of the issues involved in this proceeding. The Commission will, therefore, accept and approve the settlement agreement without modification. Rates reflecting the terms of the settlement agreement will be permitted to become effective on September 2, 1974, the date the Commission permitted the rates filed on August 2, 1974, to become effective subject to refund.

The Commission finds. The proposed settlement agreement filed on December 24, 1975, in this proceeding is reasonable and proper and in the public interest in carrying out the provisions of the Federal Power Act. Accordingly, the proposed settlement agreement should be approved as hereinafter ordered and conditioned.

The Commission orders. (A) The proposed settlement agreement filed on December 24, 1975, as a settlement of the issues in this proceeding is incorporated herein by reference, approved and adopted to become effective on September 2, 1974, in accordance with its terms.

(B) Superior shall file within thirty (30) days of the issuance of the final Commission order in Docket No. E-8494 a revised rate schedule which reflects the terms of the proposed settlement agreement accepted herein.

(C) Within thirty (30) days after the rate schedule to be filed in compliance with Paragraph (B) above is accepted for filing, Superior shall refund all amounts collected in excess of the rates set forth in that rate scheduled together with interest calculated at 9 percent per annum.

(D) Superior shall file a report within fifteen (15) days after refunds have

been made in compliance with Paragraph (C) above. Such report shall show monthly billing determinants and revenues under rates in effect prior to September 2, 1974, the rates which became effective on September 2, 1974, subject to refund, and the settlement rates. The report should also show the monthly settlement rate increase, the monthly rate refund and the monthly interest computation, together with summaries of such information for the total refund period.

(E) This order is without prejudice to any findings or orders which have been made or which may hereafter be made by the Commission, and is without prejudice to any claims or contentions which may be made by the Commission, its Staff, or any party or person affected by this order in any proceeding now pending or hereafter instituted by or against Superior or any person or party.

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

By the Commission.

KENNETH F. PLUMB,
Secretary.

ATTACHMENT A

[Docket No. E-8953]

SUPERIOR WATER, LIGHT & POWER COMPANY

MOTION OF SUPERIOR WATER, LIGHT & POWER COMPANY FOR CERTIFICATION AND APPROVAL OF SETTLEMENT AGREEMENT

Now comes Superior Water, Light & Power Company (SWL&P) and moves that the Presiding Administrative Law Judge certify to the Commission for its review and approval the attached Settlement Agreement, executed by SWL&P and the Commission Staff in an effort to resolve all issues in Docket No. E-8953. SWL&P also requests that the full record in the proceeding be certified to the Commission for its use in reviewing the Settlement Agreement. In support of this Motion, SWL&P states as follows:

1. That the parties have discussed on several occasions the possibility of obtaining a unanimous settlement agreement.

2. That a hearing was held on September 29, 1975 at which time a record of 123 pages and 34 exhibits was compiled. All parties to the proceeding waived their rights of cross-examination (Tr. 120).

3. That the attached executed Settlement Agreement is supported by the Commission Staff and SWL&P as being just and reasonable and in the public interest.

Wherefore, SWL&P respectfully requests that the Presiding Law Judge certify to the Commission the attached Settlement Agreement, along with the complete record, and recommend to the Commission that it be approved.

Respectfully submitted,

By ROBERT S. WATERS,
Attorney for Superior Water, Light & Power Company.

[Docket No. E-8953]

SUPERIOR WATER, LIGHT & POWER COMPANY

SETTLEMENT AGREEMENT

With respect to the proceedings in Federal Power Commission Docket No. E-8953, Superior Water, Light & Power Company (SWL&P) and the Staff of the Federal Power Commission have agreed as follows:

1. In the event that the Federal Power Commission, upon final order in *Minnesota Power & Light Company*, FPC Docket No. E-8494, reduces the proposed rate increase of Minnesota Power & Light Company (MP&L) in that docket for services to SWL&P, SWL&P agrees to reduce the purchased power component of its proposed rate increase to Dahlberg Light & Power Company (Dahlberg) in Docket No. E-8953 accordingly.

2. In the event that the Federal Power Commission, upon final order in FPC Docket No. E-8494, reduces the ratchet on demand contained in Minnesota Power & Light Company's proposed Rate Schedule 90, Resale Service—Municipalities and Private Utilities, SWL&P agrees to reduce the ratchet on demand contained in its proposed Rate Schedule W-3, Resale Service, Municipalities and Private Utilities, by an equal percentage.

3. In the event that the Federal Power Commission upon final order in Docket No. E-8494, upholds the position of the Wisconsin Public Service Commission and the methodology employed by it, that working capital should be excluded from MP&L's rate base, SWL&P agrees to likewise remove working capital from its rate base in the instant proceeding in determining the appropriate level of revenues to be received from Dahlberg.

4. SWL&P agrees to delete the following language from the Service Conditions contained in proposed Rate Schedule W-3:

"Service supplied under this schedule shall not be resold or otherwise disposed of except to ultimate customers, unless Company's consent thereto shall be given in writing."

5. SWL&P agrees to modify the fuel adjustment clause contained in proposed Rate Schedule W-3 so that the fuel cost for purchased power component of that clause contains actual identifiable fossil fuel costs.

6. SWL&P agrees to delete the following provision from its Electric Service Agreement with Dahlberg dated October 14, 1970 (designated FPC Schedule No. 12)

"Customer agrees to purchase from the Company all of his requirements exclusive of that generated by his hydro-electric facilities and in consideration thereof the Company agrees to permit Customer to operate his hydro-electric facilities to obtain the maximum economy of operation and Customer agrees not to use his diesel facilities except during period of scheduled or emergency line outage requiring the operation of such diesel facilities to maintain continous service to all or part of Customer's system. Customer agrees to notify Company of all outages requiring the operation of the diesel and the termination time. Such notification shall be in writing and shall be given within 24 hours following termination of the outage."

7. It is recognized that the rates that may ultimately become effective as a result of this Settlement Agreement cannot be accurately determined at this time since several of the foregoing agreements are contingent upon final Federal Power Commission order in *Minnesota Power & Light Company*, Docket No. E-8494. However, any rates which may ultimately result from this agreement shall be deemed to have been made effective as of September 2, 1974, the date on which the rates now in effect, subject to refund, were permitted by the Commission to be made effective. SWL&P agrees to compute and refund to Dahlberg any difference between the settlement rates and the rates actually collected during the period from and after September 2, 1974.

8. This Agreement is expressly contingent upon its approval by the Federal Power Commission without modification, unless such modification(s) as the Federal Power Commission may require are agreed to by the parties. All parties to this Agreement will cooperate in seeking its acceptance and approval by the Federal Power Commission. If this Agreement is not accepted and approved by the Federal Power Commission without modification, then: (i) It shall not be binding on any party; (ii) all parties shall in that event be deemed to have reserved all their respective rights and remedies in this proceeding; (iii) this Settlement Agreement shall not be part of the record in such proceeding, and all discussions and negotiations thereon shall be privileged; and (iv) the parties shall not be obliged to negotiate further, other than to discuss in good faith whether the modification(s) required by the Federal Power Commission are acceptable to them.

9. Nothing in this Settlement Agreement shall constitute an admission by any party of the correctness or applicability by of any claim, defense, rule or interpretation of law, allegation of fact, principle or method of ratemaking or cost of service determination. This Agreement is made upon the explicit understanding that it constitutes negotiated settlement with respect to SWL&P's wholesale rates for service to Dahlberg. It is also agreed that parties shall not be considered as necessarily agreeing with or conceding the applicability of any principle, or any method of ratemaking or cost-of-service determination, or design of rate schedule, or terms or conditions of service, or the application of any rule or interpretation of law, that may underlie, or be thought to underlie, this settlement. It is further agreed that in any future negotiation or proceeding or proceedings whatsoever (other than any proceeding involving the honoring, enforcement or construction of this Settlement Agreement or of the revision to Rate Schedule W-3 to be filed with the Commission pursuant to this Settlement Agreement) the parties shall not be bound or prejudiced by this Settlement Agreement.

10. SWL&P reserves the right unilaterally to seek changes or substitutions in accordance with law in the rate and provisions of the revised Rate Schedule W-3 to be filed pursuant to this Settlement Agreement, as well as other terms and conditions of service, and such shall be subject to changes or substitutions, either in whole or in part, made from time to time by a legally effective filing of SWL&P with, or by order of, the regulatory authority having jurisdiction.

IN WITNESS WHEREOF, the parties have caused these presents to be signed and executed by their representatives thereunto duly authorized, this 23rd day of December, 1975.

ROBERT S. WATERS,
Superior Water, Light & Power Company.

DOUGLAS ABBOTT,
Staff of the Federal Power Commission.

VERIFICATION

District of Columbia) ss: Robert S. Waters being first duly sworn, deposes and says that he is attorney for Superior Water, Light & Power Company; that he has been duly authorized to execute, verify and file with the Federal Power Commission the foregoing document; that he has read the contents of same and that the statements contained therein are true and correct to his best information, knowledge and belief.

ROBERT S. WATERS.

Subscribed and sworn to before me this 24th day of December, 1975.

LYNN E. WISEMILLER,
Notary Public

My Commission Expires March 14, 1980.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding in accordance with the requirements of § 1.17 of the rules of practice and procedure.

Dated at Washington, D.C. this 24th day of December, 1975.

ROBERT S. WATERS,
Of Counsel for: Superior Water, Light & Power Company.

[FR Doc.76-26858 Filed 9-14-76;8:45 am]

[Docket No. CP75-96 etc.]

EL PASO ALASKA COMPANY, ET AL.

Issuance of Supplement to Environmental Impact Statement

Take notice that on September 15, 1976, the staff of the Federal Power Commission issued a Supplement to its Final Environmental Impact Statement (FEIS) on the Alaska Natural Gas Transportation Systems pursuant to the requirements of the National Environmental Policy Act of 1969 and § 2.82(b) of the Commission's Regulations (18 CFR 2.82(b)).

The staff's FEIS for the proceeding in Docket No. CP75-96 et al. involved the selection of a natural gas transportation network for the shipment of Alaskan Prudhoe Bay gas to the lower 48 states, and was transmitted to interested parties in April 1976; however, as a result of applications by Alcan Pipeline Company and Northwest Pipeline Corporation, in Docket No. CP76-433 and CP76-435, respectively, seeking authorization to construct a natural gas transportation system in Alaska along the existing Alyeska pipeline right-of-way to Delta Junction, Alaska, and from there along the Alaska Highway to the Alaska-Yukon border and to construct various facilities in the states of Washington and Oregon, the Commission, by order dated July 23, 1976, found it necessary for the staff to supplement its previous FEIS.

Part I of the staff's supplement to its FEIS for the subject proceeding is concerned mainly with traditional environmental considerations. Part II, which is the economic analysis portion of the staff's supplemental statement, will be issued and transmitted on or before September 23, 1976.

This Supplement to the FEIS has been sent to the persons who previously received copies of the original FEIS and to those who are parties to this proceeding. The FEIS is on file with the Commission and is available for public inspection at its Office of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426 and its regional offices. Copies of the supplement are available in limited quantities from the Federal Power Commission's Office of Public Information, Washington, D.C. 20426.

Pursuant to the Commission's order of July 23, 1976, in this proceeding, any Federal agency or member of the general public that wishes to submit comments on this environmental supplement must do so on or before October 8, 1976. Any comments received will be reviewed by the FPC staff and considered by them when the staff testifies in the subject proceeding.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-27244 Filed 9-14-76;11:00 am]

FEDERAL RESERVE SYSTEM

[Reg. Y]

BANK HOLDING COMPANIES

Dismissal of a Hearing

On March 21, 1975, the Board of Governors of the Federal Reserve System entered an Order (40 FR 14376), directing that a public hearing be held on the application of Northwest Bancorporation, Minneapolis, Minnesota ("Banco"), to acquire T. G. Evensen and Associates, Inc., Minneapolis, Minnesota ("Evensen"), a company that provides financial and investment advice to State and local governments. The Board had previously approved the acquisition of Evensen by Banco on August 16, 1973, but upon judicial review was directed by the United States Court of Appeals for the Eighth Circuit to conduct a hearing on the application. Banco, which had consummated the acquisition during the court proceeding, was permitted to retain control of Evensen pending the outcome of the hearing before the Board.

Now, however, Banco has agreed to divest Evensen and has requested permission from the Board to withdraw its application. On the basis of the information presented, the Board has concluded that Banco should be permitted to withdraw its application to acquire Evensen. Accordingly, the Board has returned the application and hereby dismisses the hearing on the application.

By order of the Board of Governors, effective September 8, 1976.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-26983 Filed 9-14-76;8:45 am]

BANK HOLDING COMPANIES

Grandfather Privileges

Section 4 of the Bank Holding Company Act (12 U.S.C. 1843) provides certain privileges ("grandfather privileges") with respect to nonbanking activities of a company that, by virtue of the 1970 Amendments to the Bank Holding Company Act, became subject to the Bank Holding Company Act. Pursuant to section 4(a)(2) of the Act, a company covered in 1970 may continue to engage, either directly or through a subsidiary, in nonbanking activities that such a company was lawfully engaged in on June 30, 1968 (or on a date subsequent to June 30, 1968, in the case of activities carried on as a result of the acquisition by such company or subsidiary, pursuant to a binding written contract entered into on or before June 30, 1968, of another company engaged in such activities at the time of the acquisition), and has been continuously engaged in since June 30, 1968 (or such subsequent date).

Section 4(a)(2) of the Act provides, inter alia, that the Board of Governors of the Federal Reserve System may terminate such grandfather privileges if, having due regard for the purposes of the Act, the Board determines that such action is necessary to prevent undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices. The Board is required to make such determination with respect to a company that controls a bank with assets in excess of $60 million on or after December 31, 1970.

Notice of the Board's review of nonbank activities and the grandfather privileges of the companies listed below affording opportunity for interested persons to submit comments and views or request a hearing, has been given.

Bevdale Incorporated, Chicago, Illinois (40 FR 20860).

Ford City Corporation (formerly S-W Corporation), Chicago, Illinois (40 FR 20860).

G-W Corporation, Chicago, Illinois (40 FR 20860).

Western Capital Corporation,[1] Chicago, Illinois (40 FR 20860).

The time for filing comments and views and requests has expired and all those received have been considered by the Board in light of the factors set forth in section 4(a)(2) of the Act.

On the basis of the evidence before it, the Board finds that none of the companies named hereinabove is entitled to grandfather privileges within the meaning of the proviso in section 4(a)(1) of the Act.

Board of Governors of the Federal Reserve System, effective September 7, 1976.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-26984 Filed 9-14-76;8:45 am]

ERIE BANKSHARES, INC.

Formation of Bank Holding Company

Erie Bankshares, Inc., Erie, Kansas, has applied for the Board's approval un-

[1] Western Capital Corporation's only nonbanking subsidiary is Western Safe Deposit Company, a subsidiary of Western National Bank of Cicero which conducts a safe deposit business. Western Safe Deposit Company's activities are exempt under section 4(c)(1)(B) ("any company engaged or to be engaged solely in * * * conducting a safe deposit business.") and section 4(c)(5) ("shares which are of the kinds and amounts eligible for investment by national banking associations under the provisions of section 5136 of the Revised Statutes") of the Act.

der section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 98.5 percent of the voting shares of Home State Bank, Erie, Kansas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Erie Bankshares, Inc., Erie, Kansas has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. section 1843(c)(8)) and section 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to engage in the activity of conducting an insurance agency business solely offering credit life, credit accident accident and health and other insurance directly related to extensions of credit by Home State Bank, Erie, Kansas. Such activity will be conducted from the premises of that bank. Notice of the application was published on August 5, 1976 in The Erie Record, a newspaper circulated in Erie, Kansas.

Applicant states that the aforementioned activity has been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than October 8, 1976.

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

GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-26985 Filed 9-14-76;8:45 am]

FAM FINANCIAL INC.

Order Approving Formation of Bank Holding Company

FAM Financial Incorporated, Macksville, Kansas, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through the acquisition of 80 per cent or more of the voting shares of The Farmers and Merchants State Bank ("Bank"), Macksville, Kansas.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired and the application and all comments received have been considered in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is a nonoperating corporation organized for the purpose of becoming a bank holding company through the acquisition of Bank. Bank, with deposits of approximately $4.5 million,[1] is the 432nd largest banking organization in Kansas and holds .05 per cent of total deposits in commercial banks in the State. Bank is the fourth largest of six banks in the relevant banking market, which is approximated by Stafford County, and holds approximately 12 per cent of market deposits.

Since the subject proposal essentially represents a reorganization of Bank's ownership from individuals to a corporation owned by the same individuals with no immediate change in Bank's operations, consummation of the transaction would not eliminate any existing or potential competition, increase the concentration of banking resources, or have any adverse effects on other banks in any relevant area. Therefore, competitive considerations are consistent with approval of the application.

The financial condition and managerial resources and future prospects of Applicant are dependent upon those of Bank, which are regarded as generally satisfactory. Although Applicant will incur debt in connection with the acquisition of Bank, it appears that the projected earnings of Bank should be sufficient to enable Applicant to service its debt without impairing the financial condition of Bank. Accordingly, considerations relating to the banking factors are regarded as being consistent with approval.

Although consummation of the transaction would effect no immediate changes in the services offered by Bank, considerations relating to the convenience and needs of the community to be served are consistent with approval. It is the Board's judgment that consummation of the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this order or (b) later than three months after the effective date of this order, unless such period is extended for good cause by the Board or the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,[2] effective September 7, 1976.

GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-26986 Filed 9-14-76;8:45 am]

[1] All banking data are as of December 31, 1975.

SEATTLE TRUST AND SAVINGS BANK, SEATTLE, WASHINGTON

Order Approving Acquisition of Assets of Bank

Seattle Trust and Savings Bank, Seattle, Washington ("Seattle Bank"), a member State bank of the Federal Reserve System, has applied to the Board of Governors of the Federal Reserve System ("Board") for prior approval pursuant to the Bank Merger Act (12 U.S.C. 1828(c)) ("Act") to acquire the assets of and assume the liability to pay deposits made in the First National Bank of Redmond, Redmond, Washington, ("Redmond Bank"). As an incident to the proposal, the present office of Redmond Bank would become a branch of Seattle Bank.

As required by the Act, notice of the proposed transaction, in form approved by the Board, has been published and reports on competitive factors have been requested from the Attorney General, the Comptroller of the Currency and the Federal Deposit Insurance Corporation. The Federal Reserve Bank of San Francisco, acting under authority delegated by the Board (12 CFR Part 265) has considered the application and all comments and reports received in light of the factors set forth in the Act.

Seattle Bank, with deposits of $154.6 million in the relevant banking market,[1][2] is the sixth largest of 29 banks in that market, controlling approximately 4.5 per cent of the total deposits. Redmond Bank with deposits of $10.7 million, is the sixteenth largest bank in the relevant banking market, and controls approximately .3 per cent of market deposits. Because of the small relative size of Redmond Bank, the acquisition would cause no significant increase in banking concentration in the Seattle metropolitan market. Although the closest office of Seattle Bank is three miles from Redmond Bank, there are other intervening commercial banking offices and the existing competition between Seattle Bank and Redmond Bank is not regarded as significant. De novo branching into Redmond is currently prohibited by State law because of the presence of the head office of Redmond Bank within the community. Consummation of this proposal will eliminate Redmond Bank as a head office of a com-

[2] Voting for this action: Vice Chairman Gardner and Governors Wallich, Coldwell and Lilly. Absent and not voting: Chairman Burns and Governors Jackson and Partee.

[1] All banking data are as of June 30, 1974.

[2] The relevant banking market is approximately by King County and the southwestern portion of Snohomish County.

mercial banking organization and thus open the Redmond community to de novo branching, which appears likely. Accordingly, this Reserve Bank concludes that consummation of the proposal will have no significant adverse effects on competition and that competitive considerations are consistent with approval of the application.

The financial and managerial resources and the future prospects of Seattle Bank are regarded as generally satisfactory. In connection with this application, Seattle Bank has committed to increase its capital by $2 million, at least $1 million of which will be equity capital. Consummation of this proposal will ensure an adequate succession of management for Redmond Bank. It appears that considerations relating to the banking factors lend some weight toward approval of the application.

Seattle Bank has indicated that it will provide trust services to the customers of Redmond Bank, reduce service charges on their checking accounts, and provide lower interest rates for many loan categories. In addition, consummation of the proposal will increase Redmond Bank's loan limit, thus providing a new source for large loans in the community. It appears that considerations relating to the convenience and needs of the community lend some weight toward approval of the application. It is this Reserve Bank's judgment that the proposed transaction is in the public interest and should be approved.

On the basis of the record as summarized above, the Federal Reserve Bank of San Francisco approves the application: *Provided*, The transaction shall not be consummated (a) before the thirtieth calendar day following the effective date of this order or (b) later than three months after the date of this order, unless such period is extended for good cause by the Board or by this Reserve Bank pursuant to delegated authority.

By order of the Federal Reserve Bank of San Francisco, acting pursuant to delegated authority for the Board of Governors of the Federal Reserve System, effective August 18, 1976.

H. B. JAMISON,
Vice President.

[FR Doc.76-26982 Filed 9-14-76;8:45 am]

TEXAS COMMERCE BANCSHARES, INC.

Acquisition of Bank

Texas Commerce Bancshares, Inc., Houston, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 987 voting shares of The First National Bank of Stafford, Stafford, Texas, pursuant to a pro rata rights offering by that bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than September 30, 1976.

Board of Governors of the Federal Reserve System, September 7, 1976.

GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.76-26987 Filed 9-14-76;8:45 am]

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt of Report Proposals

The following requests for clearance of reports intended for use in collecting information from the public were received by the Regulatry Reports Review Staff, GAO, on September 7, 1976 (ICC) and September 8, 1976 (NRC). See 44 U.S.C. 3512 (c) and (d)). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipts.

The notice includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed ICC and NRC requests are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed requests comments (in triplicate) must be received on or before October 4, 1976, and should be addressed to Mr. John M. Lovelady, Acting Assistant Director, Regulatory Reports Review, Room 5216, 425 I Street, NW., Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-376-5425.

INTERSTATE COMMERCE COMMISSION

ICC requests an extension no change clearance of Form EM-5, Data Sheet For Sampled Carload, filed by railroads in place of submitting copies of railroad waybills as required pursuant to order of the Interstate Commerce Commission (49 CFR Part 1244). The information collected on Form EM-5 will become a part of the ICC Continuous Waybill Sample and also part of the Department of Transportation Comprehensive Freight Flow Data Program. ICC estimates reporting burden for carriers to average 1/12 hour per response with the number of responses expected from each of the 28 line haul railroads affected ranging from 18 to 11,000 depending on the number of multiple car shipments terminated by each railroad.

NUCLEAR REGULATORY COMMISSION

NRC requests an extension no change clearance for 10 CFR 150.16(b), 150.17 (b), (c), and 150.19 (b), (c), which require certain licensees of Agreement States to report to the NRC thefts or attempted thefts of special nuclear material, source material, or tritium; to file with the NRC an annual statement of source material inventory; and also to file with the NRC a semi-annual statement of tritium inventory. Respondents are certain firms possessing special nuclear material, source material, or tritium under licenses issued by Agreement States. Since the number of reports of thefts is expected to be insignificant no respondent burden is estimated for this requirement. The estimated total respondent burden under 10 CFR 150.17(b) and 150.19(b) for submission of statements of source material and tritium inventories is 132 hours.

NRC requests clearance of a new Form 244, Registration Certificate—Use of Depleted Uranium Under General License, and 10 CFR 40.25. Within 30 days after the first receipt of depleted uranium under the proposed general license of 10 CFR 40.25(a) the general licensee is required to file Form NRC-244 with the Commission pursuant to 10 CFR 40.25(c)(1). The registrant is required by 10 CFR 40.25(c)(2) to report any changes in the information furnished by him on Form NRC-244. A registrant who transfers the source material to another person is required by 10 CFR 40.25(d) to report in writing to the NRC the name and address of the transferee. Respondents are persons who receive, possess, and use depleted uranium pursuant to the general license in 10 CFR 40.25(a). NRC estimates respondent burden to average 10 minutes per response and that 60 persons will file registration certificates each year pursuant to 10 CFR 40.25(c)(1); 5 persons will file reports pursuant to 10 CFR 40.25(c)(2); and 5 persons will file reports pursuant to 10 CFR 40.25(d)(4). NRC estimates total respondent burden will be approximately 12 hours annually. The respondent burden per response will be significantly less than the present burden to apply for a specific license to possess and use depleted uranium in industrial products.

NORMAN F. HEYL,
Regulatory Reports Review Officer.

[FR Doc.76-26990 Filed 9-14-76;8:45 am]

GENERAL SERVICES ADMINISTRATION

PRIVACY ACT OF 1974

Systems of Records

NOTE: In FR Doc. 76-25538 appearing at page 38088 of the issue for Wednesday, September 8, 1976, the preamble was inadvertently omitted. It should have preceded the published material as set forth below:

Pursuant to the provisions of the Privacy Act of 1974, Public Law 93-579, 5 U.S.C. 552a, section e(4), the General Services Administration (GSA) hereby publishes an annual notice of the systems of records currently being maintained.

This notice of the current GSA systems of records incorporates the initial publication of the description of the systems of records in 40 FR 39137 through 39195 with subsequent revisions published in 40 FR 43860 and 43861, 40 FR 44529, 40 FR 46421 and 46422, 40 FR 50435, 40 FR 60114 and 60115, 41 FR 5868, 41 FR 8548,

41 FR 18557 and 18558, 41 FR 19261 and 19262, 41 FR 22164, 41 FR 22407 and 22408, 41 FR 24745, 41 FR 24938, 41 FR 32793, and 41 FR 35767 through 35769.

In addition, this notice includes the following substantive changes to the GSA systems of records which have not previously been published:

The system of records, Employee related files GSA/OCR–1 (40 FR 39156), is deleted.

The system of records, Records relating to career and executive development GSA/OAD–11 (40 FR 39141), is revised to redesignate a portion of the career development program as the Upward Mobility Development Program.

The system of records, Discrimination complaint file GSA/OCR–2 (40 FR 39156), is renumbered as GSA/OAD–35 and reference throughout the notice to Director(s) of Civil Rights is changed to Equal Employment Opportunity Officer(s) to reflect an organizational change.

Dated at Washington, D.C., on August 26, 1976.

G. C. GARDNER,
Director of Administration.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

MUSIC ADVISORY PANEL (JAZZ)

Meeting

Pursuant to sec. 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given that a meeting of the Music Advisory Panel (Jazz) to the National Endowment for the Arts will be held on October 4–7, 1976 from 9:30 a.m.–6:00 p.m. in the 14th floor conference room of the Columbia Plaza office building, 2401 E Street, NW., Washington, D.C.

A portion of this meeting will be open to the public on October 6 from 2:00 p.m.–4:00 p.m. on a space available basis. Accommodations are limited. The agenda for this portion will be a discussion of Guidelines.

The remaining sessions of this meeting on October 4, 5, and 7 from 9:30 a.m.–6:00 p.m. and on October 6 from 9:30 a.m.–2:00 p.m. and 4:00 p.m.–6:00 p.m. are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975, these sessions, which involve 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.76–26994 Filed 9–14–76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[SR–Amex–76–16]

AMERICAN STOCK EXCHANGE, INC.

Order Approving Proposed Rule Change

On June 28, 1976, the American Stock Exchange, Inc., 86 Trinity Place, New York, New York 10006, filed with the Commission, pursuant to section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b–4 thereunder, copies of a proposed rule change to implement a revised procedure for the proportional reduction of open orders on the occasion of a stock dividend or stock distribution and the application of such procedure to the reduction of the price limits of all open orders on the specialists book, including open orders to sell and open stop orders to buy, without any adjustment in the size of such orders.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 12591 (July 2, 1976)) and by publication in the FEDERAL REGISTER (41 FR 29499 (July 16, 1976)).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to registered national securities exchange, and in particular, the requirements of section 6 and the rules and regulations thereunder.

It is therefore ordered, Purusant to section 19(b)(2) of the Act, that the proposed rule change filed with the Commission on June 28, 1976, be, and it hereby is, approved.

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

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–26945 Filed 9–14–76;8:45 am]

[70–5899]

COLUMBIA GAS SYSTEM, INC.

Authorization of Stock Issuance for Employee Stock Ownership Plan

Notice is hereby given that the Columbia Gas System, Inc. ("Columbia"), 20 Montchanin Road, Wilmington, Delaware 19807, a registered holding company, and its subsidiaries, hereinafter collectively referred to as the System ("System"), have filed a declaration with this Commission pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50(a)(5) promulgated, thereunder, as applicable to the following proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Columbia proposes to participate in an employee stock ownership plan pursuant to section 301 of the Tax Reduction Act of 1975 ("TRESOP"). Under TRA of 1975 an additional one percent tax credit is made available to an electing corporation if an amount equal thereto is transferred to an employee stock ownership plan in the form of common stock or cash which then must be used to purchase common stock of the corporation. Columbia intends to elect the additional one percent investment tax credit on its consolidated tax return. Columbia proposes either to contribute authorized but unissued stock equal in value to the amount of the tax credit or to contribute cash in such amount to TRESOP for the benefit of eligible System employees. Any cash contribution would be returned to Columbia in exchange for authorized but unissued shares of Columbia common stock.

The one percent investment tax credit is based on qualified property additions by the System. It is estimated that the additional one percent investment tax credit will amount to approximately $2,500,000 in total for the years 1975 and 1976. The number of shares which will be issued will be determined based upon the additional investment tax credit figure and the average of the closing prices of Columbia's common stock on the New York Stock Exchange Composite Tape for the 20 consecutive trading days immediately preceding the date of issue. At an assumed average trading price of $25 per share, it is presently estimated that approximately 100,000 shares of stock would be issued for 1975 and 1976. Columbia requests authorization to issue up to 125,000 new shares to provide sufficient shares in case of differences in estimates for the investment tax credits and fluctuations in the market price of Columbia common stock. It is estimated that no employee will receive more than 70 shares of stock.

These new shares will not be registered under the Securities Act of 1933, but will be "restricted securities" within the meaning of Rule 144 promulgated pursuant to such Act, which requires that "restricted securities" be held for a period of two years prior to sale.

The TRA of 1975 provides that the investment tax credit amounts be allocated to eligible employees proportionately based on compensation. Under Columbia's plan, employees with at least one year of service and who are at least 21 years of age will be eligible. Compensation will be limited to $100,000 annually for the purposes of such allocation. The TRA of 1975 also requires that the ownership of stock purchased with the amounts contributed vest immediately but that such stock may not be distributed until seven years after the al-

location date except in the case of termination of employment for any reason. A Trust ("TRESOT") will be established to receive the stock or, if cash is contributed, to exchange the cash for shares of Columbia common stock and hold the stock for the benefit of qualified employees for the requisite seven years or until a participant's employment terminates. Dividends on the shares held on the TRESOT will be paid to the beneficial owners. The Trustee of the TRESOT will not be permitted to vote the shares it holds, unless it shall have received voting instructions from participating employees.

Due to the terms and nature of the transaction, the public invitation for bids, as required by Rule 50, is considered inappropriate and an exemption is hereby requested by Columbia.

No State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions. The fees and expenses incurred or to be incurred in connection with this transaction are estimated at $22,000, including system service company charges, at cost, of $15,000.

Notice is further given, that any interested person may, not later than September 30, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as amended or as it may be further amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-26946 Filed 9-14-76;8:45 am]

[812-3904]

CONNECTICUT GENERAL LIFE INSURANCE CO. ET AL.

Application for Approval of an Offer of Exchange

Notice is hereby given that Connecticut General Life Insurance Company ("CG Life"), a Connecticut stock life insurance company, CG Variable Annuity Account I ("VAA–I") and CG Variable Annuity Account II ("VAA–II"), separate accounts of CG Life registered under the Investment Company Act of 1940 ("Act") as unit investment trusts, and CG Equity Sales Company ("Equity Sales"), Hartford, Connecticut 06152, the principal underwriter of VAA–I and VAA–II (collectively referred to as "Applicants"), have filed an application on February 2, 1976, and an amendment thereto on March 30, 1976, pursuant to section 11 of the Act for an order approving a certain offer of exchange. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

CG Life has established, pursuant to Connecticut law, two separate accounts, VAA–I and VAA–II, for the purpose of holding assets attributable to individual and group variable annuity contracts issued by CG Life. Contracts participating in VAA–I are offered in connection with (1) pension and profit-sharing plans or annuity plans qualified under either section 401 or 403(a) of the Internal Revenue Code of 1954, as amended ("Code"), (2) annuity purchase plans adopted pursuant to section 403(b) of the Code and (3) individual retirement account plans adopted pursuant to section 408 of the Code. Contracts participating in VAA–II are offered in connection with annuity plans not entitled to such special tax treatment under the Code.

Assets of VAA–I and VAA–II are invested exclusively in shares of Companion Fund, Inc. ("Companion Fund") or Companion Income Fund, Inc. ("Companion Income Fund"), both registered under the Act as open-end management investment companies, the investment adviser of which is CG Investment Management Company. Equity Sales and CG Investment Management Company are wholly-owned subsidiaries of Connecticut General Insurance Corporation, the parent corporation of CG Life.

By means of post-effective amendments to the registration statements under the Securities Act of 1933 for the individual contracts participating in VAA–I and VAA–II which were declared effective August 14, 1975, CG Life commenced offering a new type of individual variable annuity contract ("new contract") which permits an owner to have the assets supporting the reserve liabilities attributable to his contract invested in shares of Companion Fund, Companion Income Fund or both during the period prior to the commencement of annuity payments. Assets attributable to other individual variable annuity contracts ("existing contracts") and to all group variable annuity contracts are invested exclusively in shares of Companion Fund.

In connection with the offering of the new contract, there has been established in each of the two separate accounts (VAA–I and VAA–II) a Growth Division consisting of the Companion Fund shares allocated thereto and an Income Division consisting of the shares of Companion Income Fund allocated thereto. An owner of a new contract is entitled to select whether payments are to be allocated to the Growth Division, the Income Division or both. Subject to certain conditions, the owner may change the allocation from time to time and may direct that all or part of the value of his new contract attributable to one separate account division be transferred to the other division. Upon the commencement of annuity payments, the value of the new contract attributable to the Growth Division will be applied to provide a variable annuity and the value attributable to the Income Division will be applied to provide a fixed-dollar annuity, unless the owner has elected otherwise.

Applicants propose to permit owners of existing contracts which are in the accumulation period to exchange their contracts for new contracts participating in the same separate account and to have the values accumulated under existing contracts transferred to the new contracts without any deduction in connection therewith. State premium taxes, if any, incurred by CG Life as a result of a transfer will be deducted from the amount transferred or the applicable accumulation account. An owner of an existing periodic payment contract who exchanges for a new periodic payment contract will, for purposes of determining the applicable sales and administrative charge to be deducted from purchase payments, be assumed to have held the new contract for the period of time he held the existing contract and accordingly, will pay the charge at the same rate that he would have paid had he not exchanged. An owner of a single payment deferred contract who wishes to exchange will be permitted to add additional funds to his new contract at the time of the exchange. Although there will be no charge imposed with respect to any amounts transferred from the existing contract, a sales and administration charge will be imposed upon any additional funds added. However, the charge will be computed as if the additional funds had been added at the time the existing contract was originally purchased. The proposed exchange offer will expire on April 30, 1977, or such later date established by CG Life.

Section 11(a) of the Act makes it unlawful for any registered open-end company or principal underwriter therefor to make an offer to the holder of a security of such company or of any other open-end investment company to exchange his security for a security in the same or another such company on any basis other than the relative net asset values of the respective securities to be exchanged unless the terms of the offer have first been submitted to and approved by the Commission. Section 11(c) provides that, irrespective of the basis of exchange, the provisions of subsection (a) shall be applicable to any type of offer of exchange of the securities of registered unit investment trusts for the securities of any other investment company.

Although Applicants consider that the exchange offer would not appear to involve any exchange of a security of a registered unit trust for the security of any other investment company, Applicants are requesting an order pursuant to Section 11 approving the exchange offer to avoid any question that might be raised.

According to Applicants the principal reason for the exchange offer is to make available to owners of existing contracts any advantages that would result from transferring existing contract values to new contracts without charge and from not paying the higher sales and administration charges that would be incurred if an existing contract was retained and a new contract purchased.

Applicants state that the terms of the new contracts differ from those of the existing contracts and that an exchange would not necessarily be in the best interest of all existing contract owners. The determination whether to accept the exchange offer will be made by each contract owner based upon information provided by Applicants, as discussed below.

Applicants state that the new contracts offer to the contract owner the following advantages over the existing contracts: (a) The opportunity to allocate some or all of his existing contract value and any future payment to the Income Division at a lower load than would be applicable if he retained his existing contract and purchased a new contract, (b) the right to transfer amounts between the Growth and Income Divisions, and (c) the opportunity to provide his beneficiary greater flexibility with respect to amounts due him should he die prior to the commencement of annuity payments.

Applicants state that the new contracts also have several disadvantages for existing contract owners: (a) Under the new contract the mortality and expense risk charge is 1.10 percent per year, while under the existing contract it is .75 percent per year, (b) under the new contract the minimum monthly payment is $50 for contracts participating in VAA–II, while under the existing contracts it is $10, (c) under the new contract the annual administration charge may be larger than the charge under the existing contract because of increased minimum purchase payment requirements and/or the allocation of purchase payments to, or the maintenance of contract values in, both accumulation accounts, and (d) under the new contract a different annuity table is used and the method of determining adjusted age, which is used in determining the applicable variable annuity purchase rate for annuities involving payments for life, differs. Although this latter change will, in most situations, result in an annuity purchase rate that will provide a lower first annuity payment under a new contract, whether the changes will, with respect to a particular annuitant, increase, decrease or have no effect on the first annuity payment will depend on the calendar year of his birth and the year in which his annuity payments commence.

Applicants assert that a decision as to the advisability of accepting the exchange offer must be made by each owner based on a weighing of all the pertinent factors in light of the owner's personal circumstances and objectives. Accordingly, CG Life has undertaken not to recommend blanket acceptance of the exchange offer by all owners, but to seek to assist owners in making a determination whether to exchange by furnishing each of them with a prospectus describing the new contract and the differences between it and the existing contract plus such additional information (which information is included as an exhibit to the application) as may be necessary to assist contract owners in determining whether to make an exchange. Applicants submit that since an assessment of the desirability of accepting the exchange offer can only be made by individual contract owners, and in view of the protection afforded by the proposed disclosure to contract owners to whom the exchange offer will be made and the absence of any effect of the exchange offer on the interests of owners who do not exchange, the proposed offer of exchange is fair and should be approved by the Commission.

Notice is further given that any interested person may, not later than October 4, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on this matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the Application will be issued as of course following October 4, 1976, unless the Commission orders a hearing on request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–26947 Filed 9–14–76;8:45 am]

[File No. 500–1]

DIVERSIFIED INDUSTRIES, INC.

Suspension of Trading

SEPTEMBER 7, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the securities of Diversified Industries, Inc., being traded on a national securities exchange or otherwise is required in the public interest and for the protection of investors;

Therefore, pursuant to section 12(k) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from September 8, 1976 through September 17, 1976.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–26948 Filed 9–14–76;8:45 am]

[File No. 500–1]

EQUITY FUNDING CORPORATION OF AMERICA AND ORION CAPITAL CORP.

Suspension of Trading

SEPTEMBER 7, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the securities of Equity Funding Corporation of America, including Orion Capital Corporation, being traded on a national securities exchange or otherwise, is required in the public interest and for the protection of investors;

Therefore, pursuant to section 12(k) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from September 8, 1976 through September 17, 1976.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–26949 Filed 9–14–76;8:45 am]

[70–5895]

GEORGIA POWER CO.

Proposal To Issue Pollution Control Bonds Secured by Collateral Trust Bonds; Exception From Competitive Bidding

Notice is hereby given that Georgia Power Company ("Georgia"), 270 Peachtree Street, NW., Atlanta, Georgia 30302, a wholly-owned electric utility subsidiary of The Southern Company, a registered holding company, has filed an application-declaration and amendments thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 6, 9, and 12 of the Act and Rules 44(b)(3) and 50(a)(5) promulgated thereunder as applicable to the proposed transactions. All persons are referred to the amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Georgia states that in order to comply with prescribed air and water quality control standards of the State of Georgia it has been and will be necessary to construct certain pollution control facilities. The filing relates to Georgia's proposal for its disposition and acquisition of an interest in, and the financing of, pollution control facilities for use in connection with its Branch, Hatch, Wansley and Yates steam plants located, respec-

tively, in Putnam, Appling, Heard and Coweta Counties, Georgia. Such interest will be 100 percent for the Branch and Yates steam plants and up to 70 percent for the Wansley and Hatch steam plants. It is intended that the Development Authority of each of such counties ("Authorities") will issue its respective pollution control revenue bonds ("Revenue Bonds") for the purpose of paying the costs of the construction and equipping of the pollution control facilities at said plants ("Projects").

Georgia proposes to enter into Installment Sale Agreements ("Agreements") with the Authorities which will provide for the construction and equipping of the Projects by the Authorities and the issuance of the Authorities of Revenue Bonds in an aggregate principal amount presently estimated not to exceed $120,000,000. Such aggregate amount of Revenue Bonds is to be broken down as follows: Putnam County—up to $25,000,000; Appling County—up to $30,000,000; Heard County—up to $50,000,000; Coweta—$15,000,000. The proceeds of the sales of the Revenue Bonds will be deposited by the Authorities with a Trustee under indentures to be entered into between the Authorities and such Trustee pursuant to which the Revenue Bonds are to be issued and secured. Such proceeds will be applied to payment of the cost of construction of the Projects. The Agreements also will provide for the sale of the Projects to Georgia, the payment by Georgia of the purchase price of each of the Projects in semi-annual installments over a term of years, and the assignment to the Trustee of the Authorities' interest in, and of the moneys receivable by the Authorities under, the Agreements. The Agreements will provide that the purchase prices of the Projects payable by Georgia will be such amounts, including interest thereon, as shall be sufficient (together with other moneys held by the Trustee under the indentures for that purpose) to pay the principal of and interest on the Revenue Bonds as the same become due and payable. The Agreements will also obligate Georgia to pay the fee and charges of the Trustee. The Agreements will provide that Georgia may at any time, so long as it is not in default thereunder, prepay the purchase price for the Projects, including interest thereon, in whole or in part, such payments to be sufficient to redeem or purchase outstanding Revenue Bonds in the manner and to the extent provided in the indentures. The Indentures will provide that the Revenue Bonds will be redeemable (a) at any time on or after 10 years from the date of issuance, in whole or in part, at the option of Georgia, initially with a premium of 3 percent of the Principal amount and declining by ½ of 1 percent thereafter and (b) in whole, at the option of Georgia, in certain other situations. The Revenue Bonds will mature in 30 years and such bonds will be entitled to the benefit of mandatory redemption sinking funds calculated to retire not less than 25 percent of the aggregrate principal amount of the issues prior to maturity.

In order to obtain the benefit of a rating for the Revenue Bonds equivalent to the rating enjoyed by the first mortgage bonds outstanding under its Indenture dated as of March 1, 1941, between Georgia and Chemical Bank, as Trustee, as supplemented and amended ("Mortgage"), which rating Georgia has been advised may be thus attained, Georgia proposes to obtain the authentication of certain series of such first mortgage bonds ("Collateral Bonds") under the Mortgage, as proposed to be supplemented by a further supplemental indenture to be dated as of the first day of the month in which the Collateral Bonds are to be authenticated and delivered. To secure its obligations under the Agreements, Georgia proposes to deliver to the Trustee to be held as collateral the Collateral Bonds in principal amount equal to the principal amount of the Revenue Bonds to be issued by the Authorities. The Collateral Bonds will bear interest at a rate equal to the interest rate per annum to be borne by the Revenue Bonds, will mature on the maturity date of such bonds and will be nontransferable by the Trustee. The supplemental indenture will provide, however, that the obligation of Georgia to make payments with respect to the Collateral Bonds will be satisfied to the extent that payments are made under the Agreements sufficient to meet payments when due in respect of the Revenue Bonds. The supplemental indenture will provide that upon acceleration by the Trustee of the principal amount of all outstanding Revenue Bonds under the Indentures, the Trustee may demand the mandatory redemption of the Collateral Bonds then held by it as collateral at a redemption price equal to the principal amount thereof plus accrued interest, if any, to the date fixed for redemption.

The supplemental indentures will also provide that, upon the option redemption of the Revenue Bonds, in whole or in part, at any time after they have been outstanding for 10 years, an equal principal amount of the Collateral Bonds will be redeemed at an initial premium of 3 percent declining by ½ percent every year. Because interest accrues in respect of the Collateral Bonds until satisfied by payments under the Agreements, "annual interest charges" in respect of the Collateral Bonds will be included in computing the "interest earnings requirement" restricting the amount of first mortgage bonds which may be issued and sold to the public in relation to Georgia's net earnings. The Collateral Bonds will be issued on the basis of unfunded net property additions.

The indentures will provide that, upon deposit with the Trustee of funds sufficient to pay or redeem all or any part of the Revenue Bonds, or upon direction to the Trustee by Georgia to so apply funds available therefor, or upon delivery of outstanding Revenue Bonds to the Trustee by or for the account of Georgia, the Trustee will be obligated to deliver to Georgia or for the account of Georgia the Collateral Bonds then held as collateral in an aggregate principal amount equal to the aggregate principal amount of Revenue Bonds for the payment or redemption of which such funds have been deposited or applied or which shall have been so delivered.

In order to comply with the appropriate statute of the State of Georgia, it will be necessary for Georgia to convey the Authorities such portion of the Projects as are now owned by Georgia ("Existing Facilities") subject to the Mortgage. Under the Agreements, Georgia will receive, out of the proceeds of the Revenue Bonds, an amount equal to Georgia's original cost for the Existing Facilities. The Existing Facilities will thereupon become a part of the Projects which are to be provided by the Authorities and which Georgia proposes to purchase as provided in the Agreements.

It is contemplated that the Revenue Bonds will be sold by the Authorities pursuant to arrangements with one or more underwriters. In accordance with the laws of the State of Georgia, the interest rate to be borne by the Revenue Bonds will be fixed by the Authorities. Georgia will not be party to the underwriting arrangements for the Revenue Bonds. Bond counsel are to issue an opinion that interest on the Revenue Bonds will be exempt from Federal income taxation. Georgia has been advised that the annual interest rates on obligations, the interest on which is tax exempt, historically have been and can be expected at the time of issue of the Revenue Bonds, to be 1½ percent to 2½ percent lower than the rates of obligations of like tenor and comparable quality, interest on which is fully subject to Federal income tax.

A portion of the revenue bonds to be issued by each Authority may be issued as a separate but contemporaneous issue of revenue bonds (the "Small Issue Bonds") whose tax exempt status depends upon section 103(c)(6) of the Internal Revenue Code of 1954, as amended (relating to small issues involving the acquisition, construction, reconstruction or improvement of land or property of a character subject to the allowance for depreciation), rather than upon section 103(c)(4)(F) (relating to providing air or water pollution control facilities) of such Code.

The maximum principal amount of the Small Issue Bonds of any Authority is $1,000,000 and, if any Small Issue Bonds of an Authority are issued, the maximum principal amount will be issued. To the extent the Authorities issue Small Issue Bonds, the amount of Revenue Bonds issued by the Authorities will be reduced so that the aggregate of the Revenue Bonds and Small Issue Bonds to be issued will not exceed the amounts set forth above. Separate Installment Sale Agreements and indentures will be provided in respect of the Small Issue Bonds which will be substantially similar to the Agreements and Indentures relating to the Revenue Bonds (aside from provisions relating to the kinds of facilities which may be financed thereby). The obligations of Georgia under the separate Installment Sales Agreements relating to

such series of Small Issue Bonds would be secured by a separate series of Georgia's first mortgage bonds issued under the Mortgage upon terms substantially similar to the Collateral Bonds relating to the Revenue Bonds. The Small Issue Bonds would be marketed contemporaneously with the Revenue Bonds.

The application-declaration states that the fees incident to the proposed disposition of the Existing Facilities, the issuance of the Collateral Bonds and the acquisition of the Projects (as distinguished from and excluding fees and expenses incident to the sale of the Revenue Bonds by the Authorities payable out of the proceeds of such sale) are to be filed by amendment. It is stated that the issuance of the Collateral Bonds is subject to the jurisdiction of the Georgia Public Service Commission and that no other State commission and no Federal commission, other than this Commission, has jurisdiction in respect thereof. It is stated that no other aspect of the proposed transactions is subject to the jurisdiction of any State commission or Federal commission, other than this Commission. Georgia states further that the competitive bidding requirements of Rule 50 in respect of the issuance of the Collateral Bonds are inappropriate under the circumstances described herein, inasmuch as the Collateral Bonds are to be issued and pledged solely to secure Georgia's obligations to the Authorities and no public offering of the Collateral Bonds is to be made.

Notice is further given that any interested person may, not later than October 1, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-26950 Filed 9-14-76;8:45 am]

[811-2531]

GREENWICH LIQUIDITY RESERVE, INC.

Proposal To Terminate Registration

Notice is hereby given that the Commission proposes, pursuant to section 8(f) of the Investment Company Act of 1940 ("Act"), to declare by order on its own motion that Greenwich Liquidity Reserve, Inc. ("Fund"), 124 Greenwich Avenue, Greenwich, Connecticut 06830, registered under the Act as an open-end, non-diversified management investment company, has ceased to be an investment company as defined in the Act.

The Commission files contain the following information concerning the Fund. The Fund was incorporated under the laws of Connecticut on August 5, 1974 and registered under the Act on October 8, 1974. On March 29, 1975 the Fund's shareholders unanimously voted to liquidate the Fund.

According to the Fund's president, upon liquidation each shareholder received the entire sum of money which he had paid in for shares plus interest allocated in accordance with the Fund's registration statement, and no shareholder suffered a financial loss of any kind. The Fund presently has no shareholders or assets and has been dissolved pursuant to the laws of Connecticut.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission, on its own motion or upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order which may be made upon appropriate conditions if necessary for the protection of investors, and upon taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than September 30, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of the interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon the Fund at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated upon the Act, an order disposing of the application may be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-26951 Filed 9-14-76;8:45 am]

[70-5781]

MIDDLE SOUTH FACILITIES, INC. AND MIDDLE SOUTH ENERGY, INC.

Post-Effective Amendment Regarding Proposed Issuance and Sale of Common Stock by Subsidiary Company to Holding Company

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), a registered holding company, and Middle South Energy, Inc. ("MESI"), 225 Baronne Street, New Orleans, Louisiana 70112, a subsidiary company of Middle South, have filed with this Commission a post-effective amendment to the application-declaration in this proceeding pursuant to sections 6(a), 7, 9(a), and 10 of the Public Utility Holding Company Act of 1935 ("Act") regarding the following proposed transactions. All interested persons are referred to the amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

By order in this proceeding dated January 20, 1976 (HCAR No. 19354), MSEI was authorized to issue and sell to Middle South (the holder of all of the outstanding shares of MSEI's common stock no par value per share), and Middle South was authorized to acquire, 53,000 additional shares of MSEI's common stock, for an aggregate purchase price of $53,000,000 in cash. Middle South and MSEI stated that it was preferable for the additional common stock to be sold at times coinciding with MSEI's cash needs, which are primarily determined by the nature and pace of the construction work on its Grand Gulf Nuclear Electric Station near Vicksburg, Mississippi. Accordingly, the applicants-declarants were granted authority to consummate the proposed transactions at various times through December 31, 1976.

In the post-effective amendment, it is stated that sales of the additional common stock aggregating 44,000 shares have occurred to August 27, 1976, leaving 9,000 remaining shares of common stock authorized to be sold through and including December 31, 1976. To enable MSEI to continue construction of the Grand Gulf Nuclear Electric Station

project and for other cash needs, authorization is now requested for the company to issue and sell, and for Middle South to acquire, in addition to the 9,000 remaining shares of common stock authorized to be sold through and including December 31, 1976, an additional 15,000 shares of its presently authorized but unissued common stock, no part value, to be sold as necessary during the same period at a price of $1,000 per share for an aggregate cash purchase price of $15,000,000.

It is further stated that to the extent funds are required from external sources to acquire the additional 15,000 shares of common stock, Middle South will obtain such funds through the issuance and sale of its unsecured short-term promissory notes issued under a revolving credit agreement dated as of June 1, 1976, with a group of banks headed by Manufacturers Hanover Trust Company of New York, as authorized by the Commission's order dated June 14, 1976 (HCAR No. 19570).

No State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than September 29, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said post-effective amendment to the application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as now amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-26952 Filed 9-14-76;8:45 am]

[SR-PSE-76-25]

PACIFIC STOCK EXCHANGE INC.

Order Approving Proposed Rule Change

On July 21, 1976, the Pacific Stock Exchange Incorporated (the "PSE"), 618 South Spring Street, Los Angeles, California 90014, filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78 (s)(b)(1) (the "Act"), as amended by Pub. L. No. 94-29, § 16 (June 4, 1975), and Rule 19b-4 thereunder, copies of a proposed rule change. The proposed rule change would amend the PSE's off-board trading restrictions to provide that the exemption thereto contained in subparagraph (xii) of section 4 of PSE Rule XIII apply only to transactions in dually listed securities. The PCE has stated that the language limiting that exemption to dually listed securities was "inadvertently omitted at the time PSE revised the Rule to comply with Rule 19c-1 of the Commission."[1]

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 12655 (July 26, 1976)) and by publication in the FEDERAL REGISTER (41 FR 32482 (August 3, 1976)). Interested persons were invited to submit written data, views and arguments concerning the submission by September 2, 1976. The Commission has not received any comments concerning the proposed rule change.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular the requirements of Section 6 of the Act, the rules and regulations thereunder, and Rule 19c-1 under the Act.[2]

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the proposed rule change referenced above be, and it hereby is, approved.

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

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-26953 Filed 9-14-76;8:45 am]

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[1] PSE Rule XIII, as amended by the PSE to conform with Rule 19c-1 under the Act, was approved by the Commission in Securities Exchange Act Release No. 12245 (March 23, 1976), 41 FR 13424 (March 30, 1976).

[2] The Commission notes that although the amendment by the proposed rule change of PSE Rule XIII renders more comprehensive that provision's restrictions on the ability of PSE members to effect transactions in securities otherwise than on the PSE, the proposed rule change was submitted to the Commission to correct a drafting error in an earlier amendment to PSE Rule XIII and is not inconsistent with Rule 19c-1 under the Act. Nonetheless, the Commission notes that beginning January 3, 1977, any provision of PSE Rule XIII, as amended by the proposed rule change approved today by the Commission, which would limit the ability of a PSE member acting as agent to effect transactions over-the-counter with a third market maker or non-member block positioner in any equity security which is listed on the PSE or to which unlisted trading privileges on the PSE have been extended will be inconsistent with Rule 19c-1 under the Act and will be unenforceable to that extent.

[811-1748]

SECURE LIFE INVESTMENT TRUST

Proposal To Terminate Registration

Notice is hereby given that the Commission proposes, pursuant to section 8(f) of the Investment Company Act of 1940 ("Act"), to declare by order upon its own motion that Secure Life Investment Trust ("SLIT"), P.O. Box 4484, Tucson, Arizona 85717, registered under the Act as an open-end, diversified, management investment company, has ceased to be an investment company as defined in the Act.

Information in the Commission's files indicates that SLIT was organized as an Arizona corporation on February 9, 1963, and that it filed a Notification of Registration under the Act on Form N-8A on October 21, 1968, in connection with a proposed offering of its securities. However, no registration statement in respect of such securities has been filed pursuant to the Securities Act of 1933.

Mr. Edwin A. Kerschke, SLIT's president, has made the following representations to the Commission staff: (1) That, as of June 30, 1976, SLIT had net assets of $169,040; (2) that all the outstanding capital stock of SLIT, consisting of 12,582 shares of common stock, is owned by six members of the Kerschke family; (3) that no securities of SLIT have been sold to the public; and (4) that SLIT's board of directors has determined that there will be no public offering of its securities.

Section 8(f) of the Act provides, in part, that when the Commission on its own motion finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and, upon the effectiveness of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than September 28, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on this matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon SLIT at the address set forth above. Proof of such service (by affidavit or, in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the matter will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the

hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-26954 Filed 9-14-76;8:45 am]

[812-3996]

SOURCE CAPITAL, INC. AND WELDED TUBE CO. OF AMERICA

Filing of Application for an Order Exempting Proposed Transaction

Notice is hereby given that Source Capital, Inc. ("Source"), 1888 Century Park East, Los Angeles, California 90067, a closed-end, diversified management investment company registered under the Investment Company Act of 1940 (the "Act"), and Welded Tube Co. of America ("Welded Tube"), 2400 S. Weccacoe Avenue, Philadelphia, Pennsylvania 19148, (collectively referred to as "Applicants"), have filed an application on July 23, 1976, for an order pursuant to Section 17(b) of the Act exempting from the provisions of section 17(a) of the Act a proposed purchase from Source by Welded Tube of (i) $1,422,952 principal amount of Welded Tube's 7 percent Senior Subordinated Notes due April 21, 1984 (the "Notes"); (ii) warrants exercisable until April 21, 1984 evidencing the right to purchase 53,600 shares of Welded Tube's common stock, $1.00 par value, at an exercise price of $10.28 per share (the "Warrants"); and (iii) 107,125 shares of Welded Tube's common stock, $1.00 par value (the "Common Stock"), for an aggregate proposed purchased price of $2,279,952 plus any accrued interest on the Notes. The Notes, the Warrants, and the Common Stock are hereinafter collectively referred to as the "Securities." All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

According to the application, Welded Tube is a Pennsylvania corporation which is primarily engaged in the manufacture and sale of welded steel tubing, and its common stock (as well as two classes of its publicly-held debentures) is listed on the American Stock Exchange.

Source states that its investment objective is to seek capital appreciation with sufficient current income to meet the dividend requirements of its outstanding preferred stock. At June 30, 1976, Source had total net assets of $175,064,288, of which approximately $50,000,000 consisted of investments in restricted securities, including the Securities which are the subject of the proposed transaction described herein.

The application states that the Notes and the Warrants were purchased by Source from Welded Tube in a private placement on April 23, 1969, at an aggregate purchase price of $2,143,000, which was equal to the original principal amount of the Notes, and that such principal amount of the Notes purchased by Source has been reduced to $1,422,952 by mandatory prepayments of principal of $180,012 in each of the years from 1973 through 1976. The Notes provide for such prepayments to continue through 1983 with the remaining balance of $162,868 payable in 1984.

The application further states that the Notes and the Warrants are not publicly traded, although, at the request of Source, Welded Tube is obligated at its expense to effect registration of the Notes and the Warrants (and underlying shares) under the Securities Act of 1933 and to effect qualification under the Trust Indenture Act of 1939. Applicants state that the Notes and Warrants may be deemed to be restricted securities while held by Source.

Applicants state that the Common Stock was purchased by Source in a private placement on April 23, 1969, at a purchase price of $8.00 per share, and that a total of 53,563 shares of the Common Stock were acquired by Source from the Estate of Philip Bailis, Deceased, and 53,562 shares of the Common Stock were acquired by Source from Louis Bailis, who was then, and is now, the President and Chairman of the Board of Directors of Welded Tube. Applicants further state that the Common Stock may be deemed restricted securities while held by Source, and, in the absence of registration under the Securities Act of 1933, may be sold only pursuant to applicable exemptions therefrom. Applicants state that Source does have certain registration rights with respect to the Common Stock; however, these rights are solely dependent on continued ownership of the Notes, the Warrants, or the shares issuable upon exercise of the Warrants, unless Source pays the costs of registration.

Section 2(a)(3) of the Act, in part, defines an "affiliated person" of another person as

> * * * (A) any person directly or indirectly owning, controlling, or holding with power to vote, 5 per centum or more of the outstanding voting securities of such other person; (B) any person 5 per centum or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power to vote by such other person * * * (D) any officer, director, partner, copartner, or employee of such other persons * * *.

Applicants state that the 107,125 shares of Common Stock of Welded Tube owned by Source constitute 10.2 percent of the 1,045,943 shares of Common Stock outstanding, and that, by reason of Source's ownership of more than 5 percent of the total outstanding voting securities of Welded Tube, Welded Tube is an "affiliated person" of Source as that term is defined in section 2(a)(3) of the Act. Applicants further assert that there is no affiliation between Welded Tube and Source other than the described Common Stock ownership.

Section 17(a) of the Act, in part, provides that it shall be unlawful for any affiliated person of a registered investment company, or any affiliated person of such a person, acting as a principal, knowingly to sell to or purchase from such investment company any security or other property.

Section 17(b) of the Act provides that the Commission, upon application, shall exempt from the provisions of section 17(a) a proposed transaction if evidence establishes that the terms of the proposed transaction, including the consideration to be paid or received, are fair and reasonable and do not involve any overreaching on the part of any party concerned, and that the proposed transaction is consistent with the policy of each registered investment company concerned and the general purposes of the Act.

Applicants assert that the proposed transaction is reasonable and fair and does not involve overreaching on the part of any person concerned. In support of this assertion, Applicants state that the proposed purchase price for the Common Stock ($8.00 per share for an aggregate of $857,000) is equal to that paid by Source in 1969, and is within the range at which such shares traded on the American Stock Exchange during 1976 (from a high sales price of $8.50 per share to a low of $5.50 per share) and is equal to the closing price of $8.00 per share (on a trading volume of 400 shares) on June 4, 1976, the date on which the offer to purchase was made. The Applicants state that the market prices for the shares of common stock of Welded Tube traded on the American Stock Exchange have ranged from a low of $2.00 to a high of $6.12 in 1973, from $3.12 to $7.00 in 1974, and from $5.62 to 9.00 in 1975.

The Applicants further state that the book value per share of the Common Stock was approximately $16.41 on January 31, 1976, the close of the last fiscal year of Welded Tube, and that earnings per share for the fiscal years ended January 31 of each of the past eight years were as follows:

1976	$1.94
1975	4.94
1974	.71
1973	.21
1972	(.14)
1971	(.16)
1970	.19
1969	.58

Thus, Applicants state, the proposed purchase price of the Common Stock is approximately one-half of the book value per share, and for the three-year period ended January 31, 1976, is slightly over three times the average annual earnings per share. The application states that Welded Tube has not paid a cash dividend since 1962.

The application states that the proposed purchase price for the Notes and the Warrants ($1,422,952 plus any accrued interest on the Notes) is equal to the current principal amount of the Notes, and that the Notes are, therefore, being purchased at a discount. Applicants state that the proposed purchase price for the Notes and Warrants is the same as the price Welded Tube has agreed to pay for the purchase of sim-

ilar securities from an insurance company which also acquired such securities in the 1969 private placement. According to the application, the insurance company presently owns no shares of Welded Tube's common stock, having tendered its common stock to Welded Tube in 1975 as part of an Exchange Offer in which Welded Tube offered its 10 percent Subordinated Debentures due 1995 at $10.00 principal amount for each share of common stock tendered. Applicants state that approximately 419,000 shares of its common stcok were purchased by Welded Tube pursuant to that Exchange Offer. Applicants state that the closing of the proposed transaction with the insurance company is conditional on the closing of the proposed transaction which is the subject of this application

Source states that during the past several years, it has been reducing the percentage of its assets which are invested in restricted securities, and that it has determined to dispose of the Securities based upon its evaluation thereof as portfolio securities in comparison with alternative investment opportunities in freely traded securities. Source maintains that it desires to sell this position in order to utilize the funds available therefrom for investments in freely traded securities.

Source states its belief that the proposed transaction is beneficial to it because it will receive a purchase price approximating its estimate of the value of the Securities without the risks inherent in alternative means of liquidating this investment. It further believes that the proposed transaction eliminates the market risks which would otherwise be incurred during the registration process and during the period of time required to sell the Securities. In addition, Source states that it would not incur any underwriting or brokerage commissions or expenses in connection with the proposed transaction.

Welded Tube asserts that the terms of the proposed transaction are the result of "arm's length" negotiations between it and Source, and that, in the judgment of itself and its investment banker, such terms are reasonable and fair and do not involve overreaching on the part of either party.

Welded Tube states in the application that it believes that the purchase of the Securities in its best interests and in the best interests of its shareholders. It states that a number of factors, including the book value and market price of its common stock, the burden and potential dilution presented by the continued existence of the Warrants, the costs of federal securities registration and trust indenture qualification, the release of Welded Tube from affirmative and negative covenants in favor of Source under the Notes, and the difficulties both to the maintenance of an orderly market in its common stock and its future flexibility, all served to make the repurchase of the Securities under the terms agreed upon, beneficial to Welded Tube.

The application states that Welded Tube considers it significant that the purchase price for the Common Stock (as well as the exercise price of the Warrants) is substantially less than the book value of its common stock, and that therefore the effect of the purchase of the Common Stock would be to increase the book value per share of Welded Tube common stock. Welded Tube further states, however, that it has recently called for redemption $2,193,000 outstanding principal amount of its 7 percent Senior Subordinated Convertible Debentures which are convertible at $7.00 per share, and that, in the event these holders choose to convert prior to redemption, such conversions would reduce book value per share. Therefore, Welded Tube states that it is unable at the present time to predict the net effect of the proposed purchase of the Common Stock and the possible conversions of Debentures on book value per share.

Welded Tube states that it will also avoid the substantial expense of registration of the Securities under the Securities Act of 1933 (and qualification under the Trust Indenture Act of 1939) which may be required by Source as an alternative means of liquidating its investment, and that the proposed transaction would also avoid the disorderly impact on the market which could result from an offering or offerings of such a substantial block of securities.

Moreover, Welded Tube asserts that for the life of the Warrants, Source would have the opportunity to profit from a rise in the market for Welded Tube common stock with a resulting dilution of the interests of other Welded Tube shareholders. It also asserts that the terms under which Welded Tube could obtain additional capital during the period for which the Warrants are exercisable could be adversely affected and Source could be expected to exercise the Warrants at a time when Welded Tube would, in all likelihood, be able to obtain any needed additional capital by a new offering of securities on terms more favorable than those provided for by the Warrants.

Welded Tube maintains that the purchase of the Warrants will enable it to avoid the substantial and continual expense and burden it would be obligated to incur in keeping a registration statement current with respect to the Warrants and the shares of its common stock issuable thereunder. Welded Tube states that it is aware that the continuation of an effective registration statement covering the Warrants until 1984 would be costly and would involve burdensome expenditures of time by its officers and employees. In addition, Welded Tube states that any liquidation by Source of the Securities under a registration statement over a sustained period of time could interfere with Welded Tube's ability to raise capital through the sale of its securities.

The application states that, while the interest rate on the Notes is fixed at an attractive level to Welded Tube, the mandatory prepayment provisions reduce the average maturity of the Notes to about three years and result in an effective debt service of a large amount in comparison to the remaining balance.

According to the application, Wertheim & Co., Inc. ("Wertheim"), a member firm of the New York Stock Exchange, acted as the agent for Welded Tube in negotiating the terms of the proposed transaction, and these negotiations principally were conducted by James A. Harmon, a Vice President and Chairman of the Investment Banking Committee of Wertheim. Welded Tube states that it has been advised by Mr. Harmon that he does not control Wertheim. In addition, the application states that Mr. Harmon has served as a Director of Welded Tube since 1967, and that he has been an officer of Wertheim since 1974. Upon consummation of the proposed transaction, Wertheim will be entitled to receive from Welded Tube a broker's commission of 1% of the purchase price, and Mr. Harmon's compensation will not exceed that amount.

Applicants assert that neither Wertheim nor Mr. Harmon is an "affiliated person" of Source under section 2(a)(3) of the Act and that neither Wertheim nor Mr. Harmon have acted as a broker for Source, or as a principal in connection with the purchase or sale of any securities by Source during the last two years.

Applicants contend that the proposed transaction is the result of "arm's length" negotiations between Source and Welded Tube and that, for the reasons discussed in the application and summarized above, the transaction is beneficial to both parties concerned. Applicants also state that the proposed transaction is consistent with the investment policies of Source and the general purposes of the Act as expressed in Section 1 thereof.

Notice is further given that any interested person may, not later than September 27, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter, accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of such service (by affidavit or, in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing,

or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-26955 Filed 9-14-76;8:45 am]

[812-4021]

USLIFE FUNDS, INC. AND ROBERT H. CRAFT

Filing of Application for Exemption

Notice is hereby given that Uslife Funds, Inc. ("Company"), One Exchange Place, Jersey City, New Jersey 07302, a Maryland corporation registered under the Investment Company Act of 1940 ("Act") as an open-end, diversified, management investment company, and Robert H. Craft ("Craft"), 1230 Avenue of the Americas, New York, New York 10020, a director of the Company, (hereinafter together referred to as "Applicants"), have filed an application on August 25, 1976, and an amendment thereto on September 7, 1976, for an order of the Commission pursuant to section 6(c) of the Act declaring that Craft shall not be deemed an "interested person" of the Company, its principal underwriters or its investment adivser within the meaning of section 2(a)(19) of the Act solely by reason of his status as a director of the Massachusetts Mutual Life Insurance Company ("Mass Mutual"), and a director of Mass Mutual Corporate Investors, Inc. ("Corporate Investors"), and of Mass Mutual Income Investors, Inc. ("Income Investors"). All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

According to the application, Craft, a director of the Company, is also a director and member of the Executive and Investment Policy Committees of Mass Mutual, a broker-dealer registered under the Securities Exchange Act of 1934. Mass Mutual, an insurance company, is also the investment adviser to, and sponsor of, Corporate Investors and Income Investors, both of which are closed-end management investment companies registered under the Act. The Applicants state that Mass Mutual has registered as a broker-dealer solely because it sells variable annuities, and that it does not otherwise act as a broker-dealer in any capacity.

USLIFE Mutual Funds Management Corp. ("Funds Management"), a wholly-owned subsidiary of USLIFE Corporation, is the Company's current investment adviser and one of its principal underwriters. The application states that National Life Investment Management Company, Inc., a wholly-owned subsidiary of National Life Insurance Company (which is a mutual life insurance company), and USLIFE Corporation have reached an agreement whereby National Life Investment Management Company, Inc. would acquire (the "Acquisition") on or about September 30, 1976, all the outstanding stock of Funds Management. Upon the Acquisition, National Life Investment Management Company, Inc. will become the sole stockholder and new parent of Funds Management, and Funds Management's name will be changed to National Life Investment Advisors, Inc.

Funds Management and USLIFE Equity Sales Corp., a wholly-owned subsidiary of USLIFE Corporation, both currently act as principal underwriters for shares of the Company. Applicants state that the board of directors of the Company has approved proposed new underwriting agreements with National Life Investment Advisors, Inc., and with Equity Services, Inc., a wholly-owned subsidiary of National Life Investment Management Company, Inc. The proposed new underwriting agreements will each become effective upon the Acquisition. The new underwriting agreement with National Life Investment Advisors, Inc., will replace the existing agreement with Funds Management which would terminate automatically upon the Acquisition. The new underwriting agreement with Equity Services, Inc. will replace the existing underwriting agreement with USLIFE Equity Sales Corp. which will terminate by mutual consent upon the Acquisition.

Section 2(a)(19)(A)(iii) of the Act includes, within the definition of "interested person" of an investment company, "any interested person of any investment adviser of or principal underwriters for such company."

Both section 2(a)(19)(A)(v) of the Act, with respect to an "interested person" of an investment company, and section 2(a)(19)(B)(v) of the Act, with respect to an "interested person" of a principal underwriter or investment adviser to an investment company, define an "interested person" to include "any broker or dealer registered under the Securities Exchange Act of 1934 or any affiliated person of such a broker or dealer."

Applicants state that although Craft is not a registered broker-dealer, he is a director, and therefore an affiliated person, of Mass Mutual and consequently would be, upon the Acquisition, an "interested person" of the Company, National Life Investment Advisors, Inc., and Equity Services, Inc. within the meaning of section 2(a)(19) of the Act.

The application states that, upon the acquisition and subject to election by the Company's shareholders, the Company's board of directors will be increased to nine members and will be composed, among others, of (1) Craft, and (2) two other persons affiliated with National Life Investment Management Company, Inc. and National Life Insurance Company, and therefore "interested persons" of the Company, its adviser, and its principal underwriters.

Section 2(a)(4) of the Act includes, within the definition of "assignment", any transfer of a controlling block of the assignor's outstanding voting securities by a security holder of the assignor.

Section 15(f)(1) of the Act provides, in part, that an investment adviser of a registered investment company or an affiliated person of such investment adviser may receive any amount or benefit in connection with the sale of an interest in such investment adviser which results in the assignment of an investment advisory contract with such company, if certain specified conditions are met. One of those conditions, set forth in section 15(f)(1)(A), is that, for a period of three years after the time of such action, at least 75 per centum of the members of the board of directors of such registered company are not "interested persons" of either the investment adviser or the predecessor investment adviser of such company.

Thus, the Company may not meet the conditions specified in Section 15(f)(1)(A) if Craft is deemed to be an "interested person" of National Life Investment Advisors, Inc. or Funds Management.

On May 10, 1973, an order of the Commission (Investment Company Act Release No. 7812) was issued pursuant to section 6(c) of the Act declaring that Craft shall not be deemed an "interested person" of a predecessor of the Company by reason of his status as a director of Mass Mutual. The Company states its belief that it is in the Company's best interests that Craft continue to serve as a disinterested director of the Company and thereby assure that it has as many disinterested directors as possible to act for all purposes under the Act.

In view of the foregoing, applicants request an order declaring that Craft, effective upon the acquisition, shall not be deemed to be an "interested person" of the Company, its principal underwriters, or its investment adviser (including any predecessor adviser).

Applicants assert that Craft has no relationship with the Company or with Funds Management and will have no relationship after the Acquisition with the Company, National Life Investment Advisors, Inc. or Equity Services, Inc., other than through his position as director and as a shareholder of the Company. According to the application, Craft is not an officer of Mass Mutual or of any affiliated company of Mass Mutual, nor is he or will he be, upon the Acquisition, an officer of National Life Insurance Company, National Life Investment Management Company, Inc., National Life Investment Advisors, Inc., Equity Services, Inc. USLIFE Equity Sales, Inc., or USLIFE Corporation.

The application states that the company represents and warrants to the Commission that the Company has not and, so long as Craft is a director of the Company, will not, knowingly purchase any securities from or through, or sell any securities to, for or through, Mass Mutual.

Applicants state their belief that Craft has been, and is in fact, an independent director of the Company and that his relationship with the Company is in no

way altered by his being a director of Mass Mutual. Applicants state that they have no doubt that Craft will be able to discharge his duties as director of the Company free from any conflicts of interest and that he will exercise the impartial judgment on behalf of the Company and their shareholders which is expected of an independent director.

Section 6(c) of the Act provides, in part, that the Commission, by order upon application, may conditionally or unconditionally exempt any person or transaction from any provision of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than September 28, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of such service (by affidavit or, in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMON:,
Secretary.

[FR Doc.76–26956 Filed 9–14–76;8:45 am]

[Release No. 34–12762]

CERTAIN FOREIGN SECURITIES

List of Foreign Issuers Which Have Submitted Information Concerning Exemptions

Foreign issuers with more than $1,000,000 in assets and a class of equity securities held by 500 or more shareholders, of which 300 or more shareholders reside in the United States, are subject to the registration, reporting, proxy and insider trading provisions of the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq., as amended by Pub. L. No. 94–29 (June 4, 1975)) (the "Act").[1]

Rule 12g3–2(b) (17 CFR 240. 12g3–2 (b)) provides an exemption from registration under section 12(g) of the Act for a foreign issuer which submits on a current basis material specified in the Rule to the Commission. Such required material includes that information about which investors ought reasonably to be informed with respect to the issuer and its subsidiaries and which the issuer (1) has made public pursuant to the law of the country of its domicile or in which it is incorporated or organized, (2) has filed with a stock exchange on which its securities are traded and which was made public by such exchange and/or (3) has distributed to its security holders.

When it adopted Rule 12g3–2 and other rules relating to foreign securities (see Securities Exchange Act Release No. 8066, April 28, 1967), the Commission indicated that from time to time it would issue lists containing those foreign issuers which have obtained exemptions from the registration provisions of Section 12(g) of the Act by providing the information specified in Rule 12g3–2(b). The purpose of the present release is to call to the attention of brokers, dealers and investors that some form of current information concerning the foreign issuers included on the attached list is available in the public files of the Commission. The attached list includes those foreign issuers which, as of July 31, 1976, are current in furnishing information under Rule 12g3–2(b). There is a total of 152 foreign issuers on the list.

The Commission also wishes to call to the attention of brokers, dealers, and investors that fact that current information concerning certain foreign issuers may not be available in the United States. The Commission continues to expect that brokers and dealers will consider this fact in connection with their obligations under the federal securities laws to have a reasonable basis for recommending these securities to their customers. The Commission will continue to review activity in the markets for foreign securities to see whether the present rules are achieving their purpose and whether further rules or rule revisions are necessary in the public interest or for the protection of investors.

Any questions regarding Rule 12g3–2 or the list included herein should be directed to the Office of International Corporate Finance, Division of Corporation Finance.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

SEPTEMBER 2, 1976.

[1] Foreign issuers may also be subject to such requirements of the Act by reason of having securities registered and listed on a national securities exchange in the United States or subject to the reporting requirements by reason of having registered securities under the Securities Act of 1933 (15 U.S.C. 77a et seq., as amended by Pub. L. No. 94–29 (June 4, 1975)).

Foreign issuers which are current in submitting material pursuant to the provisions of rule 12g3–2(b) as of July 31, 1976

Registrant	File No.	Country
Abitibi Paper Co., Ltd.	82–80	Toronto, Ontario, Canada.
Agnico-Eagle Mines Ltd.	82–179	Do.
Aktiebolaget Svenska Kullagerfabriekn.	82–139	Gothenberg, Sweden.
Algoma Steel Corp. Ltd.	82–99	Sault Ste. Marie, Ontario, Canada.
Anglo American Corp. of South Africa Ltd.	82–97	Johannesburg, South Africa.
Anglo American Gold Investment Co. Ltd.	82–146	Do.
Anglo-Ecuadorian Oilfields Ltd.	82–252	Swindon, England.
Anglo United Development Corp. Ltd	82–190	Toronto, Ontario, Canada.
B.A.T. Industries Ltd.	82–33	London, England.
Bank of Montreal	82–126	Montreal, Quebec, Canada.
Bank of Nova Scotia	82–132	Toronto, Ontario, Canada.
Bankeno Mines Ltd.	82–162	Do.
Basic Resources International S.A.	82–203	Luxembourg, Luxembourg.
Beecham Group Ltd.	82–22	Middlesex, England.
Bell Canada	82–2	Montreal, Quebec, Canada.
Bethlehem Copper Corp.	82–248	Vancouver, British Columbia, Canada.
Bison Petroleum & Minerals Ltd.	82–161	Toronto, Ontario, Canada.
Blyvooruitzicht Gold Mining Co., Ltd.	82–69	Johannesburg, South Africa.
Bovis Corp. Ltd	82–62	Toronto, Ontario, Canada.
The Bowater Corp.	82–3	London, England.
Bralorne Resources Ltd.	82–143	Vancouver, British Columbia, Canada.
Brascan, Ltd.	82–4	Toronto, Ontario, Canada.
Bridger Petroleum Corp. Ltd.	82–247	Calgary, Alberta, Canada.
Brinco Ltd.	82–102	Montreal, Quebec, Canada.
Broken Hill Proprietary Co. Ltd.	82–81	Melbourne, Australia.
Burmah Oil Co. Ltd.	82–5	Glasgow, Scotland.
Camflo Mines Ltd.	82–193	Toronto, Ontario, Canada.
Canadian Imperial Bank of Commerce.	82–103	Do.
Canadian Marconi Co.	82–86	Montreal, Quebec, Canada.
Celanese Canada Ltd.	82–171	Do.
Charter Consolidated Ltd.	82–233	London, England.
Chromasco Ltd.	82–106	Montreal, Quebec, Canada.
Cochenour Willans Gold Mines Ltd.	82–63	Toronto, Ontario, Canada.
Cominco Ltd.	82–107	Montreal, Quebec, Canada.
Coniagas Mines, Ltd.	82–168	Toronto, Ontario, Canada.
Consolidated-Bathurst Ltd.	82–172	Montreal, Quebec, Canada.
Consolidated Gold Field Ltd.	82–251	London, England.
Cygnus Corp., Ltd.	82–110	Calgary, Alberta, Canada.
Daggafontein Mines Ltd.	82–43	Johannesburg, South Africa.
DeBeers Consolidated Mines, Ltd.	82–91	Do.
Deelkraal Gold Mining Co. Ltd.	82–246	Do.
Den Norske Amerikalinje A/S.	82–111	Oslo, Norway.
Denison Mines Ltd.	82–155	Toronto, Ontario, Canada.
Dickenson Mines Ltd.	82–8	Do.
Dominion Bridge Co. Ltd.	82–93	Montreal, Quebec, Canada.
Dominion Foundries & Steel Co.	82–114	Hamilton, Ontario, Canada.
Dominion Textile Co. Ltd.	82–113	Montreal, Quebec, Canada.
Domtar Ltd.	82–18	Do.
Doornfontein Gold Mining Co. Ltd.	82–213	Johannesburg, South Africa.
Dresdner Bank A G.	82–229	Frankfurt A.M., Federal Republic of Germany.
Dupont of Canada Ltd.	82–19	Montreal, Quebec, Canada.

Registrant	File No.	Country
Durban Roodepoort Deep Ltd.	82-156	Johannesburg, South Africa.
East Daggafontein Mines Ltd.	82-42	Do.
East Driefontein Gold Mining Co., Inc.	82-124	Do.
East Malartic Mines Ltd.	82-212	Toronto, Ontario, Canada.
L. M. Ericsson Telephone Co.	82-115	Stockholm, Sweden.
Falconbridge Nickel Mines Ltd.	82-30	Toronto, Ontario, Canada.
Fiat SPA	82-116	Turin, Italy.
Fisons Ltd	82-202	London, England.
Ford Motor Co. of Canada Ltd.	82-20	Oakville, Ontario, Canada.
Free State Geduld Mines Ltd.	82-40	Johannesburg, South Africa.
Fuji Photo Film Co., Ltd.	82-78	Tokyo, Japan.
Geduld Investments Ltd.	82-234	Johannesburg, South Africa.
Glaxo Holdings Ltd	82-10	London, England.
Gold Fields of South Africa, Ltd.	82-204	Johannesburg, South Africa.
Gold Fields Property Co. Ltd.	82-214	Do.
Goldex Mines Ltd	82-181	Toronto, Ontario, Canada.
Granisle Copper Ltd	82-26	Vancouver, British Columbia, Canada.
Great Canadian Oil Sands Ltd.	82-228	Toronto, Ontario, Canada.
Great West Life Assurance Co.	82-77	Winnipeg, Manitoba, Canada.
Groundstar Resources Ltd.	82-249	Toronto, Ontario, Canada.
Gulf Oil Ltd. (Canada)	82-101	Do.
Harmony Gold Mining Co. Ltd.	82-238	Johannesburg, South Africa.
IAC Ltd	82-12	Toronto, Ontario, Canada.
Imasco Ltd	82-118	Montreal, Quebec, Canada.
Indusmin Ltd	82-201	Toronto, Ontario, Canada.
The Investors Group	82-13	Winnipeg, Manitoba, Canada.
Japan Air Lines Ltd	82-122	Tokyo, Japan.
Kloof Gold Mining Co. Ltd.	82-205	Johannesburg, South Africa.
La Luz Mines Ltd	82-237	Toronto, Ontario, Canada.
Lake Shore Mines Ltd	82-15	Do.
Leslie Gold Mines Ltd	82-223	Johannesburg, South Africa.
Libanon Gold Mining Co. Ltd.	82-215	Do.
Little Long Lac Mines Ltd.	82-198	Toronto, Ontario, Canada.
Lonrho Ltd	82-191	London, England.
Magnum Fund Ltd	82-125	Amsterdam, The Netherlands.
Mentor Exploration & Development Co., Ltd.	82-178	Toronto, Canada.
M.I.M. Holdings Ltd	82-173	Brisbane, Australia.
Minerals and Resources Corp. Ltd.	82-206	Pembroke, Bermuda.
Moore Corp. Ltd	82-128	Toronto, Ontario, Canada.
Na-Churs International Ltd.	82-209	Do.
Nissan Motor Co., Ltd	82-207	Tokyo, Japan.
Noranda Mines Ltd	82-158	Toronto, Ontario, Canada.
Oceanic Iron Ore of Canada Ltd.	82-159	Do.
Overseas Inns SA	82-166	Luxembourg, Luxembourg.
Patino N.V	82-135	The Hague, The Netherlands.
Peso Silver Mines Ltd	82-32	Vancouver, British Columbia, Canada.
Pioneer Electronic Corp.	82-243	Tokyo, Japan.
Portcomm Communications Corp. Ltd.	82-250	Toronto, Ontario, Canada.
Potgietersrust Platinums Ltd.	82-240	Johannesburg, South Africa.
Power Corp. of Canada Ltd.	82-137	Montreal, Quebec, Canada.
President Brand Gold Mining Co. Ltd.	82-39	Johannesburg, South Africa.
President Steyn Gold Mining Co. Ltd.	82-44	Do.
Quebec Sturgeon River Mines Ltd.	82-186	Toronto, Ontario, Canada.
Rank Organisation Ltd.	82-17	London, England.
Reed Shaw Osler Ltd	82-254	Toronto, Ontario, Canada.
Rothmans International Ltd.	82-84	Basildon, Essex, England.
Royal Trust Co	82-196	Montreal, Quebec, Canada.
Sabina Industries Ltd	82-244	Toronto, Ontario, Canada.
St. Helena Gold Mines Ltd.	82-232	Johannesburg, South Africa.
Shell Canada Ltd	82-94	Toronto, Ontario, Canada.
Sherritt Gordon Mines, Ltd.	82-29	Do.
Siemens Aktiengesellschaft.	82-73	Munich, Federal Republic of Germany.
Simpsons Ltd	82-53	Toronto, Ontario, Canada.
South African Land & Exploration Co., Ltd.	82-59	Johannesburg, South Africa.
Southvaal Holdings Ltd.	82-197	Do.
Spartan Capital Corp. Ltd.	82-160	Montreal, Quebec, Canada.
Spooner Mines and Oils Ltd.	82-112	Toronto, Ontario, Canada.
Stampede International Resources Ltd.	82-242	Vancouver, British Columbia, Canada.
Steel Co. of Canada Ltd.	82-141	Toronto, Ontario, Canada.
Sudbury Contact Mines Ltd.	82-180	Do.
TDK Electronics Co., Ltd.	82-255	Tokyo, Japan.
Taro-Vit Chemical Industries Ltd.	82-210	Haifa, Israel.
Thomson Industries Ltd.	82-174	Calgary, Alberta, Canada.
The Tokyo Electric Power Co. Inc.	82-72	Tokyo, Japan.
Toronto Dominion Bank.	82-142	Toronto, Ontario, Canada.
Toyota Motor Co., Ltd.	82-208	Tokyo, Japan.
U.C. Investments Ltd.	82-235	Johannesburg, South Africa.
Ultra Electronic Holdings Ltd.	82-50	London, England.
Union Gas Ltd	82-49	Chatham, Ontario, Canada.
Union Platinum Mining Co. Ltd.	82-241	Johannesburg, South Africa.
Unisel Gold Mines Ltd.	82-236	Do.
United Keno Hill Mines Ltd.	82-61	Toronto, Ontario, Canada.
United Siscoe Mines Ltd.	82-194	Montreal, Quebec, Canada.
Upper Canada Resources Ltd.	82-134	Do.
Vaal Reefs Exploration and Mining Co. Ltd.	82-56	Johannesburg, South Africa.
Velcro Industries N.V.	82-14	Curacao, Netherlands Antilles.
Venterspost Gold Mining Co. Ltd.	82-216	Johannesburg, South Africa.
Vlakfontein Gold Mining Co. Ltd.	82-217	Do.
Voyager Petroleums Ltd.	82-189	Calgary, Alberta, Canada.
Waterval (Rustenburg) Platinum Mining Co. Ltd.	82-218	Johannesburg, South Africa.
Welkom Gold Mining Co. Ltd.	82-57	Do.
West Driefontein Gold Mining Co. Ltd.	82-90	Do.
Western Deep Levels Ltd.	82-58	Do.
Western Holdings Ltd	82-54	Do.
Western Mines Ltd	82-253	Vancouver, British Columbia, Canada.
Willroy Mines Ltd	82-182	Toronto, Ontario, Canada.
Winkelhaak Mines Ltd.	82-221	Johannesburg, South Africa.
F. W. Woolworth and Co. Ltd.	82-200	London, England.
Wright Hargreaves Mines Ltd.	82-60	Toronto, Ontario, Canada.
Zambia Copper Investments Ltd.	82-227	Pembroke, Bermuda.

[FR Doc.76-26836 Filed 9-14-76;8:45 am]

SMALL BUSINESS ADMINISTRATION

CONCORD DISTRICT ADVISORY COUNCIL

Public Meeting Change

The Small Business Administration Concord District Advisory Council has changed the date of its public meeting from 10:00 a.m., Thursday, September 9, 1976, to 10:00 a.m. until 12 noon, Thursday, September 30, 1976, at the Minary Center at Squam Lake in Holderness, New Hampshire, to discuss such matters as may be presented by members, staff of the Small Business Administration, or others present. For further information, write or call Bert F. Teague, U.S. Small Business Administration, 55 Pleasant Street, Concord, New Hampshire 03301, (603) 834-4724.

Dated: September 2, 1976.

HENRY V. Z. HYDE, Jr.,
Deputy Advocate for Advisory Councils.

[FR Doc.76-26932 Filed 9-14-76;8:45 am]

[License No. 05/07-0078]

CONTINENTAL ILLINOIS VENTURE CORP.

Approval of the Transfer of Control of a Small Business Investment Company

On August 13, 1976, a notice was published in the FEDERAL REGISTER (41 FR 34374) stating that Continental Illinois Venture Corporation, 231 South LaSalle Street, Chicago, Illinois 60604 had filed an application with the Small Business Administration (SBA), pursuant to § 107.701 of the rules and regulations governing small business investment companies (13 CFR 107.701 (1976)) for the transfer of control of this company.

Interested parties were given to the close of business August 28, 1976, to submit written comments to SBA. No comments were received.

Notice is hereby given that, having considered the application and all other pertinent information, SBA approved the application for transfer of control effective August 30, 1976.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: September 3, 1976.

GERALD L. FEIGEN,
Acting Deputy Associate Administrator for Investment.

[FR Doc.76-26929 Filed 9-14-76;8:45 am]

[License No. 02/02-5286]

EQUITABLE LIFE COMMUNITY ENTERPRISES CORP.

Filing of Application for Approval of Conflict of Interest Transaction

Notice is hereby given that The Equitable Life Community Enterprises Corporation (licensee), 1285 Avenue of the Americas, New York, New York 10019, a

small business investment company licensed under section 301(d) of the Small Business Investment Act of 1958, as amended (the Act), has filed with the Small Business Administration (SBA) an application for exemption from the provision of 13 CFR 107.1004 (1976).

Licensee proposes to invest $150,000 in a combination of 8 percent capital notes ($100,000) due July 1, 1985, and convertible preferred stock ($50,000) in Freedom National Bank (Freedom) of New York City. This investment will constitute less than one percent of the capital of Freedom.

The proposed financing comes within the purview of the cited regulation by virtue of the fact that Mr. Frank Savage, a director of the licensee, is also a director of Freedom. Mr. Savage does not own any stock in Freedom.

Notice is hereby given that any person may, on or before September 30, 1976, submit comments to SBA on the proposed transaction. Any such comments should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street, N.W., Washington, D.C. 20416.

Notice is further given that any time after such date, SBA may dispose of the application on the basis of the information set forth therein and other relevant data.

(Catalog of Federal Domestic Assistance Program No. 59011 Small Business Investment Companies)

Dated: September 7, 1976.

GERALD L. FEIGEN,
Acting Deputy Associate Administrator for Investment.

[FR Doc.76-26930 Filed 9-14-76;8:45 am]

[License No. 06/06-0161]

PERMIAN BASIN CAPITAL CORP.

Approval of the Transfer of Control of a Small Business Investment Company

On August 10, 1976, a notice was published in the FEDERAL REGISTER (41 FR 33591) stating that Permian Basin Capital Corporation, 303 West Wall Avenue, Midland, Texas 79701, had filed an application with the Small Business Administartion (SBA), pursuant to § 107.701 of the rules and regulations governing small business investment companies (13 CFR 107.701 (1976)), for the transfer of control of this company to the First National Bank of Midland.

Interested parties were given to the close of business August 26, 1976, to submit their written comments to SBA.

Notice is hereby given that, having considered the application and all other data, SBA approved this application for transfer of control effective August 31, 1976.

(Catalog of Federal Domestic Assistance Program No. 59.111, Small Business Investment Companies)

Dated: September 2, 1976.

GERALD L. FEIGEN,
Acting Deputy Associate Administrator for Investment.

[FR Doc.76-26931 Filed 9-14-76;8:45 am]

VIRGIN ISLANDS BRANCH OF THE HATO REY DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration Virgin Islands Branch of the Hato Rey District Advisory Council will hold a public meeting at 10:00 a.m., Tuesday, October 19, 1976, at the Florence Williams Library, Christiansted, St. Croix, Virgin Islands, to discuss such matters as may be presented by members, staff of the Small Business Administration, or others present. For further information, write or call Antonio Yordan, U.S. Small Business Administration, U.S. Courthouse & Federal Building, Room 691, Carlos Chardon Avenue, Hato Rey, Puerto Rico 00918, (809) 763-6363.

Dated: September 7, 1976.

HENRY V. Z. HYDE, Jr.,
Deputy Advocate for Advisory Councils.

[FR Doc.76-26933 Filed 9-14-76;8:45 am]

VETERANS ADMINISTRATION

CAREER DEVELOPMENT COMMITTEE

Notice of Meeting

The Veterans Administration gives notice pursuant to Public Law 92-463 that a meeting of the Career Development Committee, authorized by 38 U.S.C. 4101, will be held in Room A-53 of the Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C. 20420, October 18-19, 1976, at 8:30 a.m. The meeting will be for the purpose of scientific review of applications for appointment to the Career Development Program in the Veterans Administration system. The Committee advises the Director, Medical Research Service on selection and appointment of Associate Investigators, Research Associates, Clinical Investigators, Medical Investigators, Senior Medical Investigators and William S. Middleton Award Nominees.

The meeting will be open to the public up to the seating capacity of the room from 8:30 a.m. to 9 a.m. to discuss the general status of the program. Because of the limited seating capacity of the room, those who plan to attend should contact Mrs. Darlene R. Whorley, Executive Secretary of the Committee, VA Central Office, Washington, DC (202-389-2317) prior to October 12, 1976.

The meeting will be closed from 9 a.m. to 5 p.m. on October 18-19 for consideration of individual applications for positions in the Career Development Program. This necessarily requires examination of personnel files and discussion and evaluation of the qualifications, competence, and potential of the several candidates, disclosure of which information would constitute an unwarranted invasion of personal privacy, within the scope of exemption (6) to the Freedom of Information Act (5 U.S.C. 552(b)(6)). Closure of the portion of the meeting is permitted by section 10(d) of the Pub. L. 92-463.

Minutes of the meeting and rosters of the committee members may be obtained from Mrs. Darlene R. Whorley, Chief, Career Development Unit, Medical Research Service, Veterans Administration, Washington, D.C. (Phone 202-389-2317).

Dated: September 9, 1976.

R. L. ROUDEBUSH,
Administrator.

[FR Doc.76-27009 Filed 9-14-76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 143]

ASSIGNMENT OF HEARINGS

SEPTEMBER 10, 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-8959, Kraftours Corporation, d.b.a. Kraftours and Allan S. Kraft, d.b.a. Universal Travel Service-Investigation of Operations and Revocation of Certificates and License and MC 120781 (Sub-No. 5), Kraftours Corporation Extension-Special Operations now assigned September 27, 1976 at Kansas City, Missouri is postponed until December 6, 1976 (1 week) at Kansas City, Missouri and will be held at the Federal Office Building, 911 Walnut Street.

MC 135871 (Sub-No. 22), H.G.M. Transport Co. now assigned October 4, 1976 at New York, New York, and will be held in Room No. D-2206, 26 Federal Plaza (26) Federal Building.

MC 139614 (Sub-No. 1), Erin Tours, Inc. now assigned October 6, 1976 at New York, New York and will be held in Room No. D-2206, (26) Federal Plaza, Federal Building.

MC 46421 (Sub-No. 12), Escro Storage & Cartage, Inc. now assigned October 18, 1976 at New York, New York and will be held in Room 238, Courtroom A, Court of Claims, 26 Federal Plaza.

MC 138875 (Sub-No. 29), Shoemaker Trucking Company now assigned October 13, 1976 at Boise, Idaho and will be held in Room 395, Federal Building, 550 West Fort Street.

MC 129032 (Sub-No. 18), Tom Inman Trucking, Inc. now assigned October 21, 1976 at Chicago, Illinois and will be held in Room 3230, 230 South Dearborne Street.

MC 128273 (Sub-No. 214), Midwestern Distribution, Inc. now assigned October 19, 1976 at Chicago, Illinois and will be held in Room 3230, 230 South Dearborn Street.

MC 140874, Schreiber Express, Inc. now assigned October 27, 1976 at Tallahassee, Florida and will be held at the Florida Public Service Commission, 2nd Floor, 700 South Adams Street.

MC 110563 (Sub-No. 172), Coldway Food Express, Inc. now assigned October 18, 1976 at New York, New York and will be held in Room E-2222, 26 Federal Plaza, Federal Building.

MC 110563 (Sub-No. 174), Coldway Food Express, Inc. now assigned October 22, 1976 at New York, New York and will be held in Room E-2222, 26 Federal Plaza, Federal Building.

MC 140231 (Sub-No. 2), Lumber Distributors, Inc. now assigned October 20, 1976 at New York, New York and will be held in Room E-2222, 26 Federal Plaza, Federal Building.

MC-C-8997, Owens Bros., Inc. v. Midwest Emery Freight System, Inc. now assigned October 19, 1976 at New York, New York and will be held in Room E-2222, 26 Federal Plaza, Federal Building.

MC-C-8974, Mrs. Charles Hodgens, Individual, d.b.a. Tour of the Month Club and Greyhound World Tours, Inc. v. S&C Corporation, d.b.a. Piedmont Tours now assigned October 20, 1976 at Columbia, South Carolina and will be held in Court No. 3, City Municipal Courthouse, 811 Washington Street.

FD 27804, Chicago and Northwestern Transportation Company Petition For Investigation and Declaratory Order, FD 27861 Chicago, Milwaukee, St. Paul & Pacific Railroad Company—Trackage Rights, Cook County, Illinois and FD 27862 Chicago, Milwaukee, St. Paul & Pacific Railroad Company—Application for an Order Under Section 3(5) of the Interstate Commerce Act, which were set for Pre-Hearing Conference on September 9, 1976, at Washington, D.C. have been postponed to October 13, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-27029 Filed 9-14-76;8:45 am]

[Notice No. 28]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

SEPTEMBER 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 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before October 5, 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-76131. By order of September 9, 1976 the Motor Carrier Board approved the transfer to Russell Earl Pearce, doing business as Pete's Sunoco, Baltimore, Maryland 21224, of the operating rights set forth in Certificates No. MC-78040, MC-78040 (Sub-No. 4), and MC-78040 (Sub-No. 6), issued July 2, 1969, September 23, 1968, and February 2, 1972, respectively, to engage in operations in interstate or foreign commerce in the transportation of paper boxes, furniture frames, new furniture, and new upholstered furniture, uncrated, from, to and between specified points in New York, New Jersey, Maryland, Pennsylvania, West Virginia, Virginia, Connecticut, Rhode Island, Massachusetts, and Delaware and Washington, D.C. Robert Jay Yerman, 500 Tower Building, Baltimore, Md. 21202, attorney for applicants.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-27027 Filed 9-14-76;8:45 am]

[Notice No. 120]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 10, 1976.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than 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 ICC Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 263 (Sub-No. 223 TA), filed August 31, 1976. Applicant: GARRETT FREIGHTLINES, INC., P.O. Box 4048, 2055 Garrett Way, Pocatello, Idaho 83201. Applicant's representative: Wayne S. Green (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving the plantsite and storage facilities of Pakwell at Wilsonville, Oreg., as an off-route point in connection with carriers authorized regular-route operations, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Pakwell Facilities, Wilsonville, Oreg. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Box 07, 550 West Fort St., Boise, Idaho 83724.

No. MC 39763 (Sub-No. 3 TA) filed September 1, 1976. Applicant: G. E. GROGER TRUCK LINE, INC., 70 N. Main St., Walton, Ky. 41094. Applicant's representative: Robert H. Kinker, P.O. Box 464, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) between junction of Kentucky Highway 17 with U.S. Highway 42 and the site of the Cincinnati Gas and Electric Company East Bend Power Station near Rabbit Hash, Ky., serving no intermediate points; from the junction of Kentucky Highway 17 with U.S. Highway 42 over U.S. Highway 42 to its junction with Kentucky Highway 18, thence over Kentucky Highway 18 to its junction with Kentucky Highway 338 near Rabbit Hash, thence south approximately 3 miles over Kentucky Highway 338 to the site of the Cincinnati Gas and Electric Company East Bend Power Station, and return over the same route; and (2) between Walton, Ky., and the site of the Cincinnati Gas and Electric Company East Bend Power Station near Rabbit Hash, Ky., serving no intermediate points; from Walton over Kentucky Highway 1292 to its junction with Kentucky Highway 338, thence west via Kentucky Highway 338 to the site of the Cincinnati Gas and Electric Company East Bend Power Station, and return over the same route. Applicant intends to tack its existing authority with MC 39763, and to interline with other carriers at Cincinnati, Ohio, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Donald Funke, Manager, Materials Management Dept., Cincinnati Gas & Electric Company, P.O. Box 960, Cincinnati, Ohio 45201. Send protests to: Elbert Brown, Jr., District Supervisor, Interstate Commerce Commission, 426 Post Office Bldg., Louisville, Ky. 40202.

No. MC 50307 (Sub-No. 79TA), filed August 31, 1976. Applicant: INTERSTATE DRESS CARRIERS, INC., 247 W. 35th St., New York, N.Y. 10001. Applicant's representative: Herbert Burstein, One World Trade Center, Suite 2373, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials, supplies and equipment* used in the manufacturing of wearing apparel, between Deer Park, Md., on the one hand, and, on the other, points in New Jersey, Pennsylvania and New York, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Garrett Manufacturing Corp., Drawer A

E, Deer Park, Md. Send protests to: Marie B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 51146 (Sub-No. 475TA), filed September 1, 1976. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, P.O. Box 2298, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers and container ends*, from the warehouse site of National Can Corporation, at Sharonville, Ohio, to Evansville, Ind., and LaCrosse, Wis., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: National Can Corporation, 8101 W. Higgins Road, Chicago, Ill. 60631. Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 63417 (Sub-No. 92TA), filed September 1, 1976. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. Box 2888, 1814 Hollins Road, Roanoke, Va. 24001. Applicant's representative: William E. Bain, P.O. Box 13447, Roanoke, Va. 24034. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Incandescent bulbs and bases*, from Cleveland and Conneaut, Ohio, and Lexington, Ky., to Kernstown, Va., for 180 days. Supporting shipper: General Electric—Lamp Business Division, Comp. No. 4504 Nela Park, Cleveland, Ohio 44112. Send protests to: Danny R. Beeler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 210, Roanoke, Va. 24011.

No. MC 101075 (Sub-No. 121TA), filed September 1, 1976. Applicant: TRANSPORT, INC., P.O. Box 396, 1215 Center Ave., Moorhead, Minn. 56560. Applicant's representative: Ronald B. Pitsenbarger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the storage facilities of Farmland Industries, Inc., located near Barnesville and Benson, Minn., to points in Minnesota, North Dakota, South Dakota, Wisconsin and Montana, for 180 days. Supporting shipper: Farmlnad Industries, Inc., 3315 North Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Ronald R. Mau, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak 58102.

No. MC 107012 (Sub-No. 230TA), filed September 1, 1976. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Lincoln Highway East and Meyer Road, Fort Wayne, Ind. 46801. Applicant's representative: Gerald A. Burns (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bicycles, tricycles, and parts and accessories thereof, and materials and supplies* used in the manufacture of bicycles and tricycles, between Celina, Ohio; Azuza, Calif; Torrence, Calif.; City of Industry, Calif.; and Richmond, Ind.; on the one hand, and, on the other, points in the United States, for 180 days. Supporting shipper: Huffman Manufacturing Co., P.O. Box 1204, Dayton, Ohio 45401. Send protests to: J. H. Gray, Distriot Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 109324 (Sub-No. 35TA), filed September 2, 1976. Applicant: GARRISON MOTOR FREIGHT, INC., Garrison Place, P.O. Box 969, Harrison, Ark. 72601. Applicant's representative: Jay C. Miner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, livestock, commodities in bulk and those requiring special equipment), between Memphis, Tenn., and Little Rock, Ark., and points within their respective commercial zones, serving no intermediate points, from Memphis, over Interstate Highway 40 to junction Interstate Highway 30, thence over Interstate Highway 30 to Little Rock, and return over the same route. Restriction: The operations authorized herein are restricted against the transportation of shipments between Memphis, Tenn., and points in its commercial zone, on the one hand, and, on the other, Joplin, Kansas City, Springfield and St. Louis, Mo., and points within their respective commercial zones. Applicant intends to tack its existing authority with MC 109324, for 180 days. Supporting shippers: There are approximately 145 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: William H. Land, Jr., District Supervisor, 3108 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 111729 (Sub-No. 677TA), filed September 1, 1976. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, records, audit and accounting media*, from Andrews, Dumas, Dimmitt and Pecos, Tex., to Lubbock, Tex., on traffic having an immediately subsequent movement by air, for 180 days. Supporting shipper: Continental Telephone Company, Big Springs Highway, P.O. Box 457, Andrews, Tex. 79714. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 111729 (SubNo. 678TA), filed September 1, 1976. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Electronic and computer parts and related materials*, in packages or articles not to exceed 100 pounds in the aggregate from one consignor to one consignee on any one day; and (2) *Business papers, records audit and accounting media*, between Los Alamos, N. Mex., and the Albuquerque International Airport, Albuquerque, N. Mex., on traffic having an immediately prior or subsequent movement by air, for 180 days. Supporting shipper: Digital Equipment Corporation, 1907 Central, No. 214 Miles Bldg., Los Alamos, N. Mex. 87544. Send protests to: Maria B. Kejas, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 116457 (Sub-No. 16TA), filed September 1, 1976. Applicant: GENERAL TRANSPORTATION, INCORPORATED, 1804 S. 27th Ave., P.O. Box 6484, Phoenix, Ariz. 85009. Applicant's representative: D. Parker Crosby (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plywood, paneling, and pressed board of ground wood*, from Maricopa and Pima Counties, Ariz., to points in New Mexico and El Paso County, Tex., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: U.S. Plywood Corporation, 5045 W. Coulter, Glendale, Ariz., and 3232 E. 36th, Tucson, Ariz., Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, 3427 Federal Bldg., 230 N. First Ave., Phoenix, Ariz. 85025.

No. MC 123255 (Sub-No. 81TA), filed August 30, 1976. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Ave., Newark, Ohio 43055. Applicant's representative: C. F. Schnee, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from Terre Haute, Ind., to Milwaukee, Wis., for 180 days. Supporting shipper: Midland Glass Company, Inc., P.O. Box 557, Cliffwood, N.J. 07721. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, 220 Federal Bldg. & U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio 43215.

No. MC 126612 (Sub-No. 5TA), filed August 31, 1976. Applicant: SALVATORE GIARRAPUTO, doing business as SEMOLINA HAULAGE COMPANY, 86 Kent Ave., Brooklyn, N.Y. 11211. Applicant's representative: Murray S. Bornstein, 253 Broadway, New York, N.Y. 10007. Authority sought to operate as a *contract carrier*, by motor vehcile, over irregular routes, transporting: *Bulk flour*, in tank vehicles, from the Brook-

lyn Eastern District Terminal, Brooklyn, N.Y., to Post Road, West Haven, Conn., under a continuing contract with Lender's Bagel Bakery, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Lender's Bagel Bakery, Inc., Post Road, West Haven, Conn. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 134648 (Sub-No. 3TA) (Correction), filed July 8, 1976, published in the FEDERAL REGISTER issue of July 26, 1976, and republished as corrected this issue. Applicant: MORGAN COUNTY TRUCKING, INC., 1010 East Nutter St., Martinsville, Ind. 46151. Applicant's representative: Warren C. Moberly, 320 N. Meridian St., 777 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages*, from Columbus, Ohio; Detroit, Mich.; Peoria and Belleville, Ill.; Milwaukee, Wis.; Louisville and Newport, Ky.; St. Paul, Minn.; and Pabst, Ga., to Martinsville, Greencastle, Plainfield and Bloomington, Ind., with empty bottles and kegs returned to points of origin; and (2) *Structural brick and floor tile products*, from Brazil, Ind., to points in Illinois, Iowa, Kentucky, Missouri, and Ohio, under a continuing contract with A–1 Beverage Co., Inc.; Arketex Ceramic Corp.; Morgan County Beverage, Inc.; Putman Beverages, Inc., and Rhoades Beverage Co., Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: A–1 Beverage Co., Inc., 633 North Morton, Bloomington, Ind. 47401. Arketex Ceramic Corp., North Meridian St., P.O. Box 347, Brazil, Ind. Morgan County Beverage, Inc., 189 West Walnut St., Martinsville, Ind. 46151. Putnam Beverages, Inc., 500 N. Jackson St., Greencastle, Inc. 46135. Rhoades Beverages Co., Inc., 706 West Main St., Plainfield, Ind. 46168. 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. The purpose of this republication is to reflect Milwaukee, Wis., as an origin point in part (1).

No. MC 138279 (Sub-No. 1TA) (Correction), filed August 23, 1976, published in the FEDERAL REGISTER issue of September 3, 1976, and republished as corrected this issue. Applicant: CONALCO CONTRACT CARRIER, INC., Conalco Drive, Jackson, Tenn. 38301. Applicant's representative: Robert L. Baker, 618 United American Bank Bldg., Nashville, Tenn. 37219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tile, clay and earthenware, glazed and unglazed* with and without backing; *tile facing and flooring; quarries, flooring, paving and promenade tile; china bathroom fixtures; adhesives, and accessories* used in the installation of all of the above described commodities; *and equipment, materials, and supplies* used in the manufacture and distribution of all of the above described commodities (except commodities in bulk), between the manufacturing and warehouse facilities of American Olean Tile Company, located at or near Olean, N.Y.; Lansdale, Pa.; Quakertown, Pa.; Jackson, Tenn.; Lewisport, Ky.; Cloverport, Ky.; and Roseville, Calif., and their commercial zones, on the one hand, and, on the other, all points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with American Olean Tile Company; and (2) *Aluminum and aluminum articles, products composed thereof and* products manufactured and/or distributed by Consolidated Aluminum Corporation, *and materials, equipment, and supplies* used in the manufacture of the above commodities (except articles of unusual value, classes A and B explosives, household goods as defined by the Commission and commodities in bulk), between the manufacturing and warehouse facilities of Consolidated Aluminum Corporation, located at or near Madison, Ill.; Shelbina, Mo.; Murphysboro, Ill.; Benton, Ky.; Carrollton, Ky.; Newbern, Tenn.; New Johnsonville, Tenn.; Columbia, Tenn.; Jackson, Tenn.; Iuka, Miss.; Florence, Ala.; Lake Charles, La.; St. Louis, Mo.; and Monroe County, Ohio, and their commercial zones on the one hand, and, on the other, all points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with Consolidated Aluminum Corporation, for 180 days. Supporting shippers: American Olean Tile Company, 1000 Cannon Ave., Lansdale, Pa. 19446. Consolidated Aluminum Corporation, 11960 Westline Industrial Drive, St. Louis, Mo. 63178. Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, 100 North Main St., Suite 2206, Memphis, Tenn. 38103. The purpose of this republication is to correct the territorial description in this proceeding.

No. MC 142403TA, filed August 31, 1976. Applicant: P–W TRUCKING CO., 201 King St., P.O. Box 626, Calhoun, Ga. 30701. Applicant's representative: J. Pat Pendley (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 as defined by the Commission, commodities in bulk and those requiring special equipment), between points in Floyd, Bartow, Chattooga, Gordon, Whitefield, Murray, Walker, Catoosa, and Gilmer Counties, Ga., with the right to interline traffic to points in Interstate Commerce at Calhoun, Cartersville, Dalton, and Rome, Ga., with the rights to transport traffic to and from these points between Calhoun, Ga., and Atlanta, Ga., for interline purposes only, for 180 days. Supporting shippers: There are approximately 39 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: Sara K. Davis, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, 1252 W. Peachtree St., N.W., Room 546, Atlanta, Ga. 30309.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76–27028 Filed 9–14–76;8:45 am]

TRANSPORTATION OF "WASTE" PRODUCTS FOR REUSE OR RECYCLING

Special Certificate Letter Notice(s)

Correction

In FR Doc. 76–25818 appearing at page 37434 of the issue for Friday, September 3, 1976, the Docket numbers were inadvertently left out. These numbers are as follows:

For The Victor Transit Corporation, the Docket Number is "P–7–76 (Special Certificate—Waste Products), filed August 17, 1976".

For R. L. Hogge, Inc., the number is "P–8–76 (Special Certificate—Waste Products) filed August 19, 1976".

For Haney Truck Line, the number is "P–9–76 (Special Certificate—Waste Products) filed August 23, 1976".

TRANSPORTATION OF "WASTE" PRODUCTS FOR REUSE OR RECYCLING

Special Certificate Letter Notice(s)

The following letter notices request participation in a Special Certificate of Public Convenience and Necessity for the transportation of "waste" products for reuse or recycling in furtherance of a recognized pollution control program under the Commission's regulations (49 CFR Part 1062) promulgated in "Waste" Products, Ex Parte No. MC–85, 124 MCC 583 (1976).

An original and one copy of protests against applicant's participation may be filed with the Interstate Commerce Commission on or before October 5, 1976. A copy must also be served upon applicant or its representative. Protests against the applicant's participation will not operate to stay commencement of the proposed operation.

If the applicant is not otherwise informed by the Commission, operations may commence within 30 days of the date of its notice in the FEDERAL REGISTER, subject to its tariff publication effective date.

No. P–11–76 (Special Certificate—Waste Products), filed August 23, 1976. Applicant: FREE STATE TRUCK SERVICE, INC., P.O. Box 760, Glen Burnie, Md. 21061. Applicant's representative: William C. Nolte (same address as applicant). Authority sought to operate pursuant to a certificate of public convenience and necessity authorizing operations in interstate or foreign commerce, as a *common carrier* by motor ve-

hicle, over irregular routes, in the transportation of waste products for recycling or reuse, between points in the United States (except Alaska and Hawaii), in furtherance of recognized pollution control programs sponsored by: (1) Anchor Hocking Corporation of Lancaster, Ohio, for the purpose of recycling glass cullet; (2) Metro containers of Lyndhurst, N.J., for the purpose of recycling glass cullet; (3) Dow Industrial Service of Baltimore, Md., for the purpose of disposing of spent acid and cleaning compounds; (4) American Recovery Co., Ind. of Baltimore, Md., for the purpose of recycling and recovering fuel oil from waste oil, and nickel from waste nickel catalyst, and disposing of spent pickle liquor from stainless steel manufacturing, chrome waste, and waste acids; (5) Westvaco of Covington, Va., for the purpose of recycling spent (waste) carbon; and (6) Envirotrol, Inc. of Sewickley, Pa., for the purpose of reactivating spent granular activated carbon for reuse.

NOTE.—Applicant presently holds waste products special certificate No. P–13–72.

P–12–76 (Special Certificate—Waste Products), filed August 17, 1976. Applicant: PAPER TRANSPORTATION SPECIALISTS, INC., 7175 S.W. 78th Avenue, Portland, Oreg. Applicant's representative: Donald E. Hershiser, 1039 Georgia-Pacific Bldg., 900 S.W. Fifth Ave., Portland, Oreg. 97204. Authority sought to operate pursuant to a certificate of public convenience and necessity authorizing operations in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, in the transportation of (1) *waste paper*, from Portland, Oreg., to Santa Clara and Antioch, Calif., and Seattle, Wash., in furtherance of a recognized pollution control program sponsored by Consolidated Fibers of Portland, Oreg., for the purpose of recycling for reuse; (2) *paper rolls*, from Lewiston, Idaho, to Los Angeles and San Leandro, Calif., in furtherance of a recognized pollution control program sponsored by Standard Paper Box Company of Los Angeles, Calif., for the purpose of manufacturing paperboard for reuse; (3) *waste paper*, from Los Angeles, Merced, Visalia, Sacramento, and Berkeley, Calif., Reno, Nev., Logan, Utah, and Boise, Idaho, to Vancouver, Wash., in furtherance of a recognized pollution control program sponsored by Western Fiber Resources of Vancouver, Wash., for the purpose of recycling paper for reuse; and (4) *fiberboard, unfinished fiberboard boxes, and stamped lithographed tin plate can ends*, (a) between Portland, Oreg., and Los Angeles, Calif., (b) from Portland, Oreg., to Salt Lake City, Utah, (c) from Renton, Wash., to Blackfoot, Burley, Caldwell, Rexburg, and Nampa, Idaho, Salt Lake City, Utah, Green River, Wyo., Denver, Colo., and Freewater, Salem, Portland, and Albany, Oreg., (d) from Santa Clara, Calif., to Rexburg, Idaho, Portland, Oreg., Renton and Seattle, Wash., Phoenix, Tucson, Tempe, and Chandler, Ariz., and Denver, Colo., (e) from Irvine, Calif., to Portland, Oreg., (f) from Los Angeles and Irvine, Calif., to Seattle and Renton, Wash., (g) from Portland, Oreg., to points in Washington, and (h) from Oakland, Calif., to points in Oregon and Washington, in furtherance of a recognized pollution control program sponsored by Container Corp. of America of Santa Clara, Calif., for the purpose of forwarding recycled waste materials.

P–13–76 (Special Certificate—Waste Products), filed August 16, 1976. Applicant: W. A. WOODS INDUSTRIES, INC., 10120 West Frontage Road, South Gate, Calif. 90280. Applicant's representative: R. H. Benson (same address as applicant). Authority sought to operate pursuant to a certificate of public convenience and necessity authorizing operations in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, in the transportation of *ferrous and nonferrous scrap, glass, aluminum, steel, newspaper products, blast furnace slag and steel making slag*, between points in California, Nevada, and Arizona, in furtherance of recognized pollution control programs sponsored by (1) Beverage Industry Recycling Program of Phoenix, Ariz., for the purpose of recycling Arizona city and state waste; (2) Valley Steel and Supply Co., Inc. of Tempe, Ariz., for the purpose of collecting and distributing ferrous and non-ferrous scrap for the Arizona city and state government; and (3) Heckett Slag Products of Fontana, Calif., for the purpose of recycling slags generated by Kaiser Steel Corporation at Fontana, Calif., into useful construction products and roofing granules.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76–27026 Filed 9–14–76;8:45 am]

federal register

WEDNESDAY, SEPTEMBER 15, 1976



PART II:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration

■

HEALTH SERVICE AREAS

Redesignation

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration

HEALTH SERVICE AREAS

Redesignation

Section 1511 of the Public Health Service Act, as amended by the National Health Planning and Resources Development Act of 1974 (Pub. L. 93-641, January 4, 1975), requires that health service areas be established throughout the United States by the Secretary of Health, Education, and Welfare. With respect to each such area there is to be designated, in accordance with Section 1515 of the Public Health Service Act, a health systems agency whose primary responsibility will be the provision of effective health planning for its health service area and the promotion of the development within the area of health services, manpower, and facilities which meet identified needs, reduce documented inefficiencies, and implement the health plans of the agency.

The designation of health service areas was essentially completed with publication of the FEDERAL REGISTER notice on September 2, 1975, listing the boundaries of the 202 areas designated by the Secretary.

Section 1511(b)(4) of the Act provides that the Secretary review the appropriateness of those health service areas on a continuing basis and at the request of any Governor or health systems agency, and if the Secretary determines that a boundary of a health service area no longer meets the requirements of section 1511 that the Secretary revise the boundary accordingly.

The Health Service Area Redesignation Guidelines attached at Appendix A below have been prepared to provide guidance to Governors and health systems agencies as to the general procedures to be followed in the initiation by them of the area redesignation process and to provide a brief summary of the procedures to be utilized by the Department.

Dated: September 2, 1976.

KENNETH M. ENDICOTT,
Administrator,
Health Resources Administration.

APPENDIX A—HEALTH SERVICE AREA REDESIGNATION GUIDELINES

A. INTRODUCTION

Designation of health service areas was the first major step in implementing the National Health Planning and Resources Development Act of 1974 (Pub. L. 93-641). That step was essentially completed with publication of a FEDERAL REGISTER notice on September 2, 1975, listing the boundaries of the 202 areas designed by the Secretary.

Pub. L. 93-641 also provided for the review and redesignation of health service areas under certain statutorily specified conditions. Specifically Section 1511(b)(4) of the Public Health Service Act provides that:

"The Secretary shall review on a continuing basis and at the request of any Governor or designated health systems agency the appropriateness of the boundaries of the health service areas established under section 1511(b)(3) and, if he determines that a boundary for a health service area no longer meets the requirements of subsection (a), he may revise the boundaries in accordance with the procedures prescribed by paragraph (3)(B)(ii) for the establishment of boundaries of health service areas which include areas not included in boundaries submitted by the Governors. If the Secretary acts on his own initiative to revise the boundaries of any health service area, he shall consult with the Governor of the appropriate State or States, the entities referred to in paragraph (2), the appropriate health systems agency or agencies designated under part B and the appropriate Statewide Health Coordinating Council established under part C. A request for boundary revision shall be made only after consultation with the Governor of the appropriate State or States, the entities referred to in paragraph (2), the appropriate designated health systems agencies, and the appropriate established Statewide Health Coordinating Council and shall include the comments concerning the revision made by the entities consulted in requesting the revision."

The purpose of this document is to provide guidance to Governors and health systems agencies (HSAs) as to general procedures to be followed in the initiation by them of the area redesignation process and to provide a brief summary of the procedures to be utilized by the Department.

B. REQUEST FOR REDESIGNATION

The Secretary may initiate a revision of the boundaries of the health service areas established under section 1511(b)(3) if he determines that a boundary no longer meets the statutory requirements. As a part of the Secretary's responsibility under section 1511(b)(4) of the Public Health Service Act the Secretary will review the appropriateness of the boundaries of the health service areas by December 31, 1977. Thereafter the Secretary will review the appropriateness of the boundaries of the health service areas at least every two years. If the Secretary acts on his own initiative to revise the boundaries of any health service area, he will consult with the Governor of the appropriate State or States (if the area is interstate), the entities referred to in section 1511(b)(2), and the appropriate health systems agency or agencies designated under section 1515 and the appropriate Statewide Health Coordinating Council (SHCC) or Councils. The entities referred to in section 1511(b)(2) include: The chief executive officer or agency of the political subdivisions within the State, the State agency which administers or supervises the administration of the State's health planning functions under a State plan approved under section 314(a), each entity within the State which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b), and each regional medical program established in the State under the Title IX.

The Governor may request a redesignation as long as the requirements with respect to redesignation of health service areas as set forth in section 1511(b)(4) of the Act are met. If the Governor proposes a redesignation, the Governor must consult with those entities referred to in section 1511(b)(2), which include: The chief executive officer or agency of the political subdivisions within the State, the State agency which administers or supervises the administration of the State's health planning functions under a State plan approved under section 314(a), each entity within the State which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b), and each regional medical program established in the State under the Title IX. If the Governor proposes to formally submit a redesignation request, he should submit a letter of intent to the appropriate HEW Regional Director and Regional Health Administrator in advance of the formal request. This action will provide the Regional Office with an opportunity to discuss the request or provide technical assistance to the Governor.

If there is a Statewide Health Coordinating Council, the Governor must advise the SHCC in advance of his formal submission of a redesignation request to HEW and invite the SHCC to submit its views and comments. Within this period, any effected HSAs, whether conditionally or fully designated, must be given this same notice and invitation. The views and comments of the SHCC and affected HSAs must be a part of the formal redesignation proposal submitted by the Governor.

If the request for redesignation involves an interstate HSA the Governor initiating the request must notify the other Governors, HSAs and SHCCs in the areas affected by the proposed change in advance of the formal submission of a redesignation request to HEW, and invite them to submit their views and comments. These views and comments must be a part of the formal redesignation proposal submitted by the originating Governor.

The HSA may request a redesignation as long as the requirements with respect to redesignation of health service areas as set forth in section 1511(b)(4) of the Act are met. If the HSA proposes a redesignation, the HSA must consult with those entities referrred to in section 1511(b)(2), which include: The chief executive officer or agency of the political subdivisions within the State, the State agency which administers or supervises the administration of the State's health planning functions under a State plan approved under section 314(a), each entity within the State which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b), and each regional medical program established in the State under the Title IX. If the HSA proposes to formally submit a redesignation request, a letter of intent should be sent to the appropriate HEW Regional Director and Regional Health Administrator in advance of the formal request. This action will provide the Regional Office with an opportunity to discuss the request or provide technical assistance to the HSA. The HSA shall advise the Governor, the SHCC and any other affected HSAs before a formal submission of a redesignation request is made to HEW. The Governor, the SHCC and other affected HSAs shall be invited to submit their views and comments to the HSA within a timely period. These views and comments must be a part of the formal redesignation proposal submitted by the health systems agency who initiated the request.

If the request for redesignation involves an interstate HSA, the health systems agency initiating the request must notify the Governors, health systems agencies and Statewide Health Coordinating Councils in the areas affected by the proposed change in advance of the formal submission of a redesignation request to HEW, and invite them to submit their views and comments. These views and comments must be a part of the formal redesignation proposal submitted by the health systems agency.

Governors and HSAs are urged to consult with affected units of local government, agencies, groups, and other organizations in the areas affected by the proposed change. Other consultation may include:

a. Public hearings. b. Written or oral statements. c. Meetings with agency representa-

tives, legislative bodies or chief elected officials for the specific purpose of obtaining their views.

It is particularly desirable that consultation be sought, and the views, reactions, and comments of groups, interested individuals, and organizations be obtained in the preliminary development of proposed redesignations and certainly prior to their final submission to HEW.

When there is a request for redesignation of health service area boundaries, the consultation requirements above must take into account section 5(c) of Pub. L. 93-641. Section 5(c) requires that

"A reference in any law or regulation—(1) to the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a) of the Public Health Service Act shall in the case of a State for which a State health planning and development agency has been designated under section 1521 of such Act be considered a reference to the State agency designated under such section 1521; (2) to an ageny or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314 (b) of the Public Health Service Act shall if all or part of the area covered by such plan or plans is within a health service area established under section 1511 of the Public Health Service Act be considered a reference to the health systems agency designated under section 1515 of such Act for such health service area; and (3) to a regional medical program assisted under title IX of the Public Health Service Act shall if the program is located in a State for which a State health planning and development agency has been designated under section 1521 of the Public Health Service Act be considered a reference to such State agency."

C. REQUIRED REDESIGNATION INFORMATION

The request for redesignation should contain a statement of the reasons why the area(s) as they are presently designated are "no longer appropriate" i.e., they no longer meet the requirements set forth in section 1511(a). Therefore, appropriate information or data for each health service area affected by the request for redesignation should be submitted. Documentation will be required relating to the need to revise boundaries of existing areas and the resultant impact on those already in existence. Issues which need to be addressed to make the required statutory determination are:

1. What are the developments in the existing area that prompt the redesignation request?

2. Description of the major reason(s) and justification for the requested change.

3. Impact of the proposed change on the health service area, specifically addressing the issue of how this will be an improvement over the existing area.

4. Health systems agency(s) experience within its present geographic area, including documentation indicating that the existing area has adversely affected performance.

5. Information and data which support the contention that the existing area no longer meets the requirements of section 1511(a).

6. What is the significance of the change on all affected health service areas and the appropriateness of the proposed new area for effective planning and development of health resources?

7. Annual population figures for the area(s) based on latest available estimate from the Department of Commerce must be supplied, plus documentation as to the effects the requested redesignation will have on the funding of the affected health system agency(s).

8. How the redesignated boundaries of the health service area relate to those of (a) PSRO areas and (b) sub-State planning and development districts designated in accordance with OMB Circular A-95.

These eight issues should be directly related to the six substantive requirements of section 1511(a) which are elaborated upon in Part D of these Guidelines.

A critical point with respect to area redesignation that must be emphasized is that a finding must be made that the area originally designated no longer meets the statutory requirements of section 1511(a). It is not sufficient that (1) the area proposed under the redesignation request does meet those requirements, although it must of course, or (2) that the proposed area(s) is more appropriate than the present one(s).

D. REDESIGNATION STATUTORY REQUIREMENTS

There are six substantive requirements enumerated in section 1511 of the Public Health Service Act that health service areas must meet.

1. With respect to population, section 1511(a)(3) of the Act requires.

"The area, upon its establishment, shall have a population of not less than five hundred thousand or more than three million; except that—

"(A) The population of an area may be more than three million if the area includes a standard metropolitan statistical area (as determined by the Office of Management and Budget) with a population of more than three million, and

"(B) The population of an area may—

"(i) Be less than five hundred thousand if the area comprises an entire State which has a population of less than five hundred thousand, or

"(ii) Be less than—

"(I) Five hundred thousand (but no less than two hundred thousand) in unusual circumstances (as determined by the Secretary)

"(II) Two hundred thousand in highly unusual circumstances (as determined by the Secretary),

"If the Governor of each State in which the area is located determines, with the approval of the Secretary, that the area meets the other requirements of this subsection."

This specific minimum-maximum population requirement was adopted from the House bill (H.R. 16204) by the Conferees. With respect to it, the House Committee Report (No. 93-1382, p. 52) stated that "The 500,000 people minimum reflects the experience that effective health planning can be conducted only with an adequate base of population and health resources to sustain a planning process."

While waivers of the minimum 500,000 population requirement may be allowed, the Committee noted in its Report that it did not intend that "waivers in either 'unusual' or 'highly unusual' circumstances be used frequently."

As regards waivers, it should be noted that a request to establish a single, Statewide health service area in a State with a population of less than 500,000 does not require a waiver, nor does the designation of a proposed area encompassing an SMSA with a population in excess of 3 million require one.

With respect to the latter, a designated health service area which includes an SMSA over 3 million may include territory in addition to the SMSA itself. On the other hand, while several SMSAs may be included in the same health service area, indeed frequently should be, the combined populations in the area may not exceed 3 million (unless one of the SMSAs has a population over 3 million).

The latest available annual population estimate from the Department of Commerce, which is available for all States and counties nationally, must be used in computing population for purposes of area redesignation.

2. As regards SMSAs, section 1511(a) of the Act requires that—

"Each standard metropolitan statistical area shall be entirely within the boundaries of one health service area, except that if the Governor of each State in which a standard metropolitan statistical area is located determines, with the approval of the Secretary, that in order to meet the other requirements of this subsection a health service area should contain only part of the standard metropolitan statistical area then such statistical area shall not be required to be entirely within the boundaries of such health service area."

The House Committee Report (p. 53) states that "While health service areas should generally be larger than standard metropolitan statistical areas, the Committee has recognized SMSAs as useful delineations of our major metropolitan areas and feels very strongly that health service areas should not divide the SMSAs. Since SMSAs often cross State boundaries because metropolitan areas often do, the Committee intends that when a major metropolitan area straddles a State boundary its service area will also cross the State boundary. While provision is made for waiving this requirement with the approval of the Secretary, it is anticipated that the waiver will be granted rarely * * *" As regards this requirement, unless the Governor of each of the two or more States in which an SMSA is located requests that it be waived, the Secretary will not entertain the waiver request to split the SMSA.

3. Insofar as the geography of the area is concerned, section 1511(a)(I) requires that—

"The area shall be a geographic region appropriate for the effective planning and development of health services, determined on the basis of factors including population and the availability of resources to provide all necessary health services for residents of the area."

A number of factors or considerations are relevant to this general requirement. They include but are not necessarily limited to the following:

a. Time, distance, and cost factors in relation to health care services and facilities within a region that in effect constitute significant economic and/or geographic barriers to obtaining care.

b. Functional economic areas (as defined by the Bureau of Economic Analysis, U.S. Department of Commerce).

c. State boundaries (except in the case of inter-State SMSAs) and those of local political subdivisions. Many funding and other decisions of State and local general-purpose governments are highly relevant to health planning, resource development, and regulatory activities. Moreover, such governments frequently provide services and operate facilities as well as pay for care.

d. Health services utilization and referral patterns.

e Special population characteristics that have a distinct area dimension (e g., Indians residing on reservations or other land areas held in trust).

f. Involvement of major prepayment plans (e.g., Blue Cross) and Health Maintenance Organizations (HMOs).

The area, moreover, should have health facilities, manpower, and other resources adequate to provide its residents with a comprehensive range of primary and secondary health care services. It is not required, nor necessarily desirable, that all highly specialized tertiary care services (e.g., burn care, cardiac surgery, kidney transplantation) be available within the area itself though.

4. As regards nonmetropolitan areas, section 1511(a) of the Act requires—

"The boundaries of a health service area shall be established so that, in the planning

and development of health services to be offered within the health service area, any economic or geographic barrier to the receipt of such services in nonmetropolitan areas is taken into account. The boundaries of health service areas shall be established so as to recognize the differences in health planning and health services development needs between nonmetropolitan and metropolitan areas."

This requirement reflects Congressional concern that nonmetropolitan areas be assured fair and equitable treatment in both the designation and redesignation of areas. It has the effect of moderating the requirements relative to population of and the range of health services and facilities in nonmetropolitan areas. The floor debate in the House in this connection is particularly relevant. For example, it was noted by Representative Alexander that health service areas in nonmetropolitan regions with "a limited range of tertiary services could properly be established with one of their health resource development objectives being increasing the range of tertiary services offered * * *." and Representative Roy observed that "While the Committee is serious about the use of 500,000 as the minimum population for health service areas, it is well within reason that the exception provided for in (the Act) * * * be applied when necessary to overcome travel time, geographic and/or economic barriers to receipt of health services in nonmetropolitan areas."

For purposes of this requirement, "nonmetropolitan areas" are defined as those areas lying outside SMSAs, and "metropolitan areas" as those within SMSAs. (By this definition about 30 percent of the U.S. population resided in nonmetropolitan areas, with 70 percent living in metropolitan areas, in 1970.)

5. With respect to specialty centers, section 1511(a) states that—

"To the extent practicable, the area shall include at least one center for the provision of highly specialized health services."

The House Committee Report (p. 52) noted that this requirement "reflects the desire that the health service areas provide a self-contained, comprehensive and complete range of health services such that an individual residing in the area would rarely if ever have to leave it in order to obtain needed medical care."

The presence of a medical school, university health science center, and/or affiliated teaching or other hospital(s) offering specialized services for patients with cancer, heart disease, kidney disease, and stroke, and the like, generally would be considered to satisfy this requirement. As noted above, however, it is not required that each area necessarily have available all of the highly specialized and most sophisticated services (e.g., major burn and trauma center). Moreover, it is recognized that some areas will not include a medical school and/or major teaching hospital. The following are among the considerations or factors to be taken into account in those instances:

a. The number and range of residency programs offered by the hospitals in the area.

b. The distances separating major medical centers and/or other highly specialized facilities. If these are great, requiring considerable travel time and cost, this would be a mitigating factor.

c. The existence of long-standing, well-established referral patterns or formalized linkages with one or more major medical centers outside the area.

6. Insofar as the *boundaries of other areas* are concerned, section 1511(a)(4) states that—

"To the maximum extent feasible, the boundaries of the area shall be appropriately coordinated with the boundaries of areas designated under section 1152 of the Social Security Act for Professional Standards Review Organizations, existing regional planning areas, and State planning and administrative areas." (Underscoring supplied.)

Since it is recognized that the boundaries of areas defined for different purposes cannot all be identical, the criteria for both designation and redesignation of health service areas do not require that the boundaries be identical with those for PSRO areas, regional planning areas, or State planning administrative areas.

In order to insure close coordination between the health service areas and local health systems agencies being established by this legislation and other State, regional, and local health and health-related planning and administrative areas and agencies, it is important that the former—

a. Be congruent insofar as possible with one or several State planning and development districts as defined for purposes of OMB Circular A-95.

b. In the case of the PSROs, to the extent practicable, (a) either a single health service area encompass one or more PSRO areas in their entirety, or (b) several health service areas collectively encompass a single PSRO area.

c. Generally not divide locally established, functioning, and recognized COG areas (i.e., the jurisdictional areas of councils of government, regional planning agencies or development districts).

d. Follow the boundaries of local political subdivisions of general-purpose governments (e.g., counties, incorporated cities, parishes in Louisiana, townships in New England).

E. WAIVERS

The Act does provide that (1) the minimum 500,000 population requirement and/or (2) the requirement that an SMSA not be divided or split, may be waived for specific health service areas with the approval of the Secretary.

All waiver requests will be reviewed and assessed as to whether or not they meet the other requirements specified, particularly that which requires that the area "be a geographic region appropriate for the effective planning and development of health services . . ."

Therefore, requested waivers for areas with populations of less than 500,000, but more than 200,000 will be reviewed in terms of the following more specific factors:

1. Geography, including the size of the area, its natural isolation, and any major geographical barriers.

2. Population, including the extent to which it deviates from the 500,000 minimum, rate of growth in recent years, and/or low density.

3. Whether it essentially is a functional economic area (as defined by the U.S. Department of Commerce).

4. How well the area is linked to (or separated from) other areas by transportation and communication networks.

5. Whether there is a comprehensive range of primary and secondary health services within the area to meet the needs of its residents.

6. Extent to which the area is consistent with other official districts and State and county boundaries.

7. Evidence that the area has previously demonstrated a health planning capacity and community base of financial support.

8. Whether the comments of local governments, providers, the general population and others contain evidence that the area indeed is one appropriate for the effective planning and development of health services.

Requested waivers for areas with populations of less than 200,000 will be reviewed in terms of the factors enumerated above and must, in addition, meet one or more of the following criteria:

1. Have an area of 10,000 square miles or more with an average population density of less than 10 persons per square mile.

2. Be congruent with a functional economic area. (One of the functional characteristics of those areas is that they combine labor market and labor supply, the place of work and the place of residence of the labor force. Each of the areas approaches self-sufficiency with regard to residentiary industries which include general and convenience retail and wholesale trade activities.)

3. By virtue of its geography and natural or physical barriers, be significantly isolated from other areas.

Waiver requests proposing an area that would split or divide an SMSA will be reviewed against the following more specific factors as well as the other requirements set forth in the Act:

1. In the case of inter-State SMSAs, the degree to which their population are overwhelmingly in one State with only a small fraction in the other State (or States).

2. In the case of inter-State SMSAs, whether the health service area proposed is a single, Statewide area for a State that otherwise might have to request a waiver to the minimum population requirement.

3. Whether the comments of local governments, providers, the general population and others contain evidence that the area indeed is one appropriate for the effective planning and development of health services.

F. FEDERAL REVIEW

HEW's Regional Offices will have the principal responsibility for reviewing proposed requests for redesignation of health service areas and gathering any additional material necessary to make a recommendation concerning the request. Formal authority to approve (or disapprove) health service area redesignations, however will reside with the Administrator, HRA under authority delegated to him by the Assistant Secretary of Health, HEW.

Regional Health Administrators will review and submit their recommendation through the Regional Director to the Administrator, HRA.

The regional office recommendations will be reviewed by an ad hoc area redesignation review panel consisting of Federal regional office and headquarters program officials. The panel will review and submit recommendations to Administrator, HRA.

After receipt of the regional office and ad hoc redesignation review panel recommendation, the Administrator, HRA will act on the redesignation request. Official establishment of a redesignated health service area will be by publication of its boundaries in the FEDERAL REGISTER.

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federal register

WEDNESDAY, SEPTEMBER 15, 1976



PART III:

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

■

FISHERY CONSERVATION AND MANAGEMENT

Interim Regulations

Title 50—Wildlife and Fisheries

CHAPTER VI—FISHERY CONSERVATION AND MANAGEMENT, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

REGIONAL FISHERY MANAGEMENT COUNCILS

Interim Regulations

This chapter is new and is issued by the Secretary of Commerce to carry out certain statutory mandates contained in the Fishery Conservation and Management Act of 1976 (Pub. L. 94–265) (hereinafter the "Act").

In broad summary, the Act:

1. Provides authority for exclusive United States management authority over all fish, except highly migratory species, within a newly constituted Fishery Conservation Zone contiguous to the territorial sea.

2. Provides exclusive United States Management authority beyond the Fisheries Conservation Zone for certain anadromous and Continental Shelf fishery resources.

3. Establishes eight Regional Fishery Management Councils, instruments of State-Federal interaction in the conduct of such fisheries management.

4. Sets forth seven National Standards for Conservation and Management with which the management of fishery resources must be consistent.

5. Provides for mechanisms to allocate catch of fish between U.S. and foreign fleets with preference to U.S. fishermen.

6. Provides for the preparation and implementation of fishery management plans.

More specifically, the Act directs the Secretary of Commerce to prescribe rules and regulations for several sections of Title III, which deal with the national fishery management program and the responsibilities and functions of the eight Regional Fishery Management Councils in the development of fishery management plans.

The Act's effective date of March 1, 1977 for establishment of the Fisheries Conservation Zone has necessitated early and rapid assistance to the Councils. Parts 601 and 602 of this Chapter are therefore issued as interim final regulations in accordance with 5 U.S.C. 553 (d)(3) to furnish the information required by the Act as quickly as possible and to provide a framework within which the Councils can begin operation immediately.

Interested parties, Regional Councils and governmental agencies are encouraged to submit written comments, views, or data concerning the regulations promulgated hereby to the Director, National Marine Fisheries Service, Washington, D.C. 20235. All such submissions received on or before December 2, 1976, will be considered prior to the publication of final regulations.

Secs. 301(b), 302(f)(6), and 304(f) of the Fishery Conservation and Management Act of 1976 (16 U.S.C. 1851, 1852, 1854).)

Issued in Washington, D.C., on September 13, 1976.

DAVID H. WALLACE,
Associate Administrator, National Oceanic and Atmospheric Administration.

PART 601—REGIONAL FISHERY MANAGEMENT COUNCILS

Subpart A—General

Sec.
601.1 Purpose.
601.2 Definitions.

Subpart B—Geographical Boundaries

601.11 General.
601.12 Method of determination. [Reserved]
601.13 Description. [Reserved]

Subpart C—Uniform Standards for Organization, Practices and Procedures

601.21 General.
601.22 Organization.
601.23 Administrative practices and procedures.
601.24 Operational practices and procedures.
601.25 Council statement of organization, practices and procedures.

AUTHORITY: 16 U.S.C. 1852; 16 U.S.C. 1854.

Subpart A—General

§ 601.1 Purpose.

The regulations in this Part implement certain portions of the Fishery Conservation and Management Act of 1967 (16 U.S.C. 1801–1892), which among other things, establishes eight Regional Fishery Management Councils. The principal responsibility of these councils is to provide the nucleus of a national fisheries conservation and management program through the systematic development of fishery management plans. These Regional Fishery Management Councils are independent bodies. They shall act under the Uniform Standards established by these regulations and the Act. This part describes matters pertaining to the establishment, organization, practices and procedures of the eight Councils.

§ 601.2 Definitions.

The terms used in these regulations shall have the meanings that are prescribed in section 3 of the Act. In addition, the following definitions apply:

(a) *Fishery management plan.* A document that contains a systematic description of a given fishery, including present conditions and past history, and that sets forth the objectives and strategies for the management of the fishery, including recommended allocations to users, and specifies the practical conservation and management measures needed to achieve those objectives. It is a discrete and essential element of the national fishery management program, and when implemented, is controlling as to the utilization of a given fishery.

(b) *Council.* Regional Fisheries Management Council.

(c) *Administrator.* The Administrator of the National Oceanic and Atmospheric Administration.

(d) *Associate Administrator.* The Associate Administrator for Marine Resources, National Oceanic and Atmospheric Administration.

(e) *Director.* The Director of the National Marine Fisheries Service.

(f) *Regional Director.* The Regional representative of the Director. There are five regional offices of the National Marine Fisheries Service whose Regional Directors serve on the various Councils as specified in the Act.

(g) *Regional Fishery Management Council Operations Manual.* A compilation of technical and explanatory information the purpose of which is to provide assistance to the Regional Councils in the fulfillment of their various functions.

(h) *Administrative and Technical Support Services.* The administrative, technical, legal and scientific services needed by the Councils, authorized by the Secretary and provided by the government to assist the Councils in the fulfillment of their various functions required by the Act.

(i) *Federal Budget Cycle.* The 33-month process of formulating and executing the Federal budget.

(j) *Highly Migratory Species.* [Reserved]

(k) *Confidential.* Confidential means containing information, the unauthorized disclosure of which could be prejudicial or harmful. Depending on the context within which it is used, the word (1) identifies information having an official security classification of Confidential relating to the protection of national security, or (2) describes information/data that is identifiable with an individual, business, or some other entity and that is accepted by the Secretary or the Councils under a stipulation that limits disclosure.

Access to security classified material is governed by security regulations and procedures pursuant to Executive Order 11652, effective June 1, 1972. Access to information granted confidential treatment as a condition of obtaining it is governed by Part 603 of these regulations.

(l) *Advisory Group.* The Scientific and Statistical Committee or advisory panels established pursuant to the Act.

Subpart B—Geographical Boundaries

§ 601.11 General.

(a) *Fishery Conservation Zone.* The Act creates a zone contiguous to the territorial sea, which is called the fishery conservation zone. The outer boundary of the zone is 200 nautical miles from the baseline from which the territorial sea is measured and the inner boundary is a line coterminous with the seaward boundary of each of the coastal States. (See 43 U.S.C. 1301(b) and 1312 for definition of "seaward boundary".)

(b) *Scope.* (1) The boundaries described in § 601.13 delineate the geographical area of fishery management

authority of adjacent Councils within this fishery conservation zone.

(2) Within the geographical area of authority, each Council shall have responsibility for the following categories of fishery resources:

(i) All fish within this zone, except "highly migratory species";

(ii) All anadromous species throughout their migratory range, except within a foreign nation's territorial sea or fishery conservation zone recognized by the United States; and

(iii) Continental Shelf fishery resources.

(c) *Jurisdiction*—(1) *State.* Generally the Act does not diminish the jurisdiction of any State over fishery resources within its own boundaries, nor does it extend State fishery jurisdiction beyond a State's seaward boundary.

(2) *Intercouncil.* In any case in which the range of stock or a fishery extends beyond the geographical area of authority of any one Council, as defined in § 601.13, the Secretary is authorized to designate the Council that shall prepare the fishery management plan for such a fishery. When such a plan includes waters adjacent to the States represented on more than one Council, the Council thus designated should consult with the other affected Councils. The Secretary may require that a plan be prepared jointly by the Councils concerned. In this case, any plan or amendment must, before being submitted to the Secretary, be approved by a majority of the voting members, present and voting, of each participating Council.

§ 601.12 Method of determination. [Reserved]

§ 601.13 Description. [Reserved]

Subpart C—Uniform Standards for Organization, Practices and Procedures

§ 601.21 General.

(a) *Purpose.* Section 302(f)(6) of the Act requires each Council to determine its own organization, practices and procedures for carrying out its functions in accordance with such Uniform Standards as are prescribed by the Secretary. The regulations contained in this subpart provide the Uniform Standards in accordance with which the Councils will operate.

(b) *Applicability of other laws*—(1) *National Environmental Policy Act of 1969 (42 U.S.C. 4321).* (i) The National Environmental Policy Act (NEPA) sets forth the strategy of the Congress to achieve coordination of Federal activities and environmental considerations. NEPA's basic purpose is to insure that, in addition to technical and economic considerations, Federal officials weigh and give appropriate consideration to unquantified environmental values in policy formulation, decisionmaking and administrative actions. Section 102(2)(C) of NEPA requires preparation of a detailed environmental impact statement in the case of major Federal actions that significantly affect the quality of the human environment.

(ii) Preparation and submission of a fishery management plan to the Secretary is a major Federal action. To determine whether preparation and submission of a management plan, or an amendment of a plan, would significantly affect the quality of the human environment, an environmental assessment must be made in the case of each plan. This assessment will allow an informed and adequately documented decision to be reached as to whether an EIS must be prepared, or if a negative declaration on the need for a statement should be filed. The preparation of environmental assessments for each management plan will occur concurrently with the preparation of the plan. In the case of Council-prepared plans, the Councils have the responsibility for preparation of an environmental assessment and for preparing recommendations on whether to proceed with an EIS or to file a negative declaration. The Council shall make available a draft Environmental Impact Statement, if applicable, at the hearing referred to in § 601.24(c). In the event that amendments are made to the plan, or the regulations promulgated by the Secretary vary from the plan, the Council shall amend the Environmental Impact Statement as necessary. In addition to the guidelines of CEQ (40 CFR Part 1500), guidelines and procedures of the Department of Commerce (DAO 216–6) and NOAA (DM 02–10) provide further instructions for responding to the requirements of NEPA.

(2) Provisions of three interrelated laws affect Council practices and procedures, particularly concerning opportunity for public input, public access to Council meetings and to agendas, records and reports of such meetings. These laws are:

(i) *The Federal Advisory Committee Act (Pub. L. 92–463).* The intent of Congress with regard to application of this Act to the Regional Councils is stated in the Report of the Conference Committee (Conf. Rept. No. 94–948, March 24, 1976). Its application is designed to ensure open meetings and public access to information generated by the Council.

(ii) *The Freedom of Information Act (5 U.S.C. 552(b)).* This Act provides for public access to records of the executive branch of the Federal government, and to records generated at the request of the Federal government. Nine groups of exceptions are provided that allow the withholding of information. Application of this Act is covered more specifically in Part 603. [Reserved]

(iii) *The Privacy Act (5 U.S.C. 552(a)).* This Act provides to individuals certain rights of access to records kept about them, and at the same time requires that the confidentiality and use of the information be strictly regulated, placing restrictions on the collection, retention, and use of personal information. Discussion of specific application of this Act can be found in Part 603. [Reserved]

(3) *Coastal Zone Management Act of 1972 (16 U.S.C. 1451).* The principal objective of this Act is to encourage and assist States in developing coastal zone management programs, to coordinate State activities and safeguard the regional and national interests in the coastal zone. While the coastal zone does not extend beyond the territorial sea, activities taking place beyond the territorial sea may impact on the coastal zone and thus come within the influence of coastal zone planning. In the preparation of fishery management plans, Councils should be particularly cognizant of the provisions of the CZMA (Sec. 307(c)) that require that any Federal activity directly affecting the coastal zone of a State be consistent with that State's coastal zone management program. Thus Councils will need to coordinate their planning actions with the appropriate State agencies involved in costal zone planning.

§ 601.22 Organization.

(a) *General.* This part addresses such questions as organization of the Council members, administrative staff and advisory panels.

(b) *Council members.* The Councils consist of voting and nonvoting members or their designees, as specified in the Act.

(1) *Terms.* Members appointed following initial constitution of the Councils serve for a term of three years. An individual appointed to fill a vacancy occurring prior to the expiration of any term of office shall be appointed for the remainder of that term. The anniversary date for measuring terms of membership is August 11.

(2) *Designees.* The Act authorizes the principal State officials, the NMFS Regional Directors, and the nonvoting members to designate individuals to attend Council meetings in their absence. Only one designee per Council may be so specified by each of the above officials.

(3) *Designation of regional directors.* The Regional Directors of the National Marine Fisheries Service shall, in accordance with the Act, serve as voting members on the Councils as follows:

Council	*Regional Director*
New England	Northeast region.
Mid-Atlantic	Do.
South Atlantic	Southeast region.
Caribbean	Do.
Gulf of Mexico	Do.
Pacific	Northwest region.
North Pacific	Alaska region.
Western Pacific	Southwest region.

(4) *Appointments.* Inasmuch as each year approximately one-third of a Council's appointed membership will lapse, new members shall be appointed by the Secretary or his delegate from lists of nominees submitted by the Governors of each applicable constituent State by June 1 of each year. The Governors are responsible for determining that their nominees meet the qualification requirements of the Act and for providing appropriate documentation for the Secretary or his delegate to make a reasoned choice. The number of individuals who must be nominated by a Governor shall be equal to at least three times the number of vacancies available, and each such

nominee shall be considered as available for any such vacancy. These procedures also shall apply when a vacancy occurs prior to the normal expiration of a term of membership of a voting member appointed by the Secretary or his delegate.

(5) *Organization.* The Chairman shall be elected from among the voting members by a majority vote of the voting members present and voting. The term of office for the Chairman shall be one year. No member shall be elected Chairman whose appointment, as a voting Council member will expire in less than one year from the date of election as Chairman. The Council may establish such other officers as it deems necessary and set their terms of office. The Council may appoint such standing and ad hoc committees from among the voting and nonvoting members as it deems necessary for the conduct of Council business. Such committees must conform to the procedures for assuring open meetings specified for the Council itself.

(c) *Administrative staff.* Each Council shall appoint an Executive Director and such other full and part time administrative employees as the Secretary determines are necessary to the performance of its functions, and which are consistent with budgetary limitations. The Executive Director and staff are responsible to the Chairman of the Council.

(1) *Executive Director*—(i) *Duties.* Each Council, through its Chairman, shall assign such duties to the Executive Director as it deems appropriate, consistent with these Uniform Standards.

(ii) *Compensation.* The administrative responsibilities, coupled with the complexity of the workload of the Council, will influence the pay level appropriate to a given Executive Director position, provided that compensation shall not exceed the yearly rate for the highest step of a GS–15 in the General Schedule.

(2) *Other administrative staff*—(i) *Minimum.* As a minimum, each Council shall have an administrative staff consisting of an executive director, an administrative officer, and a secretary.

(ii) *Additional staff.* Additional administrative staff will vary by Council because of differences in workload and availability of resources. The number and types of additional positions will also vary over time as the work of the Council is defined during its initial phase of operation. Budgeted positions will be apportioned by the Secretary on the basis of justifications submitted by the Councils.

(d) *Scientific and statistical committee.* Each Council shall establish and maintain, and appoint the members of, a Scientific and Statistical Committee to assist it in the development, collection and evaluation of such statistical, biological, economic, social and other scientific information as is relevant to such Council's development or amendment of any fishery management plan. The Secretary is authorized to pay the actual expenses of such Committee members while engaged in Council business.

(1) *Function.* The Scientific and Statistical Committee provides expert scientific and technical advice to the Regional Council on the development of fishery management policy, on the preparation of Fishery Management Plans, and on the effectiveness of such plans once in operation. The Committee aids the Council in identiyfing scientific resources available for the development of plans, in establishing the goals and objectives of plans, in establishing criteria for judging plan effectiveness and in the review of such plans.

(2) *Organization.* The members of the Committee and a Chairman are appointed by the Council. Membership shall be multidisciplinary, including both biological and social scientists from the Federal, State, and private scientific community who are knowledgeable about the fisheries to be managed. The size of the Committee is discretionary within the resources budgeted to the particular Council. The Committee shall meet in the area encompassed by the Council's constituent States, with the approval of the Chairman of the Council. No staff is assigned to this Committee but staff support may be requested from the Chairman of the Council or the Executive Director. This committee shall have a charter separate from that of its parent Council.

(e) *Fishery advisory panels.* Each Council shall also establish such other advisory panels as are necessary or appropriate to assist it in carrying out its functions under the Act. The Secretary is authorized to pay the actual expenses of the members of such panels except those who are Federal employees, while engaged in the performance of Council business.

(1) *Function.* Fishery Advisory Panels are authorized principally to obtain the pragmatic advice and counsel of the people most affected by the Council's management activities on matters of fishery management policy, on the preparation of Fishery Management Plans, on their review prior to submission to the Secretary, and on their effectiveness once in operation. These Panels aid the Council in establishing both the goals and objectives of plans as well as the criteria for judging plan effectiveness, and serve as a communication link with those who must operate under the management regime.

(2) *Organization.* The members and a Chairman are appointed by the Council. The membership of each such Panel shall be composed of a balanced representation of the interests of those who are either actually engaged in the harvest, processing or consumption of, or are knowledgeable and interested in the conservation and management of, the applicable fishery or fishery management unit. The size of each such Panel and the number of Panels are discretionary within the resources budgeted to the particular Council, but they must be of sufficient size and number to permit a balanced representation of interests. The Panels shall meet in the area encompassed by the Council's constituent States as deemed necessary by the Council Chairman. No staff is assigned to these Panels, but staff support may be requested from the Chairman of the Council or the Executive Director. Each advisory panel shall have its own charter separate from those of other panels, from the Scientific and Statistical Committee, and from its parent Council.

§ 601.23 Administrative practices and procedures.

(a) *General.* The Act directs the Secretary to provide the Councils with such administrative support services as are necessary for their effective functioning. The Administrator of the General Services Administration is directed by the Act to furnish each Council with such offices, equipment, supplies and services as he is authorized to furnish to any agency or instrumentality of the United States. Finally, all Federal agencies are authorized to detail personnel on a reimbursable basis to the Councils after consulting with the Secretary. Uniform Standards in this Section are provided in order to expedite the delivery of this support with a minimum burden on the substantive work of the Councils.

(b) *NOAA field units.* NOAA field units are assigned to provide services and support to each Council as follows:

Council	*Servicing field unit*
New England	Northeast region, NMFS.
Mid-Atlantic	Do.
South Atlantic	Southeast region, NMFS.
Caribbean	Do.
Gulf of Mexico	Do.
Pacific	Northwest region, NMFS.
North Pacific	Alaska region, NMFS.
Western Pacific	Southwest region, NMFS.

These NOAA field units are authorized to provide for budgetary, accounting, personnel, and procurement support to their respective Councils, and may act as liaison between the Councils and other Federal agencies.

(c) *Budgeting, funding, and accounting*—(1) *Federal funds.* The funding for the administrative and technical support of Council operations are included in the budget of the Department of Commerce and, through that agency, in the budgets of NOAA and NMFS. The funding requirements for the Councils are subject to regular budgetary review procedures. During the period of Council formation, the administration of Council budgets will be performed by the designated NOAA field units, and all Council administrative services will be performed by the NOAA field units. As each Council acquires its administrative staff and indicates its readiness to assume budget and fiscal responsibilities, such matters will be administered by means of annual grants to the Councils.

Prior to the assumption of budget and fiscal responsibility by the Council, the Executive Director of the Council will transmit Council needs for supplies, equipment, space, services, travel authorizations, etc., to the NOAA field unit designated to assist that Council. The Executive Director may consult the NMFS regional staff member designated

by the NMFS Regional Director for additional guidance on procedure and appropriate NOAA administrative requirements. Fiscal Year 1977 contract funds for all Councils will be retained at the headquarters level of NMFS in Washington, D.C., for use by the Councils as the need arises. The operating needs of the Councils will be met out of the funds already budgeted for each Council.

Beginning in December, 1976, each Council will assume responsibility for preparing its own grant request in accordance with the provisions of OMB Circular A–110, July 1, 1976.

(2) *Funds from other sources.* [Reserved.]

(3) *Financial procedures and standards* [Reserved.]

(d) *Standards of employment practices*—The following sets forth the responsibilities of the Councils with regard to personnel matters and establishes personnel related standards to be used by the Secretary in analyzing Council budgets.

(1) *Staffing.* Each Council may appoint and assign duties to an Executive Director and such other full and part time administrative employees as the Secretary determines are necessary to the performance of its functions. Each position must be justified during the budget process described in OMB Circular A–110 and § 601.23(c)(3) of these regulations. Descriptions of the work to be performed shall be submitted in accordance with the section below dealing with salary and wage administration.

(2) *Experts and consultants.* Each Council may contract with experts and consultants as needed and within their respective budgets to provide technical assistance.

(3) *Details of Government employees.* Each Council may request the head of any Federal agency to detail to such Council on a reimbursable basis any personnel of such agency to assist the Council in the performance of its functions under the Act. The length of such details shall be mutually determined by the Council, the Federal employee and his or her agency. Federal employees so detailed retain all benefits, rights and status as they are entitled to in their regular employment. The Councils may negotiate arrangements with State or local governments to utilize employees of those governments.

(4) *Nondiscrimination.* All activities of the Council must operate under a policy of equal employment opportunity. Council staff positions shall be filled solely on the basis of merit, fitness, competence, and qualifications. Employment actions shall be free from discrimination based on race, religion, color, national origin, sex, age, or physical handicap.

(5) *Personnel actions.* Subject to these instructions, and within budgetary constraints, the Councils may establish positions, recruits, hire, compensate and dismiss personnel. Involuntary separation should be for cause alone, with reasonable notice given to the employee.

(6) *Salary and Wage Administration.* In setting rates of pay for Council staff, the principle of equal pay for equal work should be followed. Variations in basic rates of pay should be in proportion to substantial differences in the difficulty and responsibilities of the work performed.

The duties of any new position shall be contained in a brief description to be submitted to the NOAA personnel office servicing the NMFS Regional Office assigned to a Council prior to the submission of a budget in which the salary of that position is requested.The Council will be provided a salary range appropriate to the position. The Council then may fill the position at any salary level within that range, except that, unless the recruitment of exceptionally qualified employees is hampered, the policy of hiring at the beginning rate shall be recognized. The annual pay for any staff position may not exceed the current rate for the top step of grade 15 of the Federal General Schedule at any time. After a position has been filled, an employee may be promoted annually and recognized for superior performance in accordance with Council policies.

(7) *Leave.* Employees of the Council should be granted paid leave for holidays, vacations or exigencies, sickness, and civil duties (jury, military reserve obligations) as determined by the Council. Paid annual leave should not exceed 20 days per year, and sick leave should not exceed 13 days per year.

(8) *Employee benefits.* The Council should provide its employees the opportunity to participate in group medical insurance, life insurance and retirement plans and pay a reasonable proportion of the cost of such plans.

(9) *Standards of conduct.* The Councils are responsible for maintaining high standards of ethical conduct among themselves and their staffs. Such standards should include the following principles:

(i) No employee of the Council shall use his or her official authority or influence derived from his or her position with the Council for the purpose of interfering with or affecting the result of an election to or a nomination for any national, state, county, or municipal elective office.

(ii) No employee of the Council shall be deprived of employment, position, work, compensation, or benefit provided for or made possible by the Act on account of any political activity or lack of such activity in support of or in opposition to any candidate or any political party in any national, state, county, or municipal election, or on account of his or her political affiliation.

(iii) No Council member or employee shall pay, or offer, or promise, or solicit, or receive from any person, firm, or corporation, a contribution of money or anything of value in consideration of either support or the use of influence or the promise of support, or influence in obtaining for any person, any appointive office, place or employment under the Council.

(iv) No employee of the Council shall have a direct or indirect financial interest that conflicts with the fair and impartial conduct of his or her council duties.

(v) No Council member or employee of the council shall use or allow the use, for other than official purposes, of information obtained through or in connection with his or her Council employment that has not been made available to the general public.

(vi) No Council member or employee of the Council shall engage in criminal infamous, dishonest, notoriously immoral or disgraceful conduct prejudicial to the Council.

(vii) No Council member or employee of the Council shall use Council property on other than official business. Such property shall be protected and preserved from improper or deleterious operation or use.

(10) *Personnel files.* A file for each council member containing appointment papers, security reports, biographical data and other official papers will be centrally maintained in NOAA under security and safeguard conditions required of files subject to the Privacy Act. This file will be available to the member, and to other persons only when a need to know has been established. The Councils should maintain personnel files on their employees under similar safeguards.

(11) *Security investigations.* When it is anticipated that security classified information will be kept or handled in council offices, certain employees shall be designated to be permitted access to the information in accordance with Federal standards and shall receive appropriate security clearance from the Office of Investigation and Security of the Department of Commerce.

(e) *Personnel*—(1) *Council staff.* The Councils may, consistent with the standards of employment practice standards contained in § 601.23(d), establish positions and recruit, hire, compensate, and dismiss personnel. The personnel procedures of each Council will be subject to audit periodically.

(2) *Ad Hoc staff support.* All Federal agencies are authorized to detail personnel to the Council on a reimbursable basis. Any Council requests to the heads of such agencies must contain the purpose of the detail, the length of time of the detail, the compensation to be paid, and the stipulation that the Director, NMFS, be consulted prior to granting the request. Copies of this correspondence shall be transmitted to the Director, NMFS, through the appropriate NOAA Field Office to facilitate such consultation. Legal Counsel on a continuing basis shall be obtained from the regional office of the NOAA Office of General Counsel. Other experts and consultants may be utilized as the Council deems appropriate, consistent with budgetary limitations.

(3) *Council access to security classified material.* The security investigation that is routinely conducted at the time a nominee to the Council is appointed or designated is the basis for authorizing access on a need-to-know basis to material classified CONFIDENTIAL. Nor-

mally this should be sufficient for Council purposes. Clearance for higher classifications may be granted, following regular Federal procedures, by the Secretary of Commerce. Need-to-know is determined by the authority having custody of the material. Persons who are not members of the Council, including Council staff, must possess the appropriate security clearance before they may be present when classified materials are discussed or examined. Such clearances will be requested through the appropriate NOAA field unit.

(f) *Compensation and expenses.*—(1) *Compensation.* The voting members of each council who are not employed by the Federal Government or any State or local government shall receive compensation at the daily rate for a GS–18 in the Federal General Schedule when engaged in the actual performance of duties as assigned by the Chairman of the Council, including travel time.

(2) *Expenses.* Council voting members, the nonvoting Executive Director of the Marine Fisheries Commission for the geographical area concerned, if any, the additional nonvoting member of the Pacific Council, and the members of the statutory advisory panels shall be reimbursed for actual expenses associated with travel on official Council business. The Secretary may also pay the transportation and expenses, on an actual expense per diem basis, of invited experts and consultants, and Council staff. All such expenses must be authorized by the Chairman of the Council or the Executive Director and be supported by detailed vouchers attested to by the person incurring the expenses. Individual receipts, except for hotel receipts, are not required. Foreign travel must have the prior consent of the Administrator.

(3) *Actual expense defined.* Actual expenses include transportation by air coach, rail coach, bus or privately-owned vehicle (automobile or private plane—reimbursed on a per mile basis); room and meals within a reasonable limit to be established by the Secretary; and incidental expenses such as taxi fares, parking and telephone calls on official business.

(g) *Reporting.* The Act requires the Councils to report to the Secretary annually before February 1 on Council activities during the immediately preceding calendar year. The first annual report is due February 1, 1977, covering activities from establishment to December 31, 1976. They must also prepare any other relevant reports as the Secretary may request. They are further authorized to prepare any reports they deem appropriate for the Secretary.

(1) *Annual report.* The annual report will be used by the Secretary to fulfill his obligation to report to the Congress and the President no later than March 1 of each year on his and the Councils' activities in the preceding year. The annual Council report shall be submitted directly to the Administrator, NOAA, Washington, D.C. 20230, in eight copies. The minimum contents of such a report are as follows:

(i) A list of Council members with affiliations, indicating voting and nonvoting members and Council officers serving during the year, office titles and dates of such service.

(ii) A list of Council administrative staff with titles.

(iii) A list of members of the Scientific and Statistical Committee with affiliations, and lists of members of each advisory panel with affiliations.

(iv) A list of Council meetings and hearings held and of Scientific and Statistical Committee and advisory panel meetings held, with dates, locations and the subjects of discussion, indicating whether they were open, closed or partially closed to the public, and citing the appropriate authorization for any closed portions of the meetings.

(v) A list of all items sent to or received from the Secretary during the calendar year, including proposed fishery management plans and amendments, and comments, on foreign fishing applications or on Secretarilly developed plans. Indication of the date such items were transmitted to or received from the Secretary and the date of any action taken.

(vi) An appropriate summary of the discussion at any closed sessions held during the year.

(vii) An estimate of the man years of staff support by source (Federal, State, private).

(viii) An estimate of the cost to operate the Council, indicating sources of funding and the respective amounts.

(2) *Financial and other reports.* Requirements for periodic financial and other reports for purposes of overall NOAA budgetary control and reporting will be included in grants issued to the Councils.

§ 601.24 Operational practices and procedures.

(a) *General.* In fulfilling the Councils' responsibilities and functions, the Council members will meet in plenary session, in working groups, or individually to hear statements in order to clarify issues, gather information or make decisions regarding material before them. This section establishes Uniform Standards for the conduct of those activities to meet the requirements of the Act and to facilitate the exercise of Council responsibilities.

(b) *Meetings.*—(1) *General.* The Councils will meet at the call of the Chairman or upon request of a majority of the voting members. Advisory bodies will meet with the approval of the Chairman of the Council. The Councils shall develop a mechanism for coordinating requests for advice from their advisory bodies through the Executive Director.

(2) *Notice.* Notice of meetings, including time, location, subjects to be discussed, etc., must appear in the FEDERAL REGISTER at least 20 days prior to the meeting. Notices shall be submitted by the Council, no later than 25 days prior to the meeting, to the Director, National Marine Fisheries Service, NOAA, who shall submit such notice to the FEDERAL REGISTER.

(i) All meetings or portions thereof must be open to the public with only those exceptions set forth in the Federal Advisory Committee Act, which require a determination by the Secretary or his designee that the reasons for excluding the public are valid. Such a determination must be requested through the Assistant Secretary for Administration, Department of Commerce, 45 days prior to the meeting or portion thereof.

(ii) Detailed minutes shall be kept and made available to the public upon request, except where the meeting or portion thereof was closed, in which case only the open portions must be made available.

(3) *Conduct.* Meetings shall be conducted in a manner to permit the greatest possible participation by all members of the Council and the public. Decisions by consensus are permitted except where the issue is Council approval or amendment of a Fishery Management Plan (including any proposed regulations), or comments for the Secretary on foreign fishing applications or Secretarially prepared management plans. In these cases a vote is required.

(i) A majority of the voting members of any Council shall constitute a quorum for Council meetings, but one or more such members designated by the Council may hold hearings.

(ii) When there is a vote, the majority of the voting members present and voting shall rule. The use of proxy is not permitted (see section 302(e)(1) of the Act).

(iii) Each Council shall conduct all meetings and hearings within its geographic area of concern. In the particular case of the North Pacific Council, this means within the State of Alaska.

(iv) Voting members of the Council who dissent on any issue to be submitted to the Secretary are permitted to submit a statement of their reasons for dissent to the Secretary.

(4) *Frequency and duration.* The Councils shall meet in plenary session at least once a quarter. Council advisory bodies shall meet as frequently as necessary, with the approval of the Council Chairman.

(5) *Location.* Council meetings shall be held in the geographic area of concern. The meeting place should be of a capacity large enough to accommodate the anticipated public attendance and be easily accessible to those interested in attending. Working groups of the Council and advisory groups shall meet in the particular area of interest with the Council's constituent States.

(c) *Hearings.*—(1) *General.* The Act directs the Councils to hold public hearings in order to provide the opportunity for all interested persons to be heard in the development of Fishery Management Plans, amendments thereto, and with respect to the administration and implementation of the Act. The Council may use its judgment regarding when and where such hearings should be held, provided they are held in the particular geographic area concerned.

(2) *Conduct.* When it is determined that a hearing is appropriate, the Chair-

man of the Council will designate at least one voting member of the Council to officiate. Conduct of the hearing, beyond the stipulation that all points of view be given a chance for expression, is within the discretion of the hearing official under whatever instructions the Council may wish to provide.

(3) *Notice.* Hearings must follow the same procedures for announcement as for Council and advisory group meetings. Advance notice also should be given in the local media where the hearing is to take place. Publicity should be sufficient to assure that all interested parties are aware of the opportunity to make their views known.

(4) *Record.* An accurate record of the participants and their views, obtained by use of either a court reporter or detailed minutes, must be reported back to the Council and maintained as a part of the Council's official records.

(d) *Council operational structure*—(1) *General.* In addition to the Council staff and the advisory groups that are provided for in the Act, an operational structure will be needed to develop basic inputs to the Fishery Management Plans and to assemble drafts for formal review by the Councils and their advisors. The operation structure selected by a Council should: (i) Address directly the responsibilities and functions listed in section 302(h) of the Act; and (ii) Strike a reasonable balance among the following criteria.

(2) *Criteria for formation*—(i) *Focused responsibility.* The structure selected should assign clearly defined responsibilities in a clearly defined chain of command consistent with the formal structure provided in the Act.

(ii) *Administrative simplicity.* The structure selected should permit thorough and uncomplicated supervision by those with formal responsibility, including the Executive Director of the Council.

(iii) *Flexibility.* Within defined responsibilities, the structure should be able to bring to bear the necessary expertise on planning problems and to respond to shifts in Council priorities.

(iv) *Independence and relevance of science.* The scientific input to the development of plans should be institutionally insulated from managerial biases and pressure from interested parties, while remaining relevant to the problems of management.

(v) *Quality of scientific and technical information.* The structure should assure that the best scientific and technical information available will be applied in plan development.

(vi) *Minimum cost.* Cost, both in dollars and in diversionary impact on ongoing programs should be minimized within the constraints of the other criteria.

§ 601.25 Council statement of organization, practices and procedures.

(a) *General.* The Act requires that the details of how a Council will operate shall be published by the Council and made available to the public. The required Statement of Organization, Practices and Procedures, as a minimum, shall address the items listed in the format below.

(1) Each Council is expected to publish such a statement by March 1, 1977. Publication will be in the FEDERAL REGISTER, and must include an address where interested members of the public may write to request copies. Changes to the statement must likewise be published and made available.

(b) *Format.* (1) Name of council.
(2) Location of offices.
(3) Legal authority.
(4) Purpose.
(5) Council composition.
(6) Officers and terms of office.
(7) Staff.
(i) Composition.
(ii) Functions.
(iii) Employment practices.
(8) Standing committees of council members.
(i) Name.
(ii) Composition.
(iii) Function.
(9) Meetings and hearings.
(i) Frequency.
(i) Duration.
(ii) Location.
(iii) Agendas or orders of business.
(iv) Minutes.
(v) General rules of procedures.
(vi) Authority of the chair.
(10) Advisory panels.
(i) Name.
(ii) Composition.
(iii) Function.
(11) Organization of management plan development teams.
(i) Organization.
(ii) Practices and procedures.
(iii) Balance among criteria.
(A) Focused responsibility.
(B) Administrative simplicity.
(C) Flexibility.
(D) Independence and relevance of science.
(E) Quality of scientific and technical information.
(F) Minimum cost.
(12) Financial management system.
(i) Standards for and code of employment conduct in contract awards and administration.
(ii) Procurement procedures.
(iii) Property management.
(iv) Accounting and budgetary control procedures.

PART 602—GUIDELINES FOR DEVELOPMENT OF FISHERY MANAGEMENT PLANS

Sec.
602.1 Purpose and scope.
602.2 National standards for fishery conservation and management.
602.3 Contents of fishery management plans.
602.4 Standard format for fishery management plans. [Reserved]
602.5 Procedures for development, review and amendment of fishery management plans.

AUTHORITY: 16 U.S.C. 1851.

§ 602.1 Purpose and scope.

(a) A major purpose of the Fishery Conservation and Management Act is to provide for the preparation and implementation, in accordance with National Standards, of fishery management plans that will achieve and maintain, on a continuing basis, the optimum yield from each fishery covered by the exclusive fishery management authority established by the Act.

(b) Title III of the Act establishes seven National Standards for fishery conservation and management. Any fishery management plan prepared either by the Regional Councils or the Secretary and any regulation promulgated to implement a plan shall be consistent with these National Standards. The Secretary is required to establish guidelines based on the National Standards, to assist in the development of fishery management plans.

(c) This part accordingly constitutes the Secretarial Guidelines for fishery management plan development based upon the National Standards. It comprises explanatory comments with regard to these National Standards, guidance regarding the content of fishery management plans and for various other procedures involved in the development, submission, review and amendment of plans process.

§ 602.2 National standards for fishery conservation and management.

(a) *General.* Each fishery management plan, and any amendment to such plan, prepared by any Council and submitted to the Secretary will be reviewed by the Secretary for approval, disapproval, or partial disapproval. The review will involve a determination of whether the proposed plan is consistent with: The National Standards; The other provisions of the Act; and Any other applicable law (Section 304(b)).

(1) *Purpose.* This section provides explanatory comments with respect to the National Standards so as to assist the Regional Councils in meeting the aforementioned National Standards consistency requirement.

(2) *Definitions*—(i) *Biomass.* The total biomass of an ocean area is the total weight of all forms of marine animal and plant life.

(ii) *Habitat.* Habitat is that combination of physical, chemical, and biological conditions and factors necessary for the completion of the life history and for all life functions of any marine animal or plant that is to be managed under the Act. These conditions and factors include all those that primarily or secondarily support such life functions as reproduction, feeding, metabolism, respiration, resting, and movement or migration.

(iii) *Recruitment.* Recruitment is the addition of a new fish to an exploitable phase of a stock of fish in a given period through growth of smaller individuals to a catchable size.

(iv) *Fishery management unit.* A species or group of species that is capable of being managed as a unit on a rational and timely basis.

(b) *Standard 1.* Conservation and management measures shall prevent overfishing while achieving, on a contin-

uing basis, the optimum yield from each fishery.

(1) *Overfishing.* Overfishing occurs when the harvest level of a given stock reduces population abundance to the point where the stock cannot produce maximum yield on a sustained basis for the existing habitat and environmental conditions. A determination regarding overfishing is based on a scientific assessment of stock abundances, recruitment, and mortality rates over a prolonged period of time.

(2) *Maximum sustainable yield (MSY).* The MSY from a fishery is the largest average annual catch or yield in terms of weight of fish caught by both commercial and recreational fishermen that can be taken continuously from a stock under existing environmental conditions. Factors (economic, social, and ecological) that modify MSY in defining optimum yield should not be used to institute management measures which permit overfishing on a continued basis.

(3) *Optimum yield concept.* (i) The concept of optimum yield is broader than the consideration of only the fish stocks. It takes into account the economic well-being of the commercial fishermen, the interests of recreational fishermen, the fish habitat quality and the welfare of the Nation. The optimum yield of any given fishery might deviate from MSY in order to respond to the unique problems of that fishery resource. Optimum yield:

(A) Recognizes resource uses and values other than harvesting;

(B) Allows for the importance of quality to the recreational fishing experience;

(C) Considers socioeconomic factors as important criteria in setting harvest rates;

(D) Permits management on the basis of MSY if the need for fisheries products is overriding; and

(E) Considers the present extent and condition of the fish habitat as well as long term changes.

(ii) The optimum yield from fishery resources will seldom, if ever, be a static quantity since both the conditions of the resources and the desires of the users will change. Optimum yield cannot, therefore, be defined absolutely for all stocks of fish or groups of fishermen; it will require precise and continual monitoring of each fishery.

(4) *Optimum yield and management objectives.* The determination of optimum yield for a particular fishery will depend heavily upon the objectives that have been determined and adopted by the Councils during the fishery management planning process. Relative weighting of the elements of the optimum yield determination will be dictated by the National as well as regional objectives for the fishery. Rarely will a fishery be managed to meet a single objective. Objectives sought may conflict to a degree with one another. Consequently, priority decisions must be made in developing objectives.

(5) *Optimum yield and foreign fishing.* Section 201(d) of the Act provides that fishing by foreign nations is limited to that portion of the optimum yield of any fishery subject to the fishery management authority of the United States which will not be harvested by vessels of the United States. In determining whether U.S. fishermen will not harvest an optimum yield, the Councils are to give consideration to the capacity of U.S. fishermen to harvest such yield. Both the optimum yield and the total "surplus" to be made available for foreign fishing are to be included in fishery management plans and amendments to such plans.

(c) *Standard 2.* Conservation and management measures shall be based upon the best scientific information available.

(1) *Scope of scientific information and technical analysis*—(i) *Information.* The term "scientific information" is meant to include information of a biological, ecological, economic, and sociological nature. Success of a fishery management plan depends on the quantity and quality of its scientific and technical information, the proper analysis of this information, and the degree to which it is applied.

(ii) *Analysis.* A method useful in determining optimum yield for each fishery is bioeconomic analysis, which examines the spectrum of relationships existing with and between living resources and their environment and the socioeconomic implication of their use patterns. Bioeconomic studies can provide a tool for fisheries management to:

(A) Formulate year to year harvesting strategies keeping in mind the longer range impact on the biological resource; and

(B) clarify the relationships between this resource and the harvesting, processing, marketing and consumption of fishery products.

(2) *Standardization of information.* Councils shall prescribe, where possible, standardized methods of obtaining and presenting data of all kinds for Council use. Suppliers of technical data to the Councils should give consideration to the comparability and compatibility of their respective data sets. The Councils, by means of the fishery management plans, should provide guidance concerning characteristics of data items such as: Definitions, collection formats, units of measure, abbreviations, degree of accuracy required, and collection point and processing codes used for identifying geographical areas.

(3) *Availability of information.* (i) The type and extent of scientific information available will vary extensively from fishery to fishery. For well-known fisheries, available information is sufficient to provide a strong foundation for a fishery management plan. In other instances, available information may be of sufficient quantity and quality to allow for the development of a plan and regulations with the understanding that modifications will be made as better data become available.

(ii) The lack of complete scientific information concerning a fishery management unit shall not prevent the preparation and implementation of a fishery management plan. All plans must identify information gaps and make provision for the acquisition of additional needed information.

(d) *Standard 3.* To the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit or in close coordination.

(1) *Fishery management units.* A management unit may involve a species, group of species, or other populations capable of being managed as a unit on a rational and timely basis. It is expected that management units will incorporate the entire range of a stock of fish. Also, management units should, to the extent practicable, comprise several stocks that are ecologically interrelated or are affected as a group by fishing practices. Fishery management units are broadly defined to take account of the multitude of fishing practices which can include effort directed toward: (i) A single stock of fish found in a certain area; (ii) Different stocks of fish sought by the same vessels; (iii) All the stocks in a certain area, and so on.

(2) *Jurisdiction.* Unity of management, or at least cooperation between various jurisdictional authorities (e.g., State, Council, Federal Government), is vital to prevent jurisdictional disputes from adversely affecting conservation practices. Where fishery management units cross Council or Federal-State boundaries, coordination should be sought among the several fishery managers and Councils in the development of plans and regulations. The occurrence of a stock in a given Council area does not necessarily mean that a plan will be written specifically for that area. Where a stock's range overlaps Council areas, one plan may be written to cover the entire range. Where stocks are discontinuous, plans by more than one Council will be necessary. Where a stock's range extends into a neighboring country's contiguous zone recognized by the United States, the Secretary, working with the Secretary of State, will assume responsibility for development of a joint management regime with the neighboring country. In such cases, the Regional Council concerned will be consulted by the Secretary of Commerce in the preparation of a plan which could be used as a basis for negotiating an appropriate international joint management regime.

(3) *Interrelationship of species/habitat.* (i) The broad, long-term management objective of the several fishery management plans developed by each Council should be to optimize the benefits from the total marine biomass within the Council area of authority. The long-term approach to total biomass management necessitates changing from concentration on a few species to management of interrelated groups of species.

(ii) Management of stocks throughout their range will also require biological research on the impact of pollution, and on the effects of wetland and estuarine degradation on fish. Management plans

should consider these and other habitat factors.

(e) *Standard 4.* Conservation and management measures shall not discriminate between residents of different States. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be (1) Fair and equitable to all such fishermen; (2) Reasonably calculated to promote conservation; and (3) Carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.

(1) *General.* (i) Allocation is an important component of resource management. Allocations among present users and between present and future users should be calculated to promote conservation and to take into consideration both public and private interests. When allocation of fishing privileges becomes necessary among U.S. fishermen, for example among recreational or commercial fishermen or among different gear types, it must be done fairly. The requirement for fairness and equity should ensure that attention is given to the preservation of the quality of the recreational fishing experience with respect to any species of substantial interest to recreational fishermen. In determining fair and equitable allocations, considerable importance should be given to the economic and sociological consequences of alternative allocation schemes. Any fishery management plan must provide for uniform and equal treatment of United States citizens and corporations operating or engaging in the fisheries concerned without regard to their particular residence or State of incorporation.

(ii) Traditional or historic fishing patterns will also be considered when allocation of fishing privileges is necessary. Application of these conservation and management measures is not expected to disrupt existing socioeconomic patterns of harvesting, processing or marketing. Right of entry of new participants into a fishery should be protected, wherever feasible.

(f) *Standard 5.* Conservation and management measures shall, where practicable, promote efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose.

(1) *Purpose.* This standard is intended to promote the efficiency of the harvesting, processing, and marketing of fishery products. Its purpose is also to encourage the development of management plans that permit the U.S. fishing industry to provide a greater share of the fish consumed in the United States.

(2) *Scope.* Economic efficiency should be regarded as a subset of a larger framework for fishery management choices involving other decisions about the distribution of costs and benefits, provision of employment opportunities, changes in the rate and composition of regional economic development, environmental effects, etc. To follow efficiency principles exclusively may not provide the greatest overall benefits to the nation or necessarily reduce costs to the consumer. Accordingly, both the advantages and disadvantages of "efficiency" will have to be carefully weighted in the context of the objectives for the particular fishery involved. From the standpoint of a national concern for the efficiency of energy use, management plans may consider levels or costs of energy expenditure for various management alternatives. Economic analyses made during the process of plan development will provide a basis for management choices concerning economic efficiency. Where limited access systems are recommended, an economic analysis of such factors as the effects on the price of fish, or the price of vessels, or alternative employment problems, etc., will be necessary for an informed decision regarding the implementation of such systems.

(3) *Economic allocation.* When conservation and management measures are recommended for purposes of economic allocation, due consideration shall be made of the biological, ecological and social consequences of such measures.

(g) *Standard 6.* Conservation and management measures shall take into account and allow for variations among, and contingencies in, fisheries, fishery resources, and catches.

(1) *General.* (i) Management and conservation measures shall allow for unpredicted variations in fishery resources. Sufficient flexibility must be built into the fishery management process to allow for timely response to unforeseen changes, either man-caused (e.g., change in catch size) or natural (e.g., spawning failure).

(ii) There can be great uncertainty with regard to the location, size, and even the existence of fish stocks. Historic peaks and valleys in annual catches, changes in environmental conditions, and species replacement in various areas provide indicators of the types of variations to be expected. Changes in fish habitat conditions may alter population levels. Variations are also to be expected in harvesting effort, fishing strategy, and gear efficiency within a fishery.

(iii) To the extent that information is available, every effort should be made to develop fishery management plans and regulations that take into account these variations and provide a suitable buffer in favor of conservation. In evaluating the need for flexible plans and regulations, consideration should be given to the completeness of fishery data available, future availability of improved data, and the ability of the fishery to adjust to new regulations. Constant acquisition and analysis of fishery data and resource data will help reduce uncertainty. There must be administrative flexibility to adjust management plans and regulations to changes in yield potential and to improve management techniques. Possible effects on stock abundance should be recognized when delays in implementing regulations cannot be avoided.

(h) *Standard 7.* Conservation and management measures shall, where practicable, minimize costs and avoid unnecessary duplication.

(1) *General.* A continuing goal of management is to eliminate, to the extent feasible, unnecessary costs of doing business. It is particularly important in a cooperative management regime that all entities involved take such steps as are necessary to ensure full utilization of available capabilities. Cost effectiveness should be sought through the process of optimizing existing capabilities, rather than at the expense of program objectives or program effectiveness. The costs of the proposed management regime, including enforcement, should be carefully evaluated in relation to the anticipated benefits.

§ 602.3 Contents of fishery management plans.

(a) *Required provisions.* Each fishery management plan, whether prepared by the Council or by the Secretary, must identify the broad management objectives to be attained in the fishery. Management objectives should be formulated as precisely as possible. Each plan must also include the following five provisions:

(1) The necessary and appropriate conservation and management measures governing fishing. These measures are to be consistent with the National Standards, with the guidelines based on the Standards, and with other applicable law. They represent the action program needed to attain the management objectives of the plan.

(2) A complete description of the fishery including: the nature and extent of fishing; the number of vessels involved; fishing gear used; species and stocks involved and their distribution, movements, and ecological relationships; the likely costs of management; actual and potential revenues from the fishery and recreational interests; and the extent and nature of foreign fishing and Indian fishing rights.

(3) An assessment and specification of the fishery's present condition, probable future condition, maximum sustainable yield, and optimum yield. The biological status of the fishery should be described in terms of whether it is underutilized, intensively exploited, overexploited, etc. The present and potential economic and social problems should be discussed. A summary of all best information available should be included and utilized in making specifications of condition and yields. With regard to the present and future conditions of each fishery, the plan should include:

(i) A description of the fishery habitat;

(ii) A determination of the condition of the habitat and factors threatening its productivity;

(iii) An estimate of any restoration or improvement measures necessary to ensure a habitat suitable to sustain the fishery resource;

(iv) A description of any existing programs directed to the protection of habitat from destructive factors; and

(v) A reference to any existing applicable Coastal Zone Management plans

and the relationship of such plans to the fishery management plan.

(4) *An assessment of the annual U.S. harvest of optimum yield of the fishery.* An evaluation and specification of the capacity of U.S. commercial and recreational fishermen to harvest the optimum yield of the given fishery, and the portion of this optimum yield that will not be so harvested and can be made available to foreign fleets. Included should be a description of present user groups and anticipated future domestic production.

(5) *Statistics.* A specification of the pertinent statistics and data that must be submitted by fishermen, processors and others to the Secretary as provided in the Act with respect to the fishery, including information as to gear, catch by species, fishing areas, and fishing effort. The data requirements section of a plan shall also specify all socio-economic data necessary for optimum yield management. The fishery data reporting requirements apply to both the domestic and foreign sectors of a fishery and to both the recreational and commercial segments of domestic fisheries. Requirements for data shall take into account the effort necessary to collect such data, and the effort shall be minimized through careful selection of data elements, the periodicity of collection and the accuracy required so as not to unduly burden those who must supply such data. Whenever possible, the units of data measurement should be specified in order to facilitate data reduction and analysis. Regulations with regard to the confidentiality of these statistics are set forth in Part 603. [Reserved]

(b) *Discretionary provisions.* In addition to the above elements that a management plan is required to contain, the plan may, with respect to any fishery, include the following items:

(1) *Permits and fees for domestic fishermen.* A requirement for a permit to be obtained from, and fees to be paid to, the Secretary for any U.S. fishing vessel fishing within the Fishery Conservation Zone or for anadromous species or Continental Shelf fishery resources beyond the zone. The amount of the fees charged domestic fishermen is to be established by the Secretary if the management plan authorizes charging fees, but in no event shall exceed the administrative costs incurred by the Secretary in issuing permits.

(2) *Time and area restrictions.* A designation of periods when, and zones where, fishing will be permitted, and specifications as to types and quantity of vessels or gear to be permitted in such zones or during such periods. These restrictions must be related to the objectives of the plan.

(3) *Catch limitations.* Establishment of catch limitations, based on area, species, size, number, weight, sex, incidental catch, total biomass, or other factors, that are related to the fulfillment of plan objectives.

(4) *Gear and vessel restrictions.* Establishment of prohibitions, limits, conditions, and requirements for the use of specified types and quantities of fishing gear, vessels and equipment, and requirements for utilization of devices facilitating enforcement. These restrictions must be related to the objectives of the plan.

(5) *State laws.* Incorporation, to the extent practicable, of relevant fishery conservation and management measures of the coastal States nearest to the fishery. In some cases, existing State measures may be adopted for certain fisheries with little modification for the Fishery Conservation Zone so long as they are consistent with the National Standards and other provisions of this Act and any other law.

(6) *Limited access.* Establishment of a limited access system in order to achieve optimum yield.

(i) Considerations. The Council must take into account:

(A) Present participation in the fishery;

(B) Historical fishing practices and dependence on the fishery;

(C) The economics of the fishery, such as the value of existing investments and the value of fishing privileges;

(D) The capability of vessels used in the fishery to engage in other fisheries or other pursuits;

(E) The cultural and social framework relevant to the fishery; and

(G) Any other relevant considerations such as any State limited access systems, history of the compliance with fishing regulations, and the optimum yield of the fishery.

(ii) Purposes. Limited access is a management technique that is directed at economic as well as biological objectives. This technique is used to reduce the congestion and economic waste that often occurs from the "open access" condition of common property fisheries. Limited access should be used carefully, and only when other tools fail to achieve management objectives.

(7) *Other necessary measures.* Prescription of any other measures, requirements, or conditions and restrictions as are determined by the Council to be necessary and appropriate for the conservation and management of the fishery.

§ 602.4 Standard format for fishery management plans. [Reserved]

§ 602.5 Procedures for development, review, and amendment of fishery management plans.

(a) *Plans prepared by the councils.* In preparing a fishery management plan a Council shall:

(1) *Identify fisheries to be managed.* The Council shall assess the fisheries within its geographical area of jurisdiction and identify all fisheries (fishery management units) requiring plan development. It will be the Council's responsibility, in collaboration with the Secretary, to delineate fishery management units and to set priorities for plan development for these units.

(2) *Develop management options.* The Council shall assemble and analyze all relevant information (e.g., biological, economic, sociological, ecological, user, and constituency) with regard to a particular fishery management unit and develop specific technical management options. The Secretary and the Secretary of State shall furnish the Councils with information concerning foreign fishery and international fishery agreements. Scientific and technical information will be available to the Councils from a variety of sources, including the National Marine Fisheries Service's Regional Offices and Research Centers, the States, private institutions, other Councils, and any interested persons.

(3) *Select preferred management options; complete final plan.* (i) Consideration of the management options shall be made by the Council, its advisory panels and its Scientific and Statistical Committee. The Council shall select the preferred management options that are to be the basis of the final plan, and shall prepare a final plan for submission to the Secretary.

(ii) The Council's decision to approve a plan prior to submission to the Secretary must be made by a vote of the majority of the voting members, present and voting. When a plan has been prepared jointly by more than one Council at the direction of the Secretary, it must be approved by a majority of the voting members, present and voting, of each Council concerned prior to submission to the Secretary.

(4) *Consult with other councils.* A Council shall consult with appropriate Councils when the Secretary has designated a single Council to prepare a plan that includes waters within the geographic area of authority of other Councils or when the Secretary has designated more than one Council to prepare a plan jointly. (See § 601.11(c)(2)).

(5) *Receive and consider public comment.* The Council shall solicit, through hearings and any other appropriate means, the advice and recommendations from all interested persons during the development of fishery management plans and amendments to such plans. Such persons include the States, the fishing industry (recreational and commercial), consumer and environmental organizations and others.

(6) *Comply with requirements of the National Environmental Policy Act (as set forth in § 602.2).*

(7) *Coordinate fishery management plan development with coastal zone planning of constituent States under the Coastal Zone Management Act.* (See § 601.21(b)(3).)

(8) *Prepare fishery management plans consistent with the National Standards (see § 602.2), the guidelines contained herein, other provisions of the Act, and any other applicable law.*

(b) *Submission to the Secretary of Commerce.*—Once a plan has been prepared and approved by a Council, it shall be submitted, along with any dissenting opinions, and with appropriate copies, directly to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, by the most expeditious means available that are commensurate with safeguards against loss enroute.

(c) *Council action on plans prepared by the Secretary.*—(1) *General.* The Secretary of Commerce may prepare a fishery management with respect to any fishery, or any amendment to any such plan, if:

(i) A Council fails to develop and submit to the Secretary, after a reasonable period of time, a plan for such fishery, or any necessary amendment to such a plan, if the fishery requires conservation and management or;

(ii) If the Secretary disapproves or partially disapproves any such plan or amendment submitted by a Council and the Council fails to make the necessary changes within 45 days after the date on which the Council receives notification by the Secretary.

(2) *Comments of council.* Whenever the Secretary prepares a fishery management plan or amendment, the Secretary shall promptly transmit such plan or amendment to the appropriate Council for consideration and comment. Within 45 days after the date of receipt of such plan or amendment, the Council may recommend to the Secretary changes in such plan or amendments consistent with the National Standards. A Council may conduct public hearings to allow interested persons to comment on such a plan, and may incorporate such public comment in the Council recommendations to the Secretary for changes in the plan or amendment.

(3) *Failure of council to comment.* If the Council does not propose changes within 45 days after it receives the submission from the Secretary, the Secretary may proceed to adopt and implement the plan or amendment.

(d) *Amendments to fishery management plans.*—(1) *Council review.* The Act directs each Council to review on a continuing basis, and revises as needed, the assessments and specifications made regarding the optimum yield from, and the total allowable level of foreign fishing, in each fishery within its geographical area of authority.

(2) *Scope of review.* This review of each plan should also include reexamination of the management objectives and the effectiveness of conservation and management measures and implementing regulations. Each Council must at least assess the accuracy of the estimates of maximum sustainable yield, and optimum yield, and total allowable level of foreign fishing once a year for each plan that is implemented, regardless of whether the plan is prepared by a Council or by the Secretary.

(3) *Amending the plan.* Based on this review, or for other reasons, a Council may propose changes in a plan by means of an amendment to the plan. The procedures for Council approval of an amendment (e.g., majority vote) and transmittal to the Secretary are the same as those that apply to a management plan. The same procedures also apply when an amendment is disapproved or partially disapproved by the Secretary and returned to the Council for modification.

(e) *Proposed regulations.* A Council may recommend to the Secretary any proposed regulations which it deems necessary and appropriate to carry out any fishery management plan, or any amendment to any fishery management plan. Proposed regulations shall be submitted as a separate document, together with such plan or amendment, to the Secretary. The Secretary has the final responsibility to determine whether to adopt any proposed regulations recommended by a Council.

PART 603—CONFIDENTIALITY OF STATISTICS [RESERVED]

[FR Doc.76-27049 Filed 9-14-76;8:45 am]

Just Released

CODE OF FEDERAL REGULATIONS

(Revised as of July 1, 1976)

Title 28—Judicial Administration	$3.10
Title 31—Money and Finance: Treasury	5.65
Title 32—National Defense (Parts 1400–1599)	3.65
Title 32—National Defense (Parts 1600–end)	1.95
Title 32A—National Defense (Appendix)	2.90

[*A Cumulative checklist of CFR issuances for 1976 appears in the first issue of the Federal Register each month under Title 1*]

**Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402**

BOOK 2 OF 2 BOOKS

WEDNESDAY, SEPTEMBER 15, 1976



federal register

PART IV:

FEDERAL POWER COMMISSION

■

CORPORATE AND FINANCIAL REPORTS FOR CLASS A AND B ELECTRIC UTILITIES AND LICENSEES

New FPC Form No. 162A and 162M

FEDERAL POWER COMMISSION

[18 CFR Part 141]

[Docket No. RM76-34]

CORPORATE AND FINANCIAL REPORTS FOR CLASS A AND B ELECTRIC UTILITIES AND LICENSEES

New Form No. 162A and 162M

AUGUST 31, 1976.

Notice is hereby given pursuant to 5 U.S.C. 553 and sections 3(13), 4(a), 4(b), 4(c), 301(a) 302(a), 304, 309, 311, and 312 of the Federal Power Act, as amended, (41 Stat. 1064–1065; 49 Stat. 839, 840, 854, 855, 856, 858, 859, 860; 16 U.S.C. 796(13), 797(a), 797(b), 797(c) 825(a), 825a(a), 825c(b), 825c(c), 825h, 825j, 825k), the Commission proposes to add §§ 141.63 and 141.64 to Part 141 of the Aproved Forms under the Federal Power Act to provide that new FPC Form Nos. 162A and 162M be required for reporting. Proposed new Form No. 162A would be entitled, "Annual Corporate and Financial Report for Class A and Class B Electric Utilities and Licensees." Proposed new Form No. 162M would be entitled, "Monthly Corporate and Financial Report for Class A Electric Utilities."

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 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 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 Nos. 162A and 162M are designed to incorporate into a readily retrievable data processing system the information currently submitted on FPC Form Nos. 1,[1] and 5,[2] currently used.

It is proposed herein that the present Annual Report Form No. 1 would be subdivided into two separate and distinct reporting portions. The corporate information and financial data portion would be embodied in the new report Form No. 162 under a new reporting system, which is discussed further in this rulemaking. The operating data portion would be incorporated under a separate report system which will be the subject of a separate rulemaking.

The general changes which are being proposed to the Commission's reporting requirements for the new Form Nos. 162A and 162M are as follows:

1. For the most part, the requirements for all beginning of year figures (or end of previous year figures), all comparison figures (increases/decreases and year/month figures), and all month/year figures have been eliminated.

2. Duplicative data elements (data elements appearing on more than one schedule) have been eliminated to the extent feasbile.

3. The filing requirement for certain information that experience little change from year to year (often referred to as fixed data) is proposed to be reported completely in the initial submission, with only changed values being reported in subsequent submissions.

4. Minimum dollar filing requirements have been proposed for certain data elements in an effort to reduce the reporting and processing burdens.

5. Certain generalized instructions have been clarified and made more specific in order to achieve better standardization, consistency, and to reduce overall filing requirements.

In addition to the changes described above, the Commission's filing requirements contained in the two new Form Nos. 162A and 162M have been rearranged for the purpose of achieving more efficiency in the collection process. Respondents would be asked to utilize newly established account numbers as a supplement to the accounts contained in the Uniform System of Accounts for reporting purposes. Respondents would not be required to maintain these new accounts in their books of accounts or recordkeeping system.

Specific details of the proposed reporting scheme and related procedures are included as separate attachments to this rulemaking as follows:

Attachment A contains general instructions for the preparation and submission of public use schedules. Specifically, the attachment covers the administrative background, standard definitions, general procedures for schedule preparation, rules for data preparation, data maintenance activities, and data keying and verification instructions, all known as Level I instructions.

Attachment B contains general subject instructions for corporate and financial schedules. Specifically, the attachment covers general information surrounding corporate and financial schedules, standard definitions and codes, and general instructions, all known as Level II instructions.

Attachment C contains detailed instructions for each specific schedule to be submitted by the respondent, all known as Level III instructions.

Attachment D is a comparison and cross reference list. This list cross references current reporting requirements with that proposed, at the same time describing additions, deletions, and other peculiarities related to the changeover.

Attachments E are data standards.

Attachment F contains a sample of schedules to be submitted by the respondent.

It is anticipated that a one-year period of parallel reporting will be required for system evaluation. Assuming successful operating of the new system within such time period, the related schedules within the current Form Nos. 1 and 5 for these respondents would then be eliminated.

All data and information submitted pursuant to the new forms 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 procedures (18 CFR Part 1).

It had been contemplated by the Commission that all respondents, in using EDP media, would be required to submit their data on magnetic tape. The Commission now proposes that magnetic tape, in addition to a hard copy of the forms used to create the tape, would be required only from respondents on submittal of the annual Form 162A who have over $10 million operation revenues, although all respondents are urged to submit on magnetic tape. The manner of the preparation of the tapes are left to the discretion of these respondents. For all other respondents and the submittal of Form 162M, an original and four copies of each completed form would be required to be filed with the Commission.

For the present, the Commission will continue to require those companies which qualify as both an electric utility and a natural gas company, for reporting purposes, to continue to comply with the requirements of the proposed schedules for Form Nos. 162A, Annual Corporate and Financial Report for Electric Utilities and Licensees; 162M, Monthly Corporate and Financial Report for Electric Utilities and Licensees; 154A, Annual Corporate and Financial Report for Natural Gas Companies; and 154M, Monthly Corporate and Financial Nat-

[1] 18 CFR 141.1 (1975).

[2] 1 8CFR 141.25 (1975).

ural Gas Companies. The Commission will consider alternative procedures, as appropriate, when the Regulatory Information System becomes operational.

The Commission, through the Office of Public Information is considering the possibilities of making available copies of the input schedules as received, copies of verified hard copy printouts of the input schedules, and hard copy printouts of certain financial statements in a format similar to previous pages of the public use forms.

Any interested person may submit to the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, to be received no later than October 29, 1976, data, views, comments or suggestions in writing concerning all or part of the proposed forms. 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, 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. Submittals 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 them requests a conference with the staff of the Federal Power Commission to discuss the proposed forms. The staff, in its discretion, may grant or deny written requests for conference prior or subsequent to the filing of formal submittals.

In order to expedite and assist the Commission in its review and analysis of the comments it receives, all such submittals are to be presented according to response codes. Each segment of a respondent's comments is to be headed by one of the following response code numbers:

Response code:	
	A. Compliance burden:
01	1. Costs of implementing proposed program.
02	2. Time frame expected.
03	3. Cost—manhours aspect.
	B. Comments with respect to the following considerations:
04	1. Hardware.
05	2. Software.
06	3. Schedule design or layouts.
07	4. Media.
08	5. Preparation difficulties.
09	6. Certification.
10	7. Others.
	C. Specific schedule comments:
11	1. Field size
12	2. Field title.
13	3. Addition of a field.
14	4. Deletion of a field.
15	5. Addition of data elements.
16	6. Data standards.
17	7. Deletion of data elements.
18	8. Clarity of presentation.
19	9. Instruction narrative.
20	10. Combine schedules with other(s).
21	11. Add or delete schedule.
22	D. Duplicate reporting plan.
23	E. Acceptability for Federal and State use.
24	F. Acceptability for general public use.
	G. General reaction:
25	1. Support the principles and purposes of the proposal.
26	2. No objections to the principles and purposes of the proposals but offering suggestions regarding implementation.
27	3. Oppose and disagree with the principles and purposes.
28	H. Other.
29	I. CPA Certification.

The proposed amendments to Part 141 of the Commission's Approved Forms under the Federal Power Act would be issued pursuant to the authority granted the Federal Power Commission by the Federal Power Act, as amended, particularly sections 3(13), 4(a), 4(b), 4(c), 301(a), 302(a), 304, 309, 311 and 312 (41 Stat. 1064–1065; 49 Stat. 839, 840, 854, 855, 856, 858, 859, 860; 16 U.S.C. 796(13), 797(a), 797(b), 797(c), 825(a), 825a(a), 825c(b), 825c(c), 825h, 825j, 825(k).

Effective for the reporting year 1976, the Commission proposes to amend Part 141, Statements and Reports (Schedules), in Subchapter D—Approved Forms, Federal Power Act, Chapter I, Title 18 of the Code of Federal Regulation by adding two new §§ 141.63 and 141.64 prescribing new FPC Forms, Form No. 162A, Annual corporate and financial report for Class A and Class B electric utilities and licensees and Form No. 162M, Monthly corporate and financial report for Class A electric utilities, in the forms set out in Attachment F hereto. New §§ 141.63 and 141.64 will read as follows:

§ 141.63 Form No. 162A, Annual corporate and financial report for Class A and Class B electric utilities and licensees.

(a) The form of the report for Class A and Class B electric utilities, licensees and others, designated herein has FPC Form No. 162A, is prescribed for the reporting year 1976 and thereafter.

(b) (1) Each Class A electric utility, licensee (other than Federal project filing under § 141.66), and other, i.e., each corporation, person, or licensee as defined in section 3 of the Federal Power Act, including any agency, authority, or instrumentality of the United States engaged in generation, transmission, distribution, or sale of electric energy, however produced, throughout the United States and its possessions, having annual electric operating revenues of $2,500,000 or more, whether or not the jurisdiction of the Commission is otherwise involved, shall prepare and file with the Commission for the year beginning January 1, 1976, or subsequently during the calendar year 1976 if its established fiscal year is other than the calendar year, and for each year thereafter, on or before the last day of the third month following the close of the calendar year or other established fiscal year, an original and four conformed copies, all properly subscribed and verified. One copy of said report should be retained by the correspondent in its file.

(2) This report is not prescribed for municipalities as defined in section 3 of the Federal Power Act; i.e. a city, county, irrigation district, drainage district, or other political subdivision or agency of a State competent under the laws thereof to carry on the business of developing, transmitting, utilizing, or distributing power.

(c) (1) Each Class B electric utility, licensee (other than Federal projects filing under § 141.66), and others; i.e., each corporation, person, or licensee as defined in section 3 of the Federal Power Act, including any agency, authority or other legal entity or instrumentality and any agency, authority or instrumentality of the United States engaged in generation, transmission, distribution, or sale of electric energy, however produced, throughout the United States and its possessions, having annual electric operating revenues of more than $1,000,000 but less than $2,500,000, whether or not the jurisdiction of the Commission is otherwise involved, shall prepare and file with the Commission for the year beginning January 1, 1976, or subsequently during the calendar year 1976 if its established fiscal year is other than the calendar year, and for each year thereafter, on or before the last day of the third month following the close of the calendar year or other established fiscal year, an original and four conformed copies, all properly subscribed and verified. One copy of said report should be retained by the correspondent in its files.

(2) This report form is not prescribed for municipalities as defined in

Section 3 of the Federal Power Act; i.e. a city, county, irrigation district, drainage district, or other political subdivision or agency of a State competent under the laws thereof to carry on the business of developing, transmitting, utilizing, or distributing power.

(d) The report contains the following schedules:

General Corporate Informations
Control Over Respondent
Corporations Controlled by Respondent
Corporate Officers/Directors
Other Corporate Employees
Security Holders and Voting Powers—Total
Security Holders and Voting Powers
Other Stockholder Information
Notes to Security Holders and Voting Power
Annual Notes to Financial Data
Descriptions of Construction Overhead Procedures
Important Changes During the Year—Transmission or Distribution System
Important Changes During the Year—Supplier Rate Proceedings
Important Changes During the Year—New Generating Plants/Units
Important Changes During the Year—Utility Plant Not Operated
Company Employee Data
Securities Issued During Year
Securities Assumed, Refunded or Retired During Year
List of Accounts
Investment in Subsidiary Companies Equity Accounting
Production Fuel Stocks
Production Fuel Cost Data
Capital Stock
Long-Term Debt
Notes Payable
Taxes Accrued, Prepaid, and Charged During Year
Computation of Federal Income Tax Accruals for the Year
Consolidated Federal Income Tax Return Information
Accumulated Deferred Income Taxes
Accelerated Amortization of Facilities
Tax Deferrals Related to Other Property
Investment Tax Credits
Particulars for Estimating Depreciation, Depletion, and Amortization of Utility Plant
Plant in Service or All Utility Plants
Completed Construction Not Classified
Plant Purchased and Sold
Experimental Plant Unclassified
Utility Plant Leased to Others
Plant and Production Properties Held for Future Use
Construction Work in Progress
Accumulated Provisions for Depreciation of Utility Plant—Parts I and II
Common Plant and Expense Data—Parts I and II
Construction Overhead
Operating Revenues
Extraordinary Items
Detailed Account Data—Part I through IV
Professional and Other Consultative Services
Lease Rental Charges—General Data
Lease Rentals Charged
Regulatory Commission Expense
Particulars Concerning Certain Income Accounts
Research and Development Activities
Franchise Requirements
Reconciliation of Reported Net Income with Taxable Income
Environmental Facilities and Expenses
Notes to Environmental Facilities and Expenses
Financial Statements:
  Balance Sheet—Part I–VII
  Statement of Income for the Year—Part I–XII
  Statement of Retained Earnings for the Year
  Statement of Changes in Financial Position—Part I–III
Operating Statistical Data
Sales of Electricity by Rate Schedules
Sales of Electricity by Communities
Railways and Interdepartmental Sales
Sales of Water and Water Power
Fish and Wildlife and Recreational Plant

§ 141.64 Form No. 162M—Corporate and financial report for Class A electric utilities.

(a) The form of the monthly statement for electric utilities, designated herein as Form No. 154M is prescribed for the month beginning January 1977, and thereafter.

(b) This monthly statement is designed to obtain monthly information concerning operating revenues, revenue deductions, and income from all Class A electric utilities (utilities having annual electric operating revenues of $2,500,000 or more) both privately or publicly owned. Such report shall be filed in an original and four conformed copies, with 40 days after the end of the reported month beginning with the reporting month of January 1977, and monthly thereafter. The report shall be signed by the Chief Accounting Officer of the responding company, but is not required to be under oath.

(c) The report consists of:

Monthly Statement of Electric Operating Revenues and Income—Part I
Monthly Statement of Electric Operating Revenues and Income—Part II
Monthly Notes to Financial Data

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.

R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	

LEVEL I

GENERAL INSTRUCTIONS

FOR THE

PREPARATION AND SUBMISSION

OF PUBLIC USE SCHEDULES

FPC Form 131
(5-76)

R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
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FPC Form 131
(5-76)

I. ADMINISTRATIVE BACKGROUND

The Federal Power Commission (FPC) has established an information system designed to improve the decision-making capabilities of the Commission. This program, the Regulatory Information System (RIS), was authorized by Commission Order 494, September 26, 1973, and features the following characteristics and capabilities:

- A consolidated data collection system designed to eliminate unnecessary or redundant reporting and to provide standardized data collection schedules.
- A comprehensive system for transmitting, processing, and accessing data requested of respondents by the Commission.
- Establishment of a modern computer facility at Commission headquarters featuring consolidated regulatory data bases and the associated automatic data processing (ADP) equipment and programming software necessary to store, validate, and access that data.

These instructions are intended to aid each respondent to understand the scope and objectives of the RIS system regarding source data collection and to provide clear and concise guidance for the completion of the revised public use schedules.

A. DATA COLLECTION CONCEPTS

The FPC public use schedules are designed to be vehicles for data collection, rather than for data display, by the Commission. This objective has guided the design of the layouts and instructions so as to achieve maximum efficiency in both data collection and subsequent processing. Within this basic design philosophy, the public use schedule data collection concept embodies the following design characteristics, some of which are described in greater detail in the subsequent chapters.

1. Optical Character Recognition (OCR) - All schedules have been designed with OCR requirements as one of the design constraints. This will allow for transition to optical scanning as a future alternative for data entry.

2. Separation of Instructions - All instructions are separated from the schedules to which they apply, in order to make efficient use of form space. Instructions consist of three separate levels, as follows:

   - Level I - General (applicable to all schedules).
   - Level II - General subject (applicable to natural gas operations, electric operations, or financial data).
   - Level III - Detailed (applicable to individual schedules).

3. Separation of Footnotes - Footnotes or other extraneous marks or comments intended to qualify or modify data must not be entered directly on any schedule. The public use schedules have been designed to minimize the need for footnotes through the establishment of distinct data elements which represent some data previously reported as footnotes. However where necessary to make the related data more meaningful, footnotes may be entered on a special footnote schedule designed for this purpose. On the primary data schedules, the respondent must enter only a unique footnote reference number to provide a link to the footnote schedule.

4. Reporting Requirements - Reporting frequencies of the new schedules vary from semi-monthly to biennially. For certain schedules, all data must be supplied with each submission. For the other schedules, all data must be supplied with an initial submission, and on subsequent submission of these schedules respondents need report only changes, additions and deletions. These requirements are specifically stated in the Detailed Instructions for each schedule in paragraph B under the heading "II. General Information".

5. Consolidated Schedules - Many of the public use schedules have been designed to consolidate data previously collected on more than one schedule. The consequence of such consolidation is a reduction in the total number of schedules. Furthermore, portions of some schedules may be inapplicable to certain respondents, as specified in the detailed instructions.

B. APPLICABILITY OF INSTRUCTIONS

The Commission will provide to each respondent all three levels of instructions, appropriate to the type of operation. For example, an electric utility will receive:

- Level I - General Instructions
- Level II - General Subject Instructions (Electric Operating Data)
  - General Subject Instructions (Corporate and Financial Data)
- Level III - Detailed Instructions (Electric Operating Schedules)
  - Detailed Instructions (Corporate and Financial Schedules)

Each respondent will also receive footnote schedules (with instructions) and free form (blank) schedules for the submission of narrative or graphic support data that will not be loaded into the Commission's data bases.

As the public use schedules undergo change in future reporting periods through the rulemaking process, modified layouts and instructions will be prepared by the Commission and mailed to the respondents, together with appropriate documentation that describes the authorization and the details of all such changes, additions, or deletions. The Commission will prepare the instructions in a manner suitable for looseleaf binders, so that they can be easily maintained by the respondents.

II. STANDARD DEFINITIONS

The following standard definitions are provided to aid the respondent in understanding the data collection concepts contained in these instructions.

A. RESPONDENT - Each corporation, person, agency, authority, or other legal entity or instrumentality, whether public or private, which is required, under the provisions of the Federal Power Act, the Natural Gas Act, or Commission Order, to submit information to the Federal Power Commission via public use forms. Respondents also include those organizations that voluntarily or upon request, provide data to the Commission.

B. PUBLIC USE SCHEDULE - A collection of functionally related data elements organized and formatted into an arrangement suitable for the collection of data; the instructions for preparation of a schedule are included in this definition.

C. DATA FIELD - Within a record or schedule, a specific area used for representing a particular data value, i.e., the spaces provided for data entry on a schedule.

D. DATA ELEMENT - A basic unit of identifiable and definable information. Data elements identify the data fields within a schedule.

E. DATA ITEM - The expression of a particular value of a data element. In cases where a data element identifies a column or row on a schedule, a data item is a specific entry within the column or row.

F. LOGICAL ENTRY - A collection of related characteristics, defined by data elements, associated with a specific "key" item of information. For example, "name", "address", "date of incorporation", and "total assets" are all attributes of the key item "company", which is identified by a company code. This entire collection of data elements is called a logical entry. Within the public use schedules, logical entries are blocks of data that may be repeated several times on a page.

G. KEY ITEM IDENTIFICATION - A data element that provides a unique reference point for purposes of accessing or retrieving data. Within the public use schedules, the key item(s) uniquely identify groups of related data elements which by definition are logical entries. Normally, key items appear first within a logical entry and must always be completed by the respondent. The Detailed Instructions for each schedule explicitly identify those data elements that are "key".

Other, more specific, definitions of technical and financial data elements are contained in the Level II - General Subject Instructions.

III. GENERAL PROCEDURES FOR SCHEDULE PREPARATION

Many of the public use schedules have been designed so that different types of respondents can use the same basic schedules and instructions for the collection of identical data. For such schedules, the Detailed Instructions explain the unique data preparation requirements applicable to each type of respondent.

A. SCHEDULE SUBMISSION

The Commission will forward annually an appropriate number of copies of each schedule required of the respondent for the given reporting period.

All respondents shall forward the number of copies ordered by the Commission of each public use schedule to the Commission. Respondents submitting schedules on magnetic tape must also submit an attested working copy, appropriately completed, of the supplied schedules from which the tapes were prepared.

The specific report period for each schedule is listed in the General Subject Instructions (Level II) for the natural gas operations, electric operations, or financial data. The reporting period must be entered by the respondent on each schedule. Care must be exercised to ensure that the report period on each schedule (month, day, year) represents the ending date of the period to which the data applies, not the date the schedule was completed.

Prior to forwarding the schedules to the Commission, the respondent must complete Schedule 0100, Index of Public Use Schedules Submitted. A data field-by-data field instruction for Schedule 0100 shall be found in the Level III, Detailed Instructions for this schedule. All schedules should be carefully assembled, packaged, and forwarded to the following address:

Federal Power Commission
825 North Capitol Street, N.E.
Washington, D. C. 20426
Attn: Office of the Secretary

FEDERAL POWER COMMISSION
825 North Capitol Street, N.E.
Washington, D.C. 20426

ATTESTATION UNDER OATH

This report must be attested to under oath by an officer of the company. _____
(Insert here the name of the attester)

being first duly sworn according to law, certifies that he is _____
(Insert here the official legal title of attester)

of _____; that he has full power and authority to make the
(Insert here the exact legal title or name of respondent)

attestation; that he has read this report and is familiar with the contents therein; that to the best of his knowledge, information and belief, all estimates and matters therein set forth are true and correct and the said report is a correct statement of the business and affairs of the above-named respondent in respect to each and every matter set forth therein during the period from and including _____, 19 __, to and including _____, 19 __.

_____
(Signature of attester)

Subscribed and sworn to before me

this _____ day of _____, 19 __.

_____
NOTARY PUBLIC

(SEAL)

FIGURE III-1. NOTIFICATION OF ATTESTATION

B. REPORTING MEDIA

The acceptable media for reporting public use data are magnetic tape with a working copy of the schedules or typed schedules.

Many respondents are capable of preparing the data via magnetic tape and have been directed by the Commission to do so. In addition, the respondent must attach associated attested working copy of the FPC supplied schedules from which the tapes were prepared.

C. SUPPORTING DOCUMENTATION

Additional statements, maps, diagrams, charts or other documentation supportive to the data schedules not otherwise specifically required or provided for should be inserted directly behind the schedules to which they apply. Respondents shall utilize FPC Schedule Number 1000 in all cases except those requiring oversize documents such as large maps. In all cases, the schedule number and page number of the schedule to which the supporting documentation applies must be entered, as well as the reporting period. Supporting documentation must not be stapled to the corresponding schedules.

D. ATTESTATION

The complete set of schedules filed for a given reporting period must be subscribed and verified by the duly authorized executive officer of the respondent, or of one of the respondents where a consolidated schedule is filed, who is qualified and authorized to prepare or supervise the preparation of the schedules and to certify their accuracy, completeness, and truthfulness. Such attestation will be submitted in the format specified in the Attestation Under Oath, displayed in Figure III-1.

Information submitted on magnetic tape must be accompanied by a working copy of each schedule used to create the magnetic tape. A single Attestation Under Oath will apply to all information, regardless of filing medium, submitted in the reporting period.

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E. RESPONDENT COMMENTS AND SUGGESTIONS

The Regulatory Information System represents a significant departure from the previous methods of gathering and using information by the Commission. Like all new systems, areas for improvement will undoubtedly be discovered during actual operation. All respondents are encouraged to supply comments and suggestions to the Commission of specific data collection or schedule design problems.

All questions concerning schedule design, data entry rules, filing requirements, or administrative matters, should be directed to the Office of Regulatory Information Systems at Commission headquarters. The telephone number for inquiries at the Commission is (202) 275-4138.

This telephone number and the schedule mailing address will be the main contact points between the Commission and the respondents for matters relating to the data collection. Questions that cannot be handled directly will be routed to the appropriate bureau or office personnel for resolution.

IV. RULES FOR DATA PREPARATION

The respondent is instructed to rigorously conform to the following general rules for data entry when preparing the schedules prior to the time that the schedules are forwarded for typing.

A. DATA FIELD LENGTH

Do not exceed the data field lengths allocated for each data element. When the data field size is inadequate, leave the data field blank and enter the true value in a footnote.

B. JUSTIFICATION (DATA POSITIONING)

Right justify every numeric data field; that is, place the data in the right portion of the data field so that no blank spaces follow the last character. Unfilled leading characters should be left blank. All alphabetic data fields must be left justified; that is, they begin at the left boundary of the data field.

C. ALPHABETIC AND NUMERIC

The Detailed Instructions for each schedule define each data field as either alphabetic (A) or numeric (N). The instructions also specify the data field length, including implied decimal positions for fractional numbers. For example, (N7.3) means a numeric field with seven characters to the left and three characters to the right of the implied decimal position. (N6) implies a six digit integer number and (A22) defines a twenty-two character alphabetic data field.

Do not enter alphabetic or special characters in a data field defined to be numeric by the instructions. The only exceptions to this rule are a minus sign or an asterisk, as described later. Numeric data fields must be right-justified and can be preceded by blank spaces. A data field defined as alphabetic may include any

combination of numeric and alphabetic characters. If necessary, words should be abbreviated to fit an alphabetic data field within the allocated space.

D. NEGATIVE ENTRIES

To indicate a negative numeric value, type over the preprinted minus sign in the right-most character of the data field immediately after the last significant digit; for example, 4917- . Positive numbers require no sign within the data fields; simply right-justify the number. Only certain data fields may legitimately contain negative numbers. Those data elements that may be expected to generate negative numbers are identified in the Detailed Instructions and in the schedules, where a character position is reserved for the minus sign, which is printed.

E. NULL ENTRIES

Data fields that are not applicable to a given respondent's situation must be left blank. Do not write in "N/A", or "NONE", or "NO DATA", or any other null response. Numeric data fields that do apply to the respondent but for which the respondent has a legitimate value of zero must be so entered with zero, including all decimal positions. Numeric, alphabetic, or alpha-numeric data fields that do not apply must be left blank.

F. PERCENTAGES AND FRACTIONS

Numeric data fields expressed in percentages may contain a variable number of decimal positions. In the schedules, all decimal points are implied by a preprinted character (▲) that does not occupy a character position within the data field. For example: NN▲NNN

The factional portion to the right of the decimal point should always be rounded to the last significant digit. For example, 11 2/3 should be entered as 11▲667 . Under no circumstances must a portion of a whole number be expressed in fractional notation for any numeric data field. Rather, use the decimal representation, as

illustrated by the preceding example of a percentage. For example, never enter 12 1/3 in a schedule; instead enter 12▲333 , assuming three decimal positions are requested.

G. SPECIAL CHARACTERS

As illustrated in the preceding section, all of the public use schedules have been designed with preprinted decimal point locators, where applicable. The respondent is specifically requested not to enter dollar signs, decimal points (.), commas (,), parentheses, technical symbols, or any other special characters on the schedules unless called for by the Detailed Instructions. For example, the number $53,429.48 would be entered as 53429▲48 and the number $45,237 would be entered as 45237▲00 .

H. MULTIPLE PAGES

Multiple pages may often be necessary for the respondent to provide all of the data for a particular schedule. Additional pages may be requested of the Commission at any time. To minimize such requests, the Commission will analyze historical submission patterns and volumes for each schedule and attempt to tailor the number of pages mailed out with the number of pages submitted in the past. Each page of a schedule must be numbered in the upper right hand corner.

I. LISTS OF LEGITIMATE VALUES

A copy of the Register of Data Standards will be made available to each respondent. The Register must be a standard reference tool for personnel completing the schedules to assure valid data entries. Respondent-entered data that is inconsistent with values contained in the Register will be rejected, since validation procedures are also based on the Register.

Normally, the Detailed Instructions will not contain the lists of legitimate values, but will refer to the Register of Data Standards. However, certain data item lists were incorporated directly in the Detailed Instructions for the convenience of the respondent. In these cases the data item list mnemonic appears in parenthesis.

The respondent must use the approved values and is also cautioned not to alter the units of measure (i.e., MMcf or KW) defined in the Detailed Instructions.

V. DATA MAINTENANCE ACTIVITIES

When preparing the public use schedules, the respondent must be familiar with the procedures necessary to modify data on the Commission's data bases and to prepare footnotes, where necessary. These topics are covered in this chapter.

A. MODIFICATION OF DATA

New data may be entered directly on any of the public use schedules by the respondent. The respondent must be certain that all data fields identified as key by the instructions are properly completed. For each new entry all data must be completed for the initial submission. For subsequent submissions of this data, the following general rules apply.

Changes to existing data residing in Commission's data bases can be entered directly on any public use schedule. To determine whether a data element has changed, the respondent is to refer to the data reported for the last submission.

For data identified by the Detailed Instructions as periodically required to be submitted, the respondent must completely resubmit all requested data regardless of whether or not the data have actually changed. In other Detailed Instructions subsequent submissions require the respondent to submit only appropriate identification (key data fields) and changed data fields. For this type of data, the Commission maintains only the latest current values in the data base, and the last reported data will continue to be propagated as the current data. To delete the current value of a data element, the respondent must enter an asterisk (*) in the left-most position of the data field, regardless of the numeric or alphabetic nature of the data. The following example illustrates how to delete any single occurrence of a data element:

Data Field Title
*

To delete a data element in more than one logical entry, an asterisk must be entered by the respondent for each occurrence of the data element.

To delete an entire logical entry, a retired generator for instance, the respondent must type a "D" over the preprinted "D" contained to the right of each logical entry and must specify all key items necessary to uniquely identify the logical entry. The Detailed Instructions indicate which data elements are key items. When processed, all of the data for the entire logical entry will be deleted from the data base. No facility is provided for deleting, in a single action, all of the data for an entire respondent or for any major grouping of data above the logical entry level, such as the data for an entire plant. To accomplish major delete actions, the respondent must delete each logical entry separately. If such step-by-step action proves cumbersome for the respondent in view of a major delete action (a plant closure, for example), the respondent should notify the Commission in writing of the delete action and request appropriate steps to update the data bases.

B. FOOTNOTES

Footnotes cannot be placed directly on any public use data schedule. Instead, a single, separate schedule (FPC Schedule Number 0000) is used for footnote entry. The preparation of a respondent supplied footnote requires entry on both the source schedule and the footnote schedule.

All data schedules contain two blocks to signify the presence of a footnote. These footnote indicator data fields are called the General Footnote and the Specific Footnote. The General Footnote data field enables the respondent to supply additional information that pertains to either the entire schedule and/or to a particular column (all occurrences of a data element) within the schedule. The Specific Footnote may be for either a complete logical entry and/or a specific data element within any logical entry.

The footnote number must be assigned uniquely and cannot be repeated across schedules. For example, if Schedule 0102 has footnote numbers 014 and 015 assigned, the footnotes for schedule 0103 should begin at 016. The respondent must not number the footnotes starting from 001 for each schedule. All footnote reference numbers throughout all schedules submitted in a single reporting period must have unique numbers.

VI. DATA KEYING AND VERIFICATION INSTRUCTIONS

Data keying may be utilized by respondents who submit data via magnetic tape. The following keying (and, therefore, verification) instructions apply to all redesigned public use schedules, regardless of actual data content. Keying will produce 80-character records (refer to magnetic tape submission requirements).

Each record must always contain the same control data fields in columns 1-11. These data fields are:

- Data Field A - Schedule Number (Record Position 1-4)
- Data Field B - Page Number (Record Position 5-8)
- Data Field C - Line Number (Record Position 9-10)
- Data Field D - Record Type (Record Position 11)

Data Keying and Verification Instructions are described in Figure VI-1.

When keying from the Public Use Schedules, follow the general rules given below.

- Data Field A, Schedule Number, (Record Position 1-4) and Data Field B, Page Number, (Record Position 5-8) are obtained from the header area of the schedule. The schedule number is obtained from the upper left corner of the schedule and the page number from the upper right corner of the schedule.
- Data Field C, Line Number (Record Position 9-10) is preprinted to the left of each line in the margin of the schedule (even numbers such as 2, 4, 6, etc. are the only valid entries).
- In Data Field D, (Record Type) an "A" should be keyed in Position 11 of the first record keyed for a line.
- In record positions 12-80 of the record, key all data field separators (|) and all data that has been filled in by the respondent.

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DATA KEYING AND VERIFICATION INSTRUCTIONS

DATA FIELD	DATA FIELD NAME	COLUMNS FROM	COLUMNS TO	NUMBER OF COLUMNS	*	SPECIAL INSTRUCTIONS
	Common Data					
A	Schedule Number	1	4	4	N	Preprinted at the top left of all schedules
B	Page Number	5	8	4	N	Printed at top right of all schedules
C	Line Number	9	10	2	N	Preprinted on left margin of all schedules (even numbers)
D	Record Type (A = first record, B = second record)	11	11	1	A	A = First record for line B = Second record for line
E	Line Data	12	80	69		Key all data fields and their data field separators. Compress data as described in keying instructions.

* A - Alpha
N - Numeric

FIGURE VI-1. DATA KEYING AND VERIFICATION INSTRUCTIONS

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- o At the end of each line on the schedule, key a line terminator symbol (@).

  Note: In some instances, a second record (Record Type B) will be required solely for the line terminator symbol (@).

- o Normally, only one record will be required for a line. Should a second record be required for a line, duplicate Positions 1-10 from the "A" record, and key a "B" Position 11 of the second record.
- o Do not key data fields which are preprinted, including data field separators.
- o Do not key odd numbered lines (i.e., 3, 5, 7, 9, etc.).
- o Do not key lines in which the resondent has entered no data.

In the examples shown, a lower case b represents a blank.

A. DATA FIELD CONTENTS

The data keyed into Positions 1-11 of the keyed records is keyed according to the fixed format specified above. But the data keyed in the remainder of the positions of the records (12-80) are keyed in a variable format. That is, leading and trailing blanks in data fields are not keyed. For example, if a ten-position alpha-numeric data field on the schedule contains a single letter, only that letter is keyed:

"Abbb" is keyed "A|"

B. DATA FIELD SEPARATOR (|)

The variable format explained in A above, requires that the sum of each data field (in Positions 12-80) be indicated by following the data field contents with a data field separator symbol (|).

The data field separator is the vertical bar symbol, which is to be represented by a 12-7-8 punch, and a hexadecimal 4F in EBCDIC.

See the example in A above, or those that follow, for illustrations of the use of the data field separator.

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C. LINE TERMINATOR (@)

The end of a schedule line must be represented in the keyed record. The vertical bar (data field separator) following the last data field is to be followed with a line terminator symbol. This can require that a "B" record be keyed to provide the line terminator symbol (@).

The line terminator is the "@" symbol, which is to be represented by a 4-8 punch, and a hexadecimal 7C in EBCDIC.

D. CONTINUATION RECORD

In most cases, one line on a schedule will be represented by one 80-character record, but in some cases two records will be necessary to represent a single schedule line. In the first (or only) record, an "A" is keyed into Position 11. In the continuation record (there will not be more than one per line), after duplicating Positions 1-10 from the "A" record, key a "B" in Position 11 then continue keying from the schedule line. (Note that for two-record lines, Position 80 of the "A" record may occur in the middle of a data field on the schedule.)

E. BLANK LINES

Every data field in a schedule line, including blank data fields, must be represented in the keyed records. For a blank data field, key only a data field separator symbol (|). For example, if the first three data fields on a schedule line were blank they would be represented in the keyed record by three consecutive data field separators (in Positions 12-14).

F. DECIMAL POINTS IN NUMERIC DATA FIELDS

Many numeric data fields contain decimal points, indicated on the schedules by a preprinted ▲. (The only valid indication of a decimal point is the preprinted ▲. Use of a period is an error on the part of the individual filling in the data.) Because it is preprinted, it is not keyed. In order that the data field contents be

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properly entered in the RIS data base, all positions to the right of a preprinted decimal in a data field on a schedule must be keyed.

G. CONSOLIDATED EXAMPLE

This example illustrates the rules given above, as applied to an entry on line 16 of page 2 of a hypothetical Schedule 99.

Data Field Type:
a n n n n n n n n n n

Data Field Length:
35 10 10 8.2 3.3 10 10 10 10 10 10

Data Field Contents:
MIDWESTERN INTERNATIONAL 350 * 673▲21 24▲2bb 750000 b b 550000 622490 3575829400

Keyed Records: A Record -
0099000216AMIDWESTERNbINTERNATIONAL|350|*|67321|24200|750000|||550000|622490|

B Record -
0099000216B3575829400|@

H. CHARACTER SET

Keying should be accomplished using the standard EBCDIC alphabetic and numeric character set. The following are the only valid special characters which can be used:

EBCDIC SPECIAL CHARACTER

CHARACTER	EBCDIC HEX REP	CARD PUNCH	CHARACTER	EBCDIC HEX REP	CARD PUNCH
.	4B	12-3-8	-	6Ø	11
(	4D	12-5-8	/	61	Ø-1
+	4E	12-6-8	,	6B	Ø-3-8
&	5Ø	12	%	6C	Ø-4-8
$	5B	11-3-8	?	6F	Ø-7-8
*	5C	11-4-8	:	7A	2-8
)	5D	11-5-8	'	7D	5-8
;	5E	11-6-8	=	7E	6-8
			"	7F	7-8

Data Field Separator:
| 4F 12-7-8

Data Line Terminator:
@ 7C 4-8

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I. MAGNETIC TAPE SUBMISSION

The magnetic tape to be submitted shall be compatible with IBM 370/OS using 9-track standard IBM OS labels or using 9-track non-labelled tapes in EBCDIC code format at 800 or 1600 bpi. The logical record length shall be 80 characters. The blocking factor should be compatible with IBM OS tape blocking conventions.

All respondents submitting magnetic tape(s) must enclose with the tape the following information: name of company, name of contact about the magnetic tape and telephone number. Additionally the following information must be specified for labelled and non-labelled tapes:

LABELLED AND NON-LABELLED TAPES

- whether 800 or 1600 bpi
- whether labelled or non-labelled

LABELLED TAPES

- internal volume/serial number of tape
- data set name

NON-LABELLED TAPES

- block size in characters (length of physical record)
- external volume/serial number of tape

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	

LEVEL II

GENERAL SUBJECT INSTRUCTIONS

FOR

CORPORATE AND FINANCIAL SCHEDULES

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
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APPENDIX 1. List of Corporate and Financial Schedules

Schedule Number	Schedule Name
0101	General Corporate Information
0102	Control Over Respondent
0104	Corporations Controlled by Respondent
0105	Corporate Officers/Directors
0106	Other Corporate Employees
0107	Security Holders and Voting Powers - Total
0108	Security Holders and Voting Powers
0110	Other Stockholder Information
0111	Notes to Security Holders and Voting Powers
0112	Annual Notes to Financial Data
0113	Descriptions of Construction Overhead Procedures
0114	Important Changes During the Year - Transmission or Distribution System
0115	Important Changes During the Year - Respondent Rate Proceedings
0116	Important Changes During the Year - Supplier Rate Proceedings
0117	Important Changes During the Year - New Sources of Gas
0118	Important Changes During the Year - New Generating Plants/Units
0120	Important Changes During the Year - Utility Plant Not Operated
0121	Company Employee Data
0122	Securities Issued During Year
0123	Securities Assumed, Refunded or Retired During Year
0124	List of Accounts - Part I (Electric Class A and Class B)
0124	List of Accounts - Part II (Natural Gas Class A and Class B)
0124	List of Accounts - Part III (Electric Class C and Class D)
0124	List of Accounts - Part IV (Natural Gas Class C and Class D)
0125	Investment in Subsidiary Companies - Equity Accounting
0126	Gas Stored Underground - Part II
0127	Gas Stored Underground - Part I
0128	Production Fuel Stocks
0129	Production Fuel Cost Data
0130	Gas Prepayments and Undelivered Gas Obligations
0132	Capital Stock
0133	Long-Term Debt
0134	Notes Payable
0135	Taxes Accrued, Prepaid and Charged During the Year
0136	Computation of Federal Income Tax Accruals for the Year
0137	Consolidated Federal Income Tax Return Information
0138	Accumulated Deferred Income Taxes
0139	Accelerated Amortization of Facilities
0140	Tax Deferrals Related to Other Property

Schedule Number	Schedule Name
0141	Investment Tax Credits
0142	Advances for Gas Prior to Initial Deliveries or Commission Certification
0143	Particulars for Estimating Depreciation, Depletion and Amortization of Utility Plant
0144	Plant in Service or all Utility Plants
0145	Completed Construction Not Classified
0146	Plant Purchased or Sold
0147	Experimental Plant Unclassified
0148	Utility Plant Leased to Others
0149	Plant and Production Properties Held for Future Use
0150	Construction Work in Progress
0151	Accumulated Provision for Depreciation of Utility Plant - Part I
0152	Accumulated Provision for Depreciation of Utility Plant - Part II (Electric and Gas)
0153	Accumulated Provision for Depletion and Amortization of Utility Plant (Account 111.00)
0154	Common Plant and Expense Data - Part II
0155	Common Plant and Expense Data - Part I
0156	Construction Overhead
0157	Natural Gas Reserves and Land Acreage
0158	Net Realizable Value of Estimated Hydrocarbon Reserves
0159	Operating Revenues
0160	Extraordinary Items
0161	Detailed Account Data - Part I
0162	Detailed Account Data - Part II
0163	Detailed Account Data - Part III
0164	Detailed Account Data - Part IV
0165	Monthly Statement of Electric Operating Revenue and Income - Part I
0166	Monthly Statement of Electric Operating Revenue and Income - Part II
0167	Revenue From Transportation of Gas of Others - Natural Gas
0168	Gas Purchases
0169	Professional and Other Consultative Services
0170	Lease Rental Charges - General Data
0171	Lease Rentals Charged
0172	Exploration and Development Expenses
0173	Regulatory Commission Expense
0174	Particulars Concerning Certain Income Accounts
0175	Exchange Gas Accounting - Part I
0176	Exchange Gas Accounting - Part II
0177	Research and Development Activities
0178	Natural Gas Production and Gathering Statistics
0179	Franchise Requirements
0180	Gas Used in Utility Operations - Credit
0181	Gas Account - Natural Gas

Schedule Number	Schedule Name
0182	Natural Gas Pipeline Company Monthly Statement - Revenues and Expenses - Part I
0183	Natural Gas Pipeline Company Monthly Statement - Revenues and Expenses - Part II
0184	Natural Gas Pipeline Company Monthly Statement - Operation and Maintenance Expenses
0185	Natural Gas Pipeline Company Monthly Statement - Supplement Gas Supplies and Selected Data
0186	Natural Gas Pipeline Company Monthly Statement - Gas Revenues and Purchases
0187	Reconciliation of Reported Net Income With Taxable Income
0188	Accumulated Provision for Depreciation, Depletion, and Amortization of Utility Plant
0189	Changes in Estimated Natural Gas and Other Hydrocarbon Reserves
0190	Balance Sheet Accounts - Part I
0191	Balance Sheet Accounts - Part II
0192	Balance Sheet Accounts - Part III
0194	Income Statement Accounts
0195	Retained Earnings and Operating Revenues Accounts
0196	Operation and Maintenance Expenses Accounts
0197	Utility Plant - Municipal
0198	Long-Term Debt - Municipal
0199	Information Concerning Licenses and Location of Records
0200	Licensed Project Plant
0201	Licensed Project Plant - Classified by Developments
0202	Additions, Retirements, Adjustments - Licensed Project Plant
0205	Accumulated Provision for Depreciation of Licensed Project Plant
0206	Accumulated Provision for Depreciation of Licensed Project Plant According to Functional Classification
0207	Accumulated Provision for Amortization of Licensed Project Plant - Balances and Changes During the Year
0208	Accumulated Provisions for Amortization of Licensed Project Plant According to Functional Classification
0209	Depreciation Expense for Licensed Projects
0210	Amortization Expense for Licensed Project
0211	Amortization Reserve - Federal
0212	Operation of Licensed Projects and the Sale or Use of Energy Produced
0213	Environmental Protection Facilities and Expenses
0214	Notes to Environmental Protection Facilities and Expenses
0215	Monthly Notes to Financial Data
0216-0222	Financial Statement - Balance Sheet
0223-0234	Financial Statement - Statement of Income for the Year
0235	Financial Statement - Statement of Retained Earnings for the Year
0236-0238	Financial Statement - Statement of Changes in Financial Position
0239	Operating Statistical Data

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Schedule Number	Schedule Name
0639	Monthly Net Generation by Licensed Project
0640	Licensed Projects Annual Energy Deductions
0695	Sales of Electricity by Rate Schedules
0696	Sales of Electricity by Communities
0697	Railroads and Interdepartmental Sales
0698	Sales of Water and Water Power
0704	Fish and Wildlife and Recreation Plants
0837	Taxes, Tax Equivalents, Contributions and Services During Year - Part I
0838	Taxes, Tax Equivalents, Contributions and Services During Year - Part II
0839	Expenditures for Certain Civic, Political and Other Related Activities

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I. GENERAL INFORMATION

These instructions apply to those schedules:

- Containing basic information on the respondent's corporate profile
- Providing detailed financial data about the Corporation's business activities.

The group of corporate and financial schedules represent a comprehensive selection of data covering the respondent's entire financial accounting operation.

The classification of respondents are:

a. Class A: Natural gas companies, public utilities, and licensees having operating revenues of $2,500,000 or more.

b. Class B: Natural gas companies, public utilities, and licensees having operating revenues of $1,000,000 or more but less than $2,500,000.

c. Class C: Natural gas companies, public utilities, and licensees having operating revenues of $150,000 or more but less than $1,000,000.

d. Class D: Natural gas companies, public utilities, and licensees having operating revenues of $25,000 or more but less than $150,000.

The schedules are organized into two subgroups based upon respondent reporting requirements: (1) annual or (2) monthly submissions. The grouping of schedules into their respective submission subgroups together with a reference to the old FPC form relationships is shown below:

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Subgroup	Respondent Category	Schedule Number(s)	Old FPC Form	Submission Date
Annual Submissions				
1	Class A & Class B (Electric Utilities and Licensees)	0101-0187,0213-0239,0695-0698, 0704(less 0103, 0109,0115,0117, 0119,0126,0127, 0130,0131,0142, 0153,0157,0158, 0165-0166,0172, 0175,0176,0178, 0180-0186)	1	Annually (on or before March 31st)
2	Class A & Class B (Natural Gas Companies)	0101-0181,0187, 0189,0216-0238, (less 0103,0109, 0118,0119,0131, 0165,0166)	2	Annually (on or before March 31st)
3	Class C & Class D (Electric Utilities and Licensees)	0101,0102,0104, 0105,0108,0111, 0112,0124,0132, 0133,0141,0144, 0159,0161-0163, 0188	1F	Annually (on or before March 31st)
4	Federal Projects and Municipal (Electric)	0190-0198,0837-0839(less 0193)	1M	Annually (3 months following close of fiscal year for municipalities and Federal Projects report on fiscal year usually corresponding with FY of Government)
5	Class C & Class D	0101,0102,0104, 0105,0107,0108, 0111,0112,0124, 0132,0133,0141, 0144,0159,0161-0163,0168,0181, 0188	2A	Annually (on or before March 31st)
6	Licensed Projects (covers all major)	0199-0202,0205-0212,0639-0640, 0700-0703,0706	9	Annually (on or before April 30th)
			80	Each Odd numbered year on or before April 30th

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Subgroup	Respondent Category	Schedule Number(s)	Old FPC Form	Submission Date
Monthly Submission				
1	Class A & Class B (Electric Utilities)	0165,0166,0215	5	Monthly (40 days after end of reporting month)
2	Class A & Class B (Natural Gas Companies whose combined gas sales for resale and gas transported or stored for a fee exceeding 50 million MCF)	0182-0186,0215	11	Monthly (40 days after end of reporting month)

Each schedule is identified by a schedule number and title (see Appendix 1, List of Corporate and Financial Schedules).

II. STANDARD DEFINITIONS AND CODES

A. UNIFORM SYSTEMS OF ACCOUNTS

The required submission for Class A, Class B, Class C and Class D natural gas pipeline and electric utilities and licensees will be prepared in conformity with the "Uniform Systems of Accounts for Natural Gas Companies" or "Uniform Systems of Accounts for Public Utilities and Licensees" prescribed by Part 101, 104, 201 and 204 of Title 18 CFR. All mention of accounts, accounting requirements and terminology are to be interpreted in accordance with the said classifications.

For Municipal Electric Utilities and Federal Projects, the required submissions should be filled out in accordance with the individual schedule instructions which provide titles of data requirements to fit special respondent cases. Account numbers are related to each of the data titles to assist internal processing of data.

B. ACCOUNT NUMBERING SYSTEM

The new reporting system requires five digit numbers. In reporting the account numbers for the Uniform Systems of Accounts, the respondent must add zeros, either one or two as appropriate, after the number to complete the five digit system. For example, Account 101, Plant in Service, must be reported as Number 101.00; Account 419.1., Allowance for Funds Used During Construction, must be reported as 419.10.

C. SUPPLEMENTAL ACCOUNT NUMBERS

A system of Supplemental Account Numbers have been developed to accommodate the processing of the following types of information:

- Required data items that do not have assigned Uniform Systems of Account numbers (e.g., total assets, net income, etc.)
- Respondents with several reporting departments (e.g., electric, gas, steam, common, other)

- Required additional breakdown of data from existing account numbers (e.g., depreciation expense, deferred taxes, etc.)

These categories of information add to and/or expand the data identified by the Uniform Systems of Accounts. The Supplemental Account Numbers are a necessary control to insure uniform reporting of certain data elements and will assist in the efficient processing of the various categories of information.

From the above considerations, many Supplemental Account Numbers are expressed using previously undefined numbers from the Uniform Systems of Accounts:

- A three digit code (e.g., 010.00 - Sources of Funds - Operation - Net Income) or
- A three digit code with decimal (e.g., 046.10 - Total Salaries and Wages)

Further, some existing accounts in the Uniform Systems of Accounts were expanded by addition of a decimal, as:

- Accumulated Deferred Income Taxes - Accelerated Amortization (281) expanded to
- Accumulated Deferred Income Taxes - Accelerated Amortization - Pollution Control Facilities (281.20)

Finally, to indicate reporting by different departments internal to the respondent's operations, a second decimal place was added to any existing Uniform System of Account number or any new Supplemental Account number as shown in the following examples:

Example 1:

Uniform System of Account Number		Description
101		Plant in Service
	expanded to -	
Supplemental Account		Description
Electric Respondents		
101.01		Plant in Service - Electric
101.02		Plant in Service - Gas
101.03		Plant in Service - Common
101.04		Plant in Service - Steam
101.05		Plant in Service - Other
Gas Respondents		
101.01		Plant in Service - Gas
101.02		Plant in Service - Electric
101.03		Plant in Service - Common
101.05		Plant in Service - Other

Example 2:

Supplemental Account	Description
281.20	Accumulated Deferred Income Taxes - Accelerated Amortization - Pollution Control Facilities
expanded to -	
Electric Respondents	
281.21	Accumulated Deferred Income Taxes - Accelerated Amortization - Pollution Control Facilities - Electric
281.22	Accumulated Deferred Income Taxes - Accelerated Amortization - Pollution Control Facilities - Gas
Gas Respondents	
281.21	Accumulated Deferred Income Taxes - Accelerated Amortization - Pollution Control Facilities - Gas
281.22	Accumulated Deferred Income Taxes - Accelerated Amortization - Pollution Control Facilities - Electric

The instructions for each schedule list the specific account numbers or indicate where the respondent is required to report departmental information on the basis of supplemental account numbers.

D. SELECTED DEFINITIONS

The following definitions pertain to the indicated subgroups of Corporate and Financial schedules:

1. Annual Submission (Natural Gas Pipeline Respondents)

a. Gas Volumes: All gas volumes will be reported in MMCF rounded to three decimal places. Pressure base of gas volumes reported will be 14.73 PSIA at 60° Fahrenheit, pursuant to Exhibit H of Circular No. A-46, of the Bureau of the Budget issued February 1966.

b. Natural Gas means either natural gas unmixed or any mixture of natural and manufactured gas.

c. BTU per Cubic Foot: The total heating value expressed in BTU, produced by the combustion, at a constant pressure, of the amount of the gas which would occupy a volume of one cubic foot at a temperature of 60° Fahrenheit if saturated with water vapor and under a pressure equivalent to that of 30 inches of mercury at 32° Fahrenheit and under standard gravitational force (980.665 cm. per second^2) with air of the same temperature and pressure as the gas, when the products of combustion are cooled to the initial temperature of gas and air when the water formed by combustion is condensed to the liquid state. (Sometimes called gross heating value or total heating value).

2. Annual Submission (Electric Operating Respondents)

a. Electric Plant: A unit or group of units of the same or different generating type as long as they can be considered at the same physical site.

b. Electric System: The physically connected generation, transmission, distribution, and other facilities operated as an integral unit under one control, management, or operating supervision.

c. Electric Utility: All enterprises engaged in the production and/or transmission and/or distribution of electricity for use by the public, including investor-owned, cooperatively-owned, government-owned (municipal systems, Federal agencies, state projects, and public power districts); and where the data are not separable, those industrial plants contributing to the public supply.

3. Annual Submission (Licensees)

a. The term "project" means all the property covered by a single license number.

b. The term "Federal Project" means those electric projects operating under the supervision of the Alaska Power Administration, Bonneville Power Authority, Bureau of Indian Affairs, Colorado River Storage Project, Southeastern Power Administration, Southwestern Power Administration, Tennessee Valley Authority, U.S. Bureau of Reclamation, and U.S. Corps of Engineers.

4. Monthly Submission (Natural Gas Pipeline Respondents)

a. Imports are gas receipts into the United States of America from a foreign country.

b. Exports are gas deliveries out of the United States of America to a foreign country.

c. Firm Gas Sales to industrial customers are those made under schedules or contracts which anticipate no interruption.

d. Off-Peak Gas Sales to industrial customers are those made under schedules or contracts on a firm basis for periods specified for other then times of seller's peak requirements.

e. Interruptible Gas Sales to industrial customers are those made under schedules or contracts which provide for curtailment by the seller in order to protect service to firm customers.

III. GENERAL INSTRUCTIONS

A. ALL SCHEDULES

1. Information on Utility Departments

For companies having more than one utility department, report information on the basis of total company operations except where otherwise requested on the particular schedule.

2. Changes in Previous Year Reported Figures

Beginning of the year balances are not required on most of the financial schedules. Where amounts reported in the previous year (balance end of year) do not agree with beginning of year amounts for any reason, the respondent shall furnish an explanation of the reason in a footnote.

B. ANNUAL SUBMISSION SCHEDULES

1. Additional Submission

In addition to filing the Annual Submission of Schedules, each respondent shall also file with the Commission, immediately upon publication, five copies of its latest annual report to stockholders and of any annual financial or statistical report regularly prepared and distributed to bond-holders, security analysts, or industry associations. If reports to stockholders are not prepared, so state on Schedule 0112, "Annual Notes to Financial Data".

2. Letter by Certified Public Accountant

Class A and Class B respondents shall file with the original and each copy of the "Annual Submission of Schedules" a letter or report (required by Sections 41.10 - 41.12 of the Commission's Regulations under the Federal Power Act or Sections 158.10 - 158.12 of the Commission's Regulations under the Natural Gas Act) signed by independent certified accountants or independent licensed public accountant, certified or licensed

by a regulatory authority of a State or other political subdivision of the United States until December 31, 1975 and beginning January 1, 1976, and each year thereafter, only independent certified public accountants and independent licensed public accountants (licensed on or before December 31, 1970) will be authorized in attesting to the conformity, in all material repects, of the following schedules in this report with the Commission's applicable Uniform Systems of Accounts (statement certification includes applicable notes relating thereto) and published Commission accounting releases:

Schedule Number	Description
0124	List of Accounts (Part I or Part II)
0133	Long Term Debt
0136	Computation of Federal Income Tax Accruals for the Year
0137	Consolidated Federal Income Tax Return Information
0138	Accumulated Deferred Income Taxes
0139	Accelerated Amortization of Facilities
0140	Tax Deferrals Related to Other Property
0143	Particulars for Estimating Depreciation, Depletion and Amortization of Utility Plant
0144	Plant in Service or All Utility Plants
0145	Completed Construction Not Classified
0149	Plant and Production Properties Held for Future Use
0150	Construction Work in Progress
0151	Accumulated Provision for Depreciation of Utility Plant - Part I
0152	Accumulated Provision for Depreciation of Utility Plant - Part II
0154	Common Plant and Expense Data - Part II

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Schedule Number	Description
0155	Common Plant and Expense Data - Part I
0159	Operating Revenue
0162	Detailed Account Data - Part II
0163	Detailed Account Data - Part III (Only Information Pertaining to Retained Earnings Accounts)
0164	Detailed Account Data - Part IV (Only Information Pertaining to Plant Materials and Operating Supplies and Prepayments (Gas Respondents)
0187	Reconciliation of Reported Net Income with Taxable Income
0216-0222	Financial Statement - Balance Sheet
0223-0234	Financial Statement - Statement of Income for the Year
0235	Financial Statement - Statement of Retained Earnings for the Year
0236-0238	Financial Statement - Statement of Changes in Financial Position

The letter or report shall be in the following form unless unusual circumstances or conditions, explained in the letter or report, demand that it be varied:

In connection with our regular examination of the financial statements of for the year ended , on which we have reported separately under date of , we have also reviewed schedules ____ of the annual submission for the year filed with the Federal Power Commission, for conformity in all material respects with the requirements of the Federal Power Commission as set forth in its applicable Uniform Systems of Accounts and published Commission accounting releases. Our review for this purpose include such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances. Based on our review, in our opinion the accompanying schedules identified in the preceding paragraph (except as noted below)* conform in all material respects with the accounting requirements of the Federal Power Commission as set forth in its applicable Uniform Systems of Accounts and published accounting releases.

* Parenthetical phrase inserted only when exceptions are to be reported.

The letter or report shall state, additionally, which, if any, of the schedules set forth above do not conform to the Commission's requirements, and shall describe the descrepancies that exist.

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DETAILED INSTRUCTIONS: SCHEDULE 0100	INDEX OF FPC PUBLIC USE SCHEDULES SUBMITTED	1 of 1

I. DESCRIPTION

This schedule shall be used to identify on a per packet submission basis, 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 packet of schedules submitted 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 packet, 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 Number	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 packet.
4	Schedule Contact Name (A35): Enter the name of the individual to contact about the schedule number reported in data field 3 above. The form t 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 numbe- 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)

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0101	GENERAL CORPORATE INFORMATION	1 of 2

I. DESCRIPTION

This schedule is used to collect general corporate information for a basic profile on the respondent.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A, Class B, Class C and Class D Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule in their first submission. On subsequent submissions, respondents shall submit only appropriate identification (key data fields) and changed values, additions, and deletions, however, if data fields 10 and 11 are not being submitted, do not complete them as key data fields.

C. Report in data fields 1-9 general information on location of books, incorporation data and public accountants. Report in both data fields 10 and 11 information on the type of service provided (10) and the state(s) where the service is provided (11).

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 Number	Instructions
1 (Key)	Name of Officer with Custody of Corporate Books (A22): (IDNAME)
2	Location of Main Books (A22): Report the state and city of office where general corporate books are kept. Enter the state abbreviation, from the Register of Data Standards, IDSTAT, in the first two positions of this data field, followed by the city name (IDCITY).
3	Location of Other Books (A22): Report the state and city of office where any other corporate books of accounts are kept, if different from that at which the general corporate books are kept. Enter the state abbreviation, from the Register of Data Standards, IDSTAT, in the first two positions of this data field, followed by the city name (IDCITY).
4	Incorporation State (A2): Enter the state abbreviation, from the Register of Data Standards, IDSTAT.
5	Incorporation Date (N6): Date respondent was incorporated, in the format MMDDYY. (TMDATE)
6	Special Law Reference (A20): If incorporated under a special law, give reference to such law. If not incorporated, give type of organization. (IDDESC)

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0101	GENERAL CORPORATE INFORMATION	2 of 2

Data Field Number	Instructions
7	Public Accountant (A22): Name of respondent's independent certified public accountant or independent licensed public accountants (licensed on or before December 31, 1970). (IDNAME)
8	Address of Public Accountant (A22): Report state and city. Enter the state abbreviation, from the Register of Data Standards, IDSTAT, followed by the city name (IDCITY).
9	Date Public Accountant Initially Engaged (N6): State the date the public accountant was initially engaged, in the format MMDDYY. The latest year should only be shown if a change in accountants was made during the year. (TMDATE)
10 (Key)	Type of Service (A3): Enter separately each type of utility service furnished, from the following alphabetic abbreviations: (TYUTIL) GAS = Gas ELC = Electric WTR = Water OTH = Other
11 (Key)	State of Service (A2): Enter the abbreviation for each state where respondent supplies the service listed in data field 10 above, from the Register of Data Standards, IDSTAT.

I. DESCRIPTION

This schedule is used to collect information on any corporations, business trusts or similar organizations or combinations of such organizations which held control over the respondent any time during the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A, Class B, Class C and Class D Natural Gas and Electric respondents. Class C and Class D respondents complete data fields 1 thru 4 only.

B. Respondents shall complete all data fields on this schedule in their first submission. On subsequent submissions, respondents shall submit only appropriate identification (key data fields) and changed values, additions, and deletions.

C. In completing this schedule refer to the Uniform System of Accounts for a definition of control.

To summarize:

Direct control is that which is exercised without interposition of an intermediary.

Indirect control is that which is exercised by the interposition of an intermediary which exercises direct control.

Joint control is that in which neither interest can effectively control or direct action without the consent of the other, as where the voting control is equally divided between two holders, or each party holds a veto power over the other. Joint control may exist by mutual agreement or understanding between two or more parties who together have control within the meaning of the definition of control in the Uniform System of Accounts, regardless of the relative voting rights of each party.

D. Report in data fields 1-3 information on companies who directly control the respondent. Report in data field 4 if control over respondent was held under a trust arrangement. For natural gas respondents, if other companies are controlled by the organization listed in data field 1, list in data field 5 the name of each such company and complete data fields 6 and 7. For electric respondents, if control over respondents was in a holding company, list in data field 5 the name of each company in the chain of ownership from respondent to parent organization and complete data field 7.

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 Number	Instructions
1 (Key)	Name of Controlling Corporation or Organization (A35): (IDNAME)

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Data Field Number	Instructions
2	Description of Manner of Control (A40): (IDDESC)
3	Extent of Control (N3) PCT: Enter the extent of control in per cent, rounded to the nearest per cent.
4	Description of Trust Arrangements (A40): If control was held by a trustee(s), state name of trustee(s), name of beneficiary or beneficiaries for whom trust was maintained, and purpose of trust. (IDDESC)
5 (Key)	Other Controlled Company (A35): If other companies are controlled by the organization which holds control over the respondent, list the names of such companies in this data field. (IDNAME)
6	Kind of Business (A27): State the kind of business engaged in by the company listed in data field 5 above. This data field is not applicable to electric respondent. (IDDESC)
7	Extent of Control (N3): State the tier placement of the company listed in data field 5, above, to the controlling corporation or organization reported in field 1, above, by the following example of codes: (NRCADL) 001 - first tier-subsidiary 002 - second tier-subsidiary of tier 1 003 - third tier-subsidiary of tier 2

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0104	CORPORATIONS CONTROLLED BY RESPONDENT	1 of 2

I. DESCRIPTION

This schedule is used to collect information on all corporations, business trusts, joint ventures and similar organizations controlled directly or indirectly by the respondent at any time during the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A, Class B, Class C and Class D Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule in their first submission. On subsequent submissions, respondents shall submit only appropriate identification (key data fields) and changed values, additions, and deletions.

C. In completing this schedule, refer to the Uniform System of Accounts for a definition of control.

To summarize:

Direct control is that which is exercised without interposition of an intermediary.

Indirect control is that which is exercised by the interposition of an intermediary which exercises direct control.

Joint control is that in which neither interest can effectively control or direct action without the consent of the other, as where the voting control is equally divided between two holders, or each party holds a veto power over the other. Joint control may exist by mutual agreement or understanding between two or more parties who together have control within the meaning of the definition of control in the Uniform System of Accounts, regardless of the relative voting rights of 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 Number	Instructions
1 (Key)	Name of Company Controlled (A35): (IDNAME)
2	Kind of Business (A30): (IDDESC)
3	Per Cent Voting Stock Owned (N3) PCT: Enter the per cent of voting stock owned, rounded to nearest per cent.
4	Particulars for Corporation Controlled (A144): If control ceased at any time during the year, furnish particulars regarding companies involved, manner of disposition and any other important aspects.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0104	CORPORATIONS CONTROLLED BY RESPONDENT	2 of 2

Data Field Number	Instructions
4 (cont'd)	If control was by other means than a direct holding of voting rights, state the manner in which control was held, naming any intermediaries involved. If control was held jointly with one or more other interests, state the fact and name the other interests; however, state if corporation is inactive. (IDDESC)

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I. DESCRIPTION

This schedule is used to collect data on each general officer and director of the respondent who held office at any time during the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by the following categories of respondents:

Respondent Category	Data Fields
(1) Class A and Class B (Natural Gas and Electric)	All
(2) Class C and Class D (Natural Gas and Electric)	1-7,9,10

B. Respondents shall complete all data fields on this schedule in their first submission. On subsequent submissions, respondents shall submit only appropriate identification (key data fields) and changed values, additions, and deletions.

C. Report the particulars applicable to all officers and/or directors of the respondent for the reporting year. Other employees of the respondent whose annual salary is $25,000 per year or more ($35,000, if respondent's annual operating revenues are $50,000,000 or more) must also be reported on Schedule 0106, Other Corporate Employees.

D. If an individual is both an officer and director of the respondent, report separately the information called for in this schedule, once for the position of officer and once for the position of director.

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 Number	Instructions
1 (Key)	Officer's/Director's Last Name (A15): (IDNAME)
2 (Key)	Officer's/Director's First Name and Middle Initial (A15): Enter the full first name and initial(s), separated by a space. (IDNAME)
3	Officer's/Director's Business Address (A22): For officers, enter the financial business address if different from the respondent's address. For directors, enter the principal business address if different from company address. Enter the two character abbreviation, from the Register of Data Standards, IDSTAT, followed by city name (IDCITY).

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Data Field Number	Instructions
4	Officer/Director Category (N1): Enter the one digit numeric code as follows: (TYOFDR) 1 = Officer 2 = Director 3 = Both 9 = Other
5	Officer/Director Title (A30): Enter the officer's and/or director's title at the end of the reporting year. If any officer/director retired during the year, write the word "retired" in this data field. If any officer/director otherwise left the respondent during the year, leave this data field blank. Abbreviate as necessary. Examples: V.P. - Vice President, Treas. - Treasurer, Sec. - Secretary, etc. (IDDESC)
6	Officer/Director Salary - Fee (N6) DOL: Report any salaries or regular fees paid during the year.
7	Director/Member of Executive Committee (N1): Indicate "1" for chairman of the executive committee; "2" for member of that committee; or "3" for neither. (TYEXCO)
8	Officer/Director Retirement Benefits (N6) DOL: Enter the annual benefits estimated to be payable to each of the three highest paid officers, and any director who is not an officer named herein, in the event of retirement at normal retirement date, pursuant to any pension or retirement plan.
9	Officer/Director Date Position or Term Began (N6): Enter the date, in the format MMDDYY, each officer first began the position listed in data field 5 above. Enter the date each director was first elected to the position of director. (TMDATE)
10	Officer/Director Date Retired or Otherwise Separated (N6): Enter the date, in the format MMDDYY, that any officer or director retired or otherwise left the respondent during the year. (TMDATE)
11	Director Meetings Attended (N2) NO: Enter the number of meetings each director attended during the past year.
12	Officer/Director Special Remuneration Value (N8) DOL: If any officer and/or director reported in this schedule received remuneration from respondent, directly or indirectly, other than from salary and/or fees reported in data field 6 above, enter the value of the remuneration (in dollars).

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0105	CORPORATE OFFICERS/DIRECTORS	3 of 3

Data Field Number	Instructions
13	Officer/Director Special Remuneration Type (A44): Enter the particulars concerning any special remuneration received by any officer and/or director reported in data field 12 above. Give the essentials of any plan for remuneration and/or the basis for determining the ultimate benefits received by each officer and/or director. (IDDESC)
14	Officer/Director Insurance Type (A126): State briefly any arrangement paid for by the respondent on behalf of any officer or director, such as life insurance and indemnity or liability insurance, etc., and the value of such arrangement. If the insurance benefits listed in this data field apply to all officers/directors, report the required information only once under the officer or director whose title is President or Chairman of the Board. (IDDESC)

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0106	OTHER CORPORATE EMPLOYEES	1 of 1

I. DESCRIPTION

This schedule is used to collect selected information on corporate employees other than officers and directors of the respondent.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. List employees other than officers and directors who received salaries according to the following limits:

(1) $25,000 or greater if operating revenues are under $50,000,000.

(2) $35,000 or greater if operating revenues are over $50,000,000.

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 Number	Instructions
1 (Key)	Employee Last Name (A15): (IDNAME)
2	Employee First Name and Middle Initial (A11): (IDNAME)
3	Employee Title (A30): (IDDESC)
4	Employee Salary (N6) DOL: State the salary paid the employee for the reporting year (in dollars).

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0107	SECURITY HOLDERS AND VOTING POWERS - TOTAL	1 of 1

I. DESCRIPTION

This schedule is used to collect summary information on the total number of votes and total holders of voting securities of the respondent.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents and Class C and Class D Natural Gas respondents.

B. Class A and Class B respondents shall complete all data fields on this schedule in their first submission. Class C and Class D respondents shall complete data fields 1-3 and 7. On subsequent submissions, respondents shall submit only appropriate identification (key data fields) and changed values, additions, and deletions.

C. Data should be reported as of the latest record date as specified in data field 7.

D. Separate issues of preference stock should be totaled and reported in data fields 2 and 5.

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 Number	Instructions
1 (Key)	Total Votes - Common Stock (N9) NO.
2	Total Votes - Preferred Stock (N9) NO.
3	Total Votes - Other Voting Securities (N9) NO.
4	Total Number of Holders - Common Stock (N9) NO.
5	Total Number of Holders - Preferred Stock (N9) NO.
6	Total Number of Holders - Other Voting Securities (N9) NO.
7	Latest Record Date (N6): Enter the latest record date, in the format MMDDYY. (TMDATE)

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0108	SECURITY HOLDERS AND VOTING POWERS	1 of 1

I. DESCRIPTION

This schedule is used to collect detailed information on holders of the respondent's outstanding securities and voting power thereof, to include:

(a) the ten security holders with the highest voting powers and,

(b) the security holdings and voting powers of any officer or director of the respondent not included in (a) above.

II. GENERAL INFORMATION

A. This schedule shall be completed by Class A, Class B, Class C and Class D Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule in their first submission. On subsequent submissions, respondents shall submit only appropriate identification (key data fields) and changed values, additions and deletions.

C. In data fields 4-7, state the number of votes which each security holder would have had the right to cast on the latest record date, if a meeting were then in order. The latest record date should be reported on Schedule 0107, data field 7.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field numbers:

Data Field Number	Instructions
1 (Key)	Name of Security Holder (A35): (IDNAME)
2	Location of Security Holder (A22): Enter the state abbreviation in the first two positions of the data field, from the Register of Data Standards, IDSTAT, followed by the city name (IDCITY).
3	Officer/Director Indicator (N1): If the security holder named in data field 1 above, is an officer or director within the respondent's organization, enter "1"; if not, enter "Ø". (INYONO)
4	Total Number of Votes (N8) NO.
5	Votes - Common Stock (N8) NO.
6	Votes - Preferred Stock (N8) NO.
7	Votes - Other Voting Securities (N8) NO.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0110	OTHER STOCKHOLDER INFORMATION	1 of 1

I. DESCRIPTION

This schedule is used to collect details on the latest stockholders' annual meeting and any stock book closings during the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

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 Number	Instructions
1 (Key)	Date of Latest Stock Book Closing (N6): Enter the date of the latest closing of the stock book prior to end of year in the format MMDDYY. (TMDATE)
2	Purpose of Closing (A30): Explain the purpose of the closing of the stock book. (IDDESC)
3	Total Votes Cast (N8) NO: Enter total number of votes cast for directors at the latest stockholders meeting.
4	Total Proxy Votes (N8) NO: Enter total number of proxy votes cast for directors at the latest stockholders meeting.
5	Date of Latest General Stockholder Meeting (N6): Enter the date, in the format MMDDYY. (TMDATE)
6	Location of Latest General Stockholder Meeting (A22): Enter the state abbreviation in the first two positions of the data field, from the Register of Data Standards, IDSTAT, followed by the city name (IDCITY).

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I. DESCRIPTION

This schedule is used to collect additional information related to (a) stock options, warrants or rights outstanding at end of the year, and (b) the voting rights and privileges carried by any security other than the repondents common and preferred stock.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A, Class B, Class C and Class D Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually as necessary to support schedule Nos. 0107 and 0108.

C. This schedule supports information included on two schedules:

Schedule 0107 - "Security Holders and Voting Powers - Total"

Schedule 0108 - "Security Holders and Voting Powers."

D. Furnish particulars concerning any options, warrants, or rights outstanding at the end of the year for others to purchase securities of the respondent or any securities or other assets owned by the respondent. Particulars should include names of the parties granted the options, warrants or rights, the prices to be paid, expiration dates, and other material information relating to the exercise of the securities or assets. Specify the name of any officer, director, associated company, or any of the ten largest security holders who hold stock options warranty or rights at the end of the year.

E. Give complete description of any other security carrying voting rights and explain the circumstances whereby the security became vested with voting rights. If any class or issue of security (other than common or preferred stock) has any special privileges in the election of directors, trustees or managers, or in the determination of corporate action by any method, explain the extent and circumstances.

F. This schedule is not applicable to convertible securities or to any securities substantially all of which are outstanding in the hands of the general public where the options, warrants, or rights were issued on a prorata basis.

G. If the respondent needs additional space to complete the text information (data field 4) for any particular note, use a separate entry, repeating the same information in data fields 1 and 2 and using successive numbers (1, 2, 3, etc.) in data field 3.

III. DETAILED INSTRUCTIONS

The following data field-by data field instructions are cross-referenced to the corresponding schedule layouts by data field number:

Data Field Number	Instructions
1 (Key)	Type of Note (A60): Give a single word or short phrase identification such as: "options", "warrants," "rights," etc. (IDDESC)

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Data Field Number	Instructions
2 (Key)	Type of Note Sequence Number (N1): Use successive numbers to designate more than one occurrence of specific type of security or item listed in data field 1 above. If only one occurrence for a particular item, report "1". (NRCADL)
3 (Key)	Entry Continuation Number (N1): Use successive numbers to designate continuation entries or textual information for a particular item listed in data field 1. If only one textual entry is needed to report the required disclosure, enter "1". (NRCADL)
4	Text of Note (A249): (IDDESC)

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0112	ANNUAL NOTES TO FINANCIAL DATA	1 of 4

I. DESCRIPTION

This schedule is used to collect information deemed necessary for adequate disclosure to support the financial data, including the financial statements, presented to the Commission in the annual filing, to include the following aspects:

A. Disclosures of all important accounting policies.

B. Disclosure of accounting changes made during the year which had significant effect on the reported net income.

C. Disclosure of all contingent assets or liabilities or significant commitments existing at the end of the year which have not been reflected in the financial data.

D. Disclosure of any other important changes occurring during the year which have not been provided elsewhere in the filing.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A, Class B, Class C and Class D Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Respondents will use the following guidelines to report disclosure information, using titles underlined below as the Type of Note in data field 1:

1. Accounting Policies: In disclosing its accounting policies, the respondent should identify and describe the accounting principles it has utilized, the methods of applying those principles and the impact of such policies on the financial data submitted. Examples of accounting policies that may be considered significant together with suggested minimum disclosure requirements include:

(a) Plant and Depreciation

(b) Federal Income Tax Expense

(1) Details on the accounting treatment for Federal income taxes (flow through, full normalization, partial normalization).

(2) Details on the ratemaking treatment for Federal income taxes (flow through, full normalization, partial normalization).

(3) Details on accounting for the allocation of income taxes between utility and non-utility segments of company operations.

(4) Details on the accounting for IRS settlements as claim for refunds.

(5) Details on the accounting for recognition of operating loss carrybacks and carryforwards.

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DETAILED INSTRUCTIONS: SCHEDULE 0112	ANNUAL NOTES TO FINANCIAL DATA	2 of 4

(6) If the provisions of the tax laws are being utilized with respect to plant property (ADR class life and liberalized depreciation, repair allowance, etc.) for Federal income tax purposes and the resultant benefits are being flowed through the income statement, disclose the effect of such on the income statement.

(c) Investment Tax Credits

(1) Details on the method of accounting adopted for investment tax credits utilized in the current year.

(2) Details on whether the respondent has consented or is required by a regulatory commission to pass the benefits of investment tax credits along to consumers.

(3) For each year beginning with 1971, details on the ratemaking treatment of these credits to include option for (1) rate base treatment, (2) ratable flow through, (3) flow through in accordance with Section 46 (f) of the Internal Revenue Code, or (4) other method.

(d) Equity Accounting

(e) Unbilled Revenues

(f) Deferred Fuel Cost

Details on the accounting and ratemaking treatment for deferred fuel cost, to include whether specific approvals have been received from regulatory commissions to defer and recover these costs for ratemaking purposes.

(g) Deferrals of Expense or Other Items

(h) Reacquisition of Long Term Debt

(1) Details on the amount of gains and/or losses for the year from reacquistion of long term debt.

(2) Details on the accounting for such gains or losses (included in income/amortized).

(3) Details on the accounting treatment of unamortized debt discount and expense if different from the requirements of the Uniform System of Accounts.

(i) Pension Plan

(1) Details on the method of funding.

(2) Details on the pension cost for the current year charged to expense and capital accounts.

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(3) Details on the amount of unfunded vested benefits.

(4) Details on the effect of the Security Act of 1974 on annual pension cost.

(5) Details on any changes in method of funding for the year.

(j) Research and Development

(k) Other

2. Accounting Changes: Information on important accounting changes should include the nature of and justification for the change, and should include the dollar effect of the change on the reported financial data. The respondent should utilize the following definition of an accounting change taken from Opinion No. 20 of the Accounting Principles Board for purposes of this requirement.

The term accounting change means a change in (a) an accounting principle, (b) an accounting estimate, or (c) the reporting entity.

In considering the importance of an accounting change, the respondent should consider the impact (or estimated impact), on not only the financial data for the current reporting period, but should also consider the financial impact of the changes on subsequent years results of operations.

3. Contingencies or Commitments: Information on all contingent assets or liabilities or significant commitments shall include all pertinent facts surrounding such matters. Examples of matters that should be reported in this section include:

(a) Particulars of all important legal proceedings pending at the end of the year and the results of proceedings culminated during the year; including the related accounting for any settlements.

(b) Commitments related to the respondent's construction program.

(c) Long term commitments on the purchase of fuel supply.

(d) Short term bank borrowing arrangements including open lines of credit, compensating balance arrangements, commitment fees, and average annual effective interest rates.

(e) Details on obligations incurred or assumed by respondent as guarantor for performance by another of any agreement or obligation. Such information shall include the amount of the obligation and the name of the commission authorizing assumption, if any, and date of authorization.

4. Other Important Changes: Information on other important changes during the year shall disclose all significant changes occuring during the year not provided for elsewhere in the Schedules in this filing.

Examples of changes include changes in articles of incorporation or amendments to the corporate charter; acquisition of ownership in other companies; recognition, merger or consolidation with other companies, particulars if control over respondent was held by a receiver or trustee.

For securities assumed during the year, the name of the company from which the liability was assumed and other particulars of the transaction should be included in data field 4. For Class A and B respondents, if any unamortized discount, premium, expenses and/or gains or losses were taken over into the respondent's books, details of these amounts should be included in schedule 0123, "Securities Assumed, Refunded or Retired during the Year," data fields 5-9. Additional disclosure on the respondent's accounting policy with respect to gains and losses on security transactions should be included under item (h), above, of this schedule.

D. If the respondent needs additional space to complete the text information (data field 4) for any particular note, use a separate entry, repeating the same information in data fields 1 and 2 and using successive numbers (1, 2, 3, etc.) in data field 3.

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 Number	Instructions
1 (Key)	Type of Note (A60): Examples: (IDDESC) Policies - Income Tax Expense Policies - Equity Accounting Changes - Unbilled Revenues Contingencies/Commitments - Construction Program
2	Note Number (N1): Use successive numbers to designate more than one occurrence of the type of note listed in data field 1 above. If only one occurrence is needed for a particular type note, enter "1". (NRCADL)
3	Entry Continuation Number (N1): Use successive numbers to designate continuation entries of textual information for a particular note. If only one textual entry is needed to report the required disclosure, enter "1" in this data field. (NRCADL)
4	Text of Note (A249): (IDDESC)

R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0113	DESCRIPTION OF CONSTRUCTION OVERHEAD PROCEDURES	1 of 2

I. DESCRIPTION

This schedule is used to collect important textual comments concerning construction overhead procedures.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule in their first submission. On subsequent submissions, respondents shall submit only appropriate identification (key data fields) and changed values, additions, and deletions.

C. For purposes of reporting for this schedule, construction overheads have been assigned the following code numbers:

Overhead Code	Type of Overhead
01	Engineering and Supervision
02	Administrative and General Expenses
03	Transportation
04	Injuries and Damages
05	Insurance
06	Pensions and Other Employee Benefits
07	Taxes (property, sales, payroll, etc.)
08	Outside Professional Services
09	Allowance for Funds Used During Construction
99	Other

These code numbers shall be reported in data field 1.

D. For each construction overhead except "allowance for funds used during construction" (09), provide in a textual format in data field 4, the respondents general policy, to include: the nature and extent of work, etc., the overhead charges are intended to cover, the general procedure for determining the amount capitalized, the method of distribution to construction jobs, whether different rates are applied to different types of construction, basis of differentiation in rates for different types of construction, and whether the overhead is directly or indirectly assigned.

E. For "allowance for funds used during construction," state in data field 4 the general policy with respect to capitalization to include: the general classes of property included in the allowance base, the method used to compute the allowance, the allowance computation period, the specific factors to support the allowance rate for the year, and the allowance rate(s) for the year.

F. Construction overheads with similar procedures should not be grouped, but must for the initial filing be reported separately.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0113	DESCRIPTION OF CONSTRUCTION OVERHEAD PROCEDURES	2 of 2

G. If the respondent has separate or different procedures for any of the grouped overheads listed above (i.e. Engineering and Supervision), report each procedure as a separate entry, listing the same overhead code in data field 1 and using successive numbers (1, 2, 3, etc.) in data field 2. If the respondent needs additional space to complete the text information (data field 4) for any particular overhead, use a separate entry, repeating the same information in data fields 1 and 2 and using successive numbers (1, 2, 3, etc.) in data field 3.

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 Number	Instructions
1 (Key)	Type of Overhead (N2): Enter the code, from Item C of the General Instructions for this schedule. (TYOVHD)
2	Overhead Note Number (N1): Use successive numbers to designate more than one occurrence of the overhead type listed in data field 1 above. If only one occurrence for a particular type overhead, enter 1. (NRCADL)
3	Entry Continuation Number (N1): Use successive numbers to designate continuation entries of textual information for a particular overhead. (NRCADL)
4	Text (A249): (IDDESC)

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0114	IMPORTANT CHANGES DURING THE YEAR - TRANSMISSION OR DISTRIBUTION SYSTEM	1 of 1

I. DESCRIPTION

This schedule is used to collect details on important extensions or reductions of the transmission or distribution system during the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Each logical entry has two parts. In data fields 1-3, provide general information on each important change. In data fields 4-9, show each class of service affected, the estimated annual changes in revenue and the number of customers.

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 Number	Instructions
1 (Key)	Description of Change (A40): Provide a brief description of any important territory added or relinquished during the year, i.e., Distribution - Town of Springfield. (IDDESC)
2 (Key)	Commission Code (N3): Enter the three digit numeric code, from the Register of Data Standards, IDCOMM.
3	Date of Commission Authorization (N6): Enter the date, in the format MMDDYY. (TMDATE)
4	Date of Change (N6): Enter the date, in the format MMDDYY. (TMDATE)
5 (Key)	Class of Service (A3): Enter the abbreviation as follows: (TYERSV) RES = Residential COM = Commercial IND = Industrial SRE = Sales for Resale OTH = Other
6	Estimated Additional Annual Revenues (N9) DOL.
7	Estimated Annual Revenue Reduction (N9) DOL.
8	Number of Customers Added (N8) NO.
9	Number of Customers Lost (N8) NO.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0116	IMPORTANT CHANGES DURING THE YEAR - SUPPLIER RATE PROCEEDING	1 of 1

I. DESCRIPTION

This schedule is used to collect information on all supplier rate proceedings settled during the year to which the respondent was a party, related to either gas purchases or power purchases.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. The respondent shall complete this schedule where any significant amounts of refunds were made or received during the year resulting from settlement of proceedings affecting gas purchases or purchased power costs.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule by data field number:

Data Field Number	Instructions
1 (Key)	Name of Supplier (A35): (IDNAME)
2 (Key)	Commission Code (N3): Enter the code of the federal, state, or local regulatory commission which has jurisdiction over the rate proceeding, from the Register of Data Standards, IDCOMM.
4	Particulars for Accounting (A144): State the particulars of the accounting used by the respondent to record the refunds received or payments made resulting from supplier rate proceedings. (IDDESC)

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RES	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0118	IMPORTANT CHANGES DURING THE YEAR - NEW GENERATING PLANTS/UNITS	1 of 1

I. DESCRIPTION

This schedule is used to collect details concerning electric generating plants and/or units placed in service during the year.

I. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

II. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layouts by data field number:

Data Field Number	Instructions
1 (Key)	Indicator Plant or Unit (N1): Enter "1" if plant or "2" if unit. (INETOR)
2 (Key)	Plant Code (N5): Enter the plant code, from the Register of Data Standards, IDPLNT.
3 (Key)	Generating Unit ID (N2): Enter the unique generating unit identification code assigned sequentially (by the respondent) to the units within each plant. (IDEQPT)
4	State Abbreviation (A2): Enter the two character abbreviation, from the Register of Data Standards, IDSTAT.
5	County Code (N3): Enter the three digit code, from the Register of Data Standards, IDCNTY.
6	In-Service Date (N6): Enter the date, in the format MMDDYY. (TMDATE)
7	Generating Capacity (N10) KW.
8	Original Cost of Plant/Unit (N9) DOL.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0120	IMPORTANT CHANGES DURING THE YEAR - UTILITY PLANT NOT OPERATED	1 of 1

I. DESCRIPTION

This schedule is used to collect information with respect to utility plants, including plant in service accounts, which did not operate during the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field numbers:

Data Field Number	Instructions
1 (Key)	Description of Plant (A30): State the type, name, and number or other appropriate specifics for plant not operated during year. (IDDESC)
2	Book Cost of Plant (N9) DOL.
3	Particulars (A65): For plant listed in data field 1 above, state whether any portion of the book cost has been retired from plant in service, and/or what other disposition of the property and its book cost is contemplated. (IDDESC)

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0121	COMPANY EMPLOYEE DATA	1 of 1

I. DESCRIPTION

This schedule is used to collect data on the total number of company employees as of the last payroll period of the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Respondents shall report the employee data for all full-time employees for the payroll period ending December 31 or that nearest December 31 in the calendar year. Include temporary employees but do not include part-time employees.

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 Number	Instructions
1 (Key)	Total Electric Employees (N5) NO: Enter the number of full-time employees engaged in this utility function, if function is subject to Commission jurisdiction.
2 (Key)	Total Gas Employees (N5) NO: Enter the number of full-time employees engaged in this utility function, if function is subject to Commission jurisdiction.
3	Total Other Employees (N5) NO: Enter the number of full-time employees engaged in functions other than Electric and Gas.
4	Total Company Employees (N5) NO.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SECURITIES ISSUED DURING THE YEAR SCHEDULE 0122		1 of 2

I. DESCRIPTION

This schedule is used to collect selected data on securities issued during the year.

II. GENERAL INSTRUCTIONS

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. The respondent shall only report on this schedule details on securities issued during the year, including short term debt. Information on securities assumed, refunded or retired during the year shall be reported on Schedule 0123.

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 Number	Instructions
1 (Key)	Description of Security (A55): The identification of each class and series of security should include, as appropriate, the interest or dividend rate, the maturity date and series of issuance. Examples: First Refunding Mortgage Bonds 8 1/8% due 2/1/05; Common Stock - No Par Value. (IDDESC)
2	Principal Amount (N9) DOL.
3	Number of Shares (N9) NO.
4	Total Price to Public (N9) DOL.
5	Amount of Underwriter Commission (N9) DOL: Enter the total amount of the Underwriter Commission.
6	Amount of Other Expenses (N9) DOL: Enter the total of other expenses related to the security issuance.
7	Net Proceeds to Company (N9) DOL.
8	Amount of Premium or Discount (N9) DOL: Discount amounts should be entered with a negative sign.
9	Commission Authorization (N3): Enter the code of the federal, state, or local regulatory commission which has jurisdiction over the issue of the securities from the Register of Data Standards. IDCOMM.
10	Commission Docket Number (A9): Enter the regulatory commission docket number. (IDDCKT)

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DETAILED INSTRUCTIONS: SECURITIES ISSUED DURING THE YEAR SCHEDULE 0122		2 of 2

Data Field Number	Instructions
11	Name of Principal Underwriter (A35): Enter name of principal underwriter firm. (IDNAME)
12	Name of Securities Exchange(s) (A35): Enter the name of exchange(s) upon which security is (are) registered. (Abbreviate where possible) Example: N.Y., Amer., P.B.W. Midwest, Pacific. (IDDESC)

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I. DESCRIPTION

This schedule is used to collect data on securities assumed, refunded or retired during the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. For securities assumed, the name of the company from which the liability was assumed and other particulars of the transactions should be included on Schedule 0112 entitled "Notes To Financial Data" and a caption "Other". If any unamortized discount, premium, expenses, and/or gains or losses were taken over into the respondent's books, details of these amounts should be included in this schedule in data fields 5-9. Additional disclosure on the respondent's accounting policy with respect to gains and losses on security transactions should also be included on Schedule 0112.

D. Data fields 10-13 provide for the specific accounting entries involved in the security transactions reported herein. The details of the accounting entries specifying accounts debited should be listed in data fields 10-11 and accounts credited listed in data fields 12-13.

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 Number	Instructions
1 (Key)	Description of Security (A55): The identification of each class and series of security should include, as appropriate, the interest or dividend rate, the maturity date and series of issuance. Examples: First Refunding Mortgage Bonds - 7% Series Due 1991; Debentures - 9% Due 1994. (IDDESC)
2	Type of Transaction (N1): Enter the code, from the following list. (TYFNTN) 1 - Assumed 2 - Refunded 3 - Retired
3	Principal Amount (N9) DOL.
4	Number of Shares (N9) NO.
5	Amount of Unamortized Premium or Discount (N9) DOL: Discount amounts are to be entered with a negative sign.

Data Field Number	Instructions
6	Amount of Unamortized Expenses (N9) DOL.
7	Amount of Gain from Reacquired Security (N9) DOL.
8	Amount of Loss from Reacquired Security (N9) DOL.
9	Net Cost of Security (N9) DOL.
10 (Key)	Account Number Debited (N3.2): (ACCTML)
11	Amount Debited (N8) DOL.
12	Account Number Credited (N3.2): (ACCTML)
13	Amount Credited (N8) DOL.

RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0124	LIST OF ACCOUNTS - PART I (ELECTRIC CLASS A AND CLASS B)	1 of 10

I. DESCRIPTION

This schedule is used to collect the end of year balance or the amount for the year for certain accounts of the Uniform System of Accounts and certain other financial data that has been categorized as Supplemental Accounts. (For a discussion of the relationship between the two systems of accounts see General Instructions for Corporate and Financial Schedules.) This schedule replaces several former schedules which reported similar information concerning:

- Electric Operation and Maintenance Expenses
- Distribution of Salaries and Wages
- Operating Revenues
- Summary of Utility Plant - Statement B
- Other supporting schedules, including account balances from numerous schedules.

The account numbers to be used from the two systems of accounts are listed in General Information, II-D.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. For those accounts which had activity during the year or had previously been reported with balances but for the present reporting period there is no balance, respondent shall report the account number and a "zero" balance.

D. The data to be reported is structured upon the account groupings from the Uniform System of Accounts augmented by a system of supplemental accounts to integrate related data. Included on this schedule are five account groupings, each identified by title and source:

Account Group	Description	Source
1	Distribution of Salaries and Wages	Supplemental Accounts
2	Depreciation and Amortization of Electric Plant	Supplemental Accounts
3	Electric Operating Revenue Accounts	Uniform System of Accounts/ Supplemental Accounts
4	Electric Operation and Maintenance Expense Accounts	Uniform System of Accounts/ Supplemental Accounts
5	Departmental Accounts	Supplemental Accounts

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All respondents will report groups 1 through 4. Those respondents with more than one utility department in their internal organization will also report group 5.

Respondents should start each account group on a new schedule collection sheet. Within each group, account numbers should be listed according to numerical sequence.

Respondents shall report by account numbers of the appropriate System of Accounts those items below applicable to their situation.

1. Distribution of Salaries and Wages

Report distribution of total salaries and wages for the year by functions (Production, Transmission, Distribution, Customer Accounts, Sales, Administrative and General, Plant Constructions, Plant Removal, Other Accounts). Amounts originally charged to clearing accounts should be spread to each appropriate function and included in the total of each function.

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
	030.10	Electric production - operation	
	030.20	Electric production - maintenance	
	035.10	Electric transmission - operation	
	035.20	Electric transmission - maintenance	
	036.10	Electric distribution - operation	
	036.20	Electric distribution - maintenance	
	037.10	Electric customer accounts - operation	
	037.20	Customer service and informational - operation	
	038.10	Electric sales - operation	
	039.10	Electric administration - operation	
	039.20	Electric administration - maintenance	
	041.00	Other utility departments - operation and maintenance	
	043.10	Electric plant construction	
	043.20	Other departments - plant construction	
	044.10	Electric plant removal	
	044.20	Other departments - plant removal	
	045.10	All other accounts	
	046.00	Total Salaries and Wages	

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2. Depreciation and Amortization of Electric Plant

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
	403.10	Depreciation expense - steam production plant	
	403.20	Depreciation expense - nuclear production plant	
	403.30	Depreciation expense - hydraulic production plant - conversion	
	403.40	Depreciation expense - pumped storage	
	403.50	Depreciation expense - other production plant	
	403.60	Depreciation expense - transmission plant	
	403.70	Depreciation expense - distribution plant	
	403.80	Depreciation expense - general plant	
	403.90	Depreciation expense - common plant, electric	
	404.10	Amortization expense - limited term - intangible plant	
	404.20	Amortization expense - limited term - steam production plant	
	404.30	Amortization expense - limited term - nuclear production plant	
	404.40	Amortization expense - limited term - hydraulic production plant	
	404.50	Amortization expense - limited term - other production plant	
	404.60	Amortization expense - limited term - transmission plant	
	404.70	Amortization expense - limited term - distribution production plant	
	404.80	Amortization expense - limited term - general production plant	
	404.90	Amortization expense - limited term - common production plant	
	405.10	Amortization expense - other - intangible plant	
	405.20	Amortization expense - other steam production plant	
	405.30	Amortization expense - other - nuclear production plant	
	405.40	Amortization expense - other - hydraulic production plant	

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
	405.50	Amortization expense - other - other production plant	
	405.60	Amortization expense - other - transmission production plant	
	405.70	Amortization expense - other - distribution production plant	
	405.80	Amortization expense - other - general production plant	
	405.90	Amortization expense - other - common production plant	

3. Electric Operating Revenue Accounts

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
		SALES OF ELECTRICITY	
440.00		Residential sales	
442.00		Commercial and industrial sales	
	442.10	Commercial and industrial sales - commercial	0159
	442.20	Commercial and industrial sales - industrial	0159
444.00		Public street and highway lighting	0159
445.00		Other sales to public authorities	0159
446.00		Sales to railroads and railways	0159
447.00		Sales for resale	0159
448.00		Interdepartmental sales	0159
	449.90	Total Sales of Electricity	0159
		OTHER OPERATING REVENUES	
450.00		Forfeited discounts	
451.00		Miscellaneous service revenues	0164
453.00		Sales of water and water power	0164
454.00		Rent from electric property	0164
455.00		Interdepartmental rents	0164
456.00		Other electric revenues	0164
400.00	457.90	Total Other Operating Revenues Operating Revenues (Total)	

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4. Electric Operation and Maintenance Expense Accounts

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
		POWER PRODUCTION EXPENSES	
		STEAM POWER GENERATION	
		Operation	
500.00		Operation supervision and engineering	
501.00		Fuel	
502.00		Steam expenses	
503.00		Steam from other sources	
504.00		Steam transferred - credit	
505.00		Electric expenses	
506.00		Miscellaneous steam power expenses	
507.00		Rents	
	509.90	Total Steam Power Generation - Operation	
		Maintenance	
510.00		Maintenance supervision and engineering	
511.00		Maintenance of structures	
512.00		Maintenance of boiler plant	
513.00		Maintenance of electric plant	
514.00		Maintenance of miscellaneous steam plant	
	515.90	Total Steam Power Generation - Maintenance	
	516.90	Total Steam Power Generation - Operation and Maintenance	
		NUCLEAR POWER GENERATION	
		Operation	
517.00		Operation supervision and engineering	
518.00		Nuclear fuel expense	
519.00		Coolants and water	
520.00		Steam expenses	
521.00		Steam from other sources	
522.00		Steam transferred - credit	
523.00		Electric expenses	
524.00		Miscellaneous nuclear power expenses	
525.00		Rents	
	527.90	Total Nuclear Power Generation - Operation	

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Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
		Maintenance	
528.00		Maintenance supervision and engineering	
529.00		Maintenance of structures	
530.00		Maintenance of reactor plant equipment	
531.00		Maintenance of electric plant	
532.00		Maintenance of miscellaneous nuclear plant	
	533.90	Total Nuclear Power Generation - Maintenance	
	534.90	Total Nuclear Power Generation - Operation and Maintenance	
		HYDRAULIC POWER GENERATION	
		Operation	
535.00		Operation supervision and engineering	
536.00		Water for power	
537.00		Hydraulic expenses	
	537.10	Hydraulic expenses - fish and wildlife	
	537.20	Hydraulic expenses - recreation	
538.00		Electric expenses	
539.00		Miscellaneous hydraulic power genration expense	
540.00		Rents	
	540.90	Total Hydro Power Generation - Operation	
		Maintenance	
541.00		Maintenance supervision and engineering	
542.00		Maintenance of structures	
543.00		Maintenance of reservoirs, dams and waterways	
544.00		Maintenance of electric plant	
545.00		Maintenance of miscellaneous hydraulic plant	
	545.10	Maintenance of miscellaneous hydraulic plant - fish and wildlife	
	545.20	Maintenance of miscellaneous hydraulic plant - recreation	
	545.80	Total Hydro Power Generation - Maintenance	
	545.90	Total Hydro Power Generation - Operation and Maintenance	

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Uniform System of Accounts	Supplemental Accounts	Description	Detail on Related Schedules
		OTHER POWER SUPPLY EXPENSES	
555.00		Purchased power	
556.00		System control and load dispatching	
557.00		Other expenses	
	558.90	Total Other Power Supply Expenses	
	559.90	Total Power Production Expenses - Operation and Maintenance	
		TRANSMISSION EXPENSES	
		Operation	
560.00		Operation supervision and engineering	
561.00		Load dispatching	
562.00		Station expenses	
563.00		Overhead line expenses	
564.00		Underground line expenses	
565.00		Transmission of electricity by others	
566.00		Miscellaneous transmission expenses	
567.00		Rents	
	567.90	Total Transmission Expenses - Operation	
		Maintenance	
568.00		Maintenance supervision and engineering	
569.00		Maintenance of structures	
570.00		Maintenance of station equipment	
571.00		Maintenance of overhead lines	
572.00		Maintenance of underground lines	
573.00		Maintenance of miscellaneous transmission plant	
	573.90	Total Transmission Expenses - Maintenance	
	574.90	Total Transmission Expenses - Operation and Maintenance	
		DISTRIBUTION EXPENSES	
		Operation	
580.00		Operation supervision and engineering	
581.00		Load dispatching	
582.00		Station expenses	
583.00		Overhead line expenses	
584.00		Underground line expenses	
585.00		Street lighting and signal system expenses	
586.00		Meter expenses	
587.00		Customer installation expenses	
588.00		Miscellaneous distribution expenses	
589.00		Rents	
	589.90	Total Distribution Expenses - Operation	

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Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
		Maintenance	
590.00		Maintenance supervision and engineering	
591.00		Maintenance of structures	
592.00		Maintenance of station equipment	
593.00		Maintenance of overhead lines	
594.00		Maintenance of underground lines	
595.00		Maintenance of line transformers	
596.00		Maintenance of street lighting and signal systems	
597.00		Maintenance of meters	
598.00		Maintenance of miscellaneous distribution plant	
	599.80	Total Distribution Expenses - Maintenance	
	599.90	Total Distribution Expenses - Operation and Maintenance	
		CUSTOMER ACCOUNTS EXPENSES	
		Operation	
901.00		Supervision	
902.00		Meter reading expenses	
903.00		Customer records and collection expenses	
904.00		Uncollectible accounts	
905.00		Miscellaneous customer accounts epxnese	
	905.90	Total Customer Accounts Expenses - Operation	
		CUSTOMER SERVICE AND INFORMATIONAL EXPENSES	
		Operation	
907.00		Supervision	
908.00		Customer Assistance expenses	
909.00		Informational and instructional expenses	
910.00		Miscellaneous customer service and informational expenses	
	910.90	Total Customer Service and Informational Expenses - Operation	

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DETAILED INSTRUCTIONS: SCHEDULE 0124	LIST OF ACCOUNTS - PART I (ELECTRIC CLASS A AND CLASS B)	9 of 10

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
		SALES EXPENSES	
		Operation	
911.00		Supervision	
912.00		Demonstrating and selling expenses	
913.00		Advertising expenses	
916.00		Miscellaneous sales expenses	
	919.90	Total Sales Expenses - Operation	
		ADMINISTRATIVE AND GENERAL EXPENSES	
		Operation	
920.00		Administrative and general salaries	
921.00		Office supplies and expenses	
922.00		Administrative expense transferred - credit	
923.00		Outside services employed	
924.00		Property insurance	
925.00		Injuries and damages	
926.00		Employee pensions and benefits	
927.00		Franchise requirements	
928.00		Regulatory Commission expenses	0173
929.00		Duplicate charges - credit	0163
930.10		General advertising expenses	
930.20		Miscellaneous general expenses	
931.00		Rents	
	931.90	Total Administrative and General Expenses - Operation	
		Maintenance	
932.00		Maintenance of general plant	
	939.90	Total Administrative and General Expenses - Operation and Maintenance	
	949.90	Total Operation and Maintenance Expenses	

5. Departmental Accounts: Respondents with more than one utility department in their internal organization are required to report the following plant accounts on the basis of operating utility departments. Supplemental Account numbers will consist of a second decimal place after the appropriate Uniform System of Account numbers as follows: electric department - XXX.X1; gas department - XXX.X2; common XXX.X3; (as prescribed by plant instruction 13 of the Uniform System of Accounts); steam department - XXX.X4; other departments - XXX.X5. When the basic number from the Uniform System of Accounts is a whole integer (e.g., 101), the Supplemental Account number will add a zero in the first decimal place (e.g., 101-0) and then the department code (e.g., 101-01). This has been adopted to insure uniformity with those few accounts from the Uniform System of Accounts with a decimal place (e.g., 409.1).

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0124	LIST OF ACCOUNTS - PART I (ELECTRIC CLASS A AND CLASS B)	10 of 10

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
101.00	XXX.X1 to	Plant in service	
102.00	XXX.X5 for	Plant purchased or sold	
103.00	each Uniform	Experimental plant unclassified	
104.00	System of	Plant leased to others	
105.00	Account Basic	Plant held for further use	
106.00	Number	Completed construction not classified	
107.00		Construction work in progress	
108.00		Accumulated provision for depreciation of utility plant	
111.00		Accumulated provision for amortization and depletion of plant	
114.00		Plant acquisition adjustment	
116.00		Other acquisition adjustment	
	120.90	Net Utility Plant	

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule payout by data field number:

Data Field Number		Instructions
1 (Key)	Account Number (N3.2): (ACCTML)	Refer to General Information, II-D.
2	Amount (N10) DOL.	

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0125	INVESTMENT IN SUBSIDIARY COMPANIES - EQUITY ACCOUNTING	1 of 1

I. DESCRIPTION

This schedule is used to collect information regarding investments included in Account 123.10, Investment in Subsidiary Companies, which are accounted for on the equity method of accounting.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class ° Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. This schedule only includes investments in stock of subsidiary companies. Information on advances, notes, etc., related to subsidiary companies shall be included in Schedule 0161.

D. The totals in data field 2 shall equal the amount recorded in Account 418.10, Equity in Subsidiary Companies for the Year.

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 Number	Instructions
1 (Key)	Company Name (A35): (IDNAME)
2	Amount of Equity in Subsidiary Earnings for the Year (N10) DOL: Enter the equity results of the subsidiary's earnings or losses during the year.
3	Amount of Dividends Paid by Subsidiary for the Year (N10) DOL: Enter the total amount of dividends paid by subsidiary during the year.
4	Amount of Equity in Undistributed Subsidiary Earnings Since Acquisition (N10) DOL: Enter the amount of equity in undistributed subsidiary earnings or losses from the date of acquisition through the end of the year.
5	Balance of Investment (Equity Method) at End of the Year (N10) DOL.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0128	PRODUCTION FUEL STOCKS	1 of 2

I. DESCRIPTION

This schedule is used to collect details for production fuel stock inventory included in Account 151.00, fuel stock.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. The respondent shall report separately each type of production fuel and oil stock maintained during the year. Refer to the Register of Data Standards, TYFUEL, for a detailed listing of fuel stocks.

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 Number	Instructions
1 (Key)	Fuel Type Code (N2): Enter the code for the fuel type, from the Register of Data Standards, TYFUEL.
2	Unit of Measure (A7): Enter the code for the unit of measure in which fuel stock quantities are being reported, from the Register of Data Standards, TYUNMS.
3	Quantity Fuel Stocks - Beginning of Year (N9) NO.
4	Cost Fuel Stocks - Beginning of Year (N9) DOL.
5	Quantity Fuel Stocks Received During Year (N9) NO.
6	Cost of Fuel Received During Year (N9) DOL.
7	Quantity of Fuel Sold or Transferred (N9) NO.
8	Cost of Fuel Sold or Transferred (N9) DOL.
9	Quantity of Fuel Used by Electric Department (N9) NO.
10	Cost of Fuel Used by Electric Department (N9) DOL.
11	Quantity of Fuel Used by Gas Department (N9) NO.
12	Cost of Fuel Used by Gas Department (N9) DOL.
13	Quantity of Fuel Used by Steam Department (N9) NO.

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DETAILED INSTRUCTIONS: SCHEDULE 0128	PRODUCTION FUEL STOCKS	2 of 2

Data Field Number	Instructions
14	Cost of Fuel Used by Steam Department (N9) DOL.
15	Quantity of Fuel Used by Other Departments (N9) NO: For purposes of this schedule, the quantity and cost of fuel for the year associated with construction projects or inventory adjustments should be included in data fields 15 and 16. Specific details on inventory adjustments of significant quantities and amounts should be reported as a note to the financial data, included on Schedule 0111.
16	Cost of Fuel Used by Other Departments (N9) DOL.
17	Quantity of Fuel at End of Year (N9) NO.
18	Cost of Fuel at End of Year (N9) DOL.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0129	FUEL PRODUCTION COST DATA	1 of 1

I. DESCRIPTION

This schedule is used to collect fuel production quantity and cost data obtained from company owned sources or from affiliated companies.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Production cost for each kind of fuel shall be listed separately in data fields 5 through 9.

D. For purposes of complying with the requirements of this schedule, established subsidiaries of the respondent should be considered affiliated companies.

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 Number	Instructions
1 (Key)	Type of Fuel (N2): Enter the code, from the Register of Data Standards, TYFUEL.
2 (Key)	Source Code - Internal, Affiliated, (A3): If the fuel was obtained from the respondent's own sources, enter "INT"; if obtained from affiliated companies, enter "AFF". (TYFLSC)
3	Name of Affiliated Company (A35): If the source is from affiliated company, enter name of the company. (IDNAME)
4	Quantity Produced (N9) NO: Enter the quantity in tons, barrels, or MMCF. Enter the unit of measure in data field 10.
5	Depreciation Expense (N9) DOL.
6	Operation and Maintenance Expenses (N9) DOL.
7	Tax Expense (N9) DOL.
8	Other Expense (N9) DOL.
9	Total Expense (N9) DOL.
10	Unit of Measure (A7): Enter the code, from the Register of Data Standards, TYUNMS.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0132	CAPITAL STOCK	1 of 2

I. DESCRIPTION

This schedule is used to collect selected details on capital stock included in Account 201.00, Common Stock Issued, Account 204.00, Preferred Stock Issued, and Account 217.00, Required Capital Stock.

II. GENERAL INFORMATION

This schedule shall be submitted by the following categories of respondents:

Respondent Category	Data Fields
(1) Class A & Class B Natural Gas and Electric	All
(2) Class C & Class D Natural Gas and Electric	1-4, 6, & 7

B. Respondents shall complete all specified data fields on this schedule annually.

C. Report the particulars called for concerning common and preferred stock at end of year. Report separately each series of and class of preferred stock.

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 Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Class and Series of Stock (A40): The designation of each class of preferred stock shall show the dividend rate and whether the dividends are cumulative or noncumulative. Example: Preferred Series A 6% Cumulative. Shares authorized for each class of preferred stock should be shown once under the first series of each class as listed in data field 2. (IDDESC)
3	Number of Shares Authorized by Charter (N8) NO: Show the number of shares authorized by the articles of incorporation (as amended) at end of year.
4	Par or Stated Value Per Share (N5) DOL.
5	Call Price End of Year (N5) DOL.
6	Shares of Capital Stock Outstanding (N8) NO: State the total number of shares outstanding per balance sheet without reduction for amounts held by respondent.
7	Amount of Capital Stock Outstanding (N9) DOL. State the total amount outstanding per balance sheet without reduction for amounts held by respondent.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0132	CAPITAL STOCK	2 of 2

Data Field Number	Instructions
8	Number of Shares Held by Respondent as Reacquired Stock (N6) NO: Enter the total number of shares held by the respondent as reacquired stock as of the balance sheet date.
9	Cost of Reacquired Capital Stock (N7) DOL: Enter the cost of reacquired capital stock included in Account 217.00.
10	Number of Shares Held by Respondent in Sinking and Other Funds (N6) NO.
11	Cost of Stock Held in Sinking and Other Funds (N7) DOL.
12	Other Stock Particulars (A72): Give particulars of any nominally issued capital stock. If stock is pledged, state name of pledgee and purpose of pledge. State the amount of stock authorized by a regulatory commission but not issued at end of year. (IDDESC)

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I. DESCRIPTION

This schedule is used to collect selected details on long-term debt included in Accounts 221.00, Bonds and 222.00, Reacquired Bonds.

II. GENERAL INFORMATION

A. This schedule shall be submitted by the following categories of respondents:

Respondent Category	Data Fields
(1) Class A & Class B Natural Gas and Electric	All
(2) Class C & Class D Natural Gas and Electric	1, 2, & 5-9

B. Repondents shall complete all appropriate data fields on this schedule annually.

C. For any long-term debt retired during the year, complete information called for in data fields 1, 2, 6, and 8.

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 Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Class and Series Description of Obligation (A50): Enter class and series of long-term debt. For example: First Refunding Mortgage - Series B. (IDDESC)
3	Name of Issuing Company (A35): Enter the name of the company issuing the bonds for any bonds assumed by the respondent. (IDNAME)
4	Associated Company Indicator (N1): If company named in data field 3 above is an associated company, enter "1"; if not, enter "0". (INYONO)
5	Nominal Date of Issue (N6): Enter the date, in the format MMDDYY. (TMDATE)
6	Date of Debt Maturity (N6): Enter the date, in the format MMDDYY. (TMDATE)
7	Amount Outstanding (N9) DOL.
8	Amount of Interest for Year (N7) DOL: List the amount of interest expense for the year related to long-term debt listed in data field 2 above. Include any interest expense incurred

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Data Field Number	Instructions
8 (cont'd)	during the year on any obligation retired or reacquired before end of year. Explain in a footnote, any difference between total of data field 8 and the total of Account 427.00, Interest on Long-Term Debt, and Account 430.00 Interest on Debt to Associated Companies.
9	Interest Rate of Debt (N2.3) PCT.
10	Reacquired Bonds Held by Respondent (N9) DOL: Enter the cost of reacquired bonds included in Account 222.00.
11	Sinking and Other Funds Held by Respondent (N9) DOL.
12	End of Year Redemption Price Per $100 (N3.2) DOL: Enter the redemption price (per $100) as of the end of the year. If noncallable, leave data field blank.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0134	NOTES PAYABLE	1 of 1

I. DESCRIPTION

This schedule is used to collect particulars concerning short-term indebtedness outstanding at the end of the year included in Account 231.00, Notes Payable.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Specific terms of indebtedness outstanding at end of the year under $25,000 may be grouped for purposes of this schedule. For grouped items, enter the word "other" in data field 1 with the number of items grouped, i.e., Other (12) and report data for the grouped items in data fields 5-8.

D. Additional information on open lines of credit should be reported on Schedule 0112, Notes to Financial Data.

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 Number	Instructions
1 (Key)	Name of Payee (A35): (IDNAME)
2	Date of Note (N6): Enter the date, in the format MMDDYY. (TMDATE)
3	Date of Maturity (N6): Enter the date, in the format MMDDYY. (TMDATE)
4	Interest Rate (N2.3) PCT.
5 (Key)	Balance End of Year (N9) DOL.
6	Purpose for Which Notes Were Issued (A45): (IDDESC)
7	Particulars of Collateral Pledged for Notes, if Any (A45): If collateral is pledged for a note, enter the type and value of the collateral. (IDDESC)
8	Particulars of Compensating Balances (A60): For each item of indebtedness which is subject to a compensating balance arrangement (formal or informal) or if a committment fee is involved, enter in this data field the type of arrangement and the amount involved. (IDDESC)

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I. DESCRIPTION

This schedule is used to collect the particulars of the combined prepaid and accrued tax accounts and the details of taxes charged to operations and other accounts during the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Do not include gasoline and other sales taxes which have been charged to the accounts to which the material on which the tax was levied was charged.

D. Do not include in this schedule entries with respect to deferred income taxes or taxes collected through payroll deductions (i.e., employees share of FICA taxes) or other taxes collected by the respondent for the benefit of a taxing authority.

E. Include as taxes for purposes of this schedule: (1) accruals credited to taxes accrued; (2) amounts credited to prepaid taxes for proportions of prepaid taxes chargeable to current year; and (3) taxes paid and charged direct to operations or accounts other than accrued and prepaid tax accounts.

F. Taxes paid during the year and charged direct to final accounts, that is, not charged to prepaid or accrued taxes, should be reported by entering the description in data fields 1-3, and the related amounts in Taxes Charged, data field 4, and Taxes Paid, data field 5.

G. If any tax covers more than one year, the information required for data fields 1-11 should be shown separately for each year.

H. The distribution of taxes to the appropriate accounts of the Uniform System of Accounts should be listed in data fields 10 and 11.

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 Number	Instructions
1 (Key)	Taxing Authority (A8): State the taxing authority, i.e., Federal, State or Local. (IDNAME)
2 (Key)	Kind of Tax (A20): State each kind of tax imposed, i.e., Income, Real Estate, etc. (IDDESC)
3 (Key)	Tax Year (N4): State each open tax year associated with data fields 1 and 2, in the format 19YY. (TMYEAR)

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Data Field Number	Instructions
4	Taxes Charged During Year (N9) DOL: Enter the amount of tax charged to operations or other accounts during the year related to the tax listed in data fields 1-3 above.
5	Taxes Paid During Year (N9) DOL: Enter the amount of taxes paid during the year related to the tax listed in data fields 1-3 above.
6	Adjustments to Taxes During Year (N9) DOL: Enter the total amount of all adjustment to taxes for the year. Include as tax adjustments in this data field settlements with Internal Revenue Service or adjustments of previous tax accruals. Designate debit adjustments by overstriking the preprinted minus sign.
7	Taxes Accrued Balance, End of Year (N9) DOL: Enter the accrued balance at end of year related to the tax listed in data fields 1-3 above.
8	Prepaid Tax Balance, End of Year (N9) DOL: Enter the prepaid end of year balance related to the tax listed in data fields 1-3 above.
9	Explanation of Tax Particulars (A72): This data field provides space for explanation of tax adjustments and tax apportionment. Provide an explanation of adjustments to taxes listed in data field 6 above. For any tax which it was necessary to apportion to more than one utility department or account, provide an explanation of the basis of apportioning such tax. (IDDESC)
10 (Key)	Account Number (N3.2): Enter each account(s) used to record the tax listed in data fields 1-3 above. (ACCTML)
11	Amount (N9) DOL: Enter the amount related to the entry listed in data field 10 above.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0136	COMPUTATION OF FEDERAL INCOME TAX ACCRUALS	1 of 1

I. DESCRIPTION

This schedule is used to collect information supporting the respondent's computation of Federal income tax accruals charged to Accounts 409.10, Income Taxes, Utility Operating Income, 409.20, Income Taxes, Other Income and Deductions, and 409.30, Income Taxes, Extraordinary Items, for the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. This schedule has two parts. In data fields 1-6, report information concerning the respondent's computation of Federal income tax accruals. In data fields 7 and 8, report detailed information supporting the total of other tax items reported in data field 4.

D. This schedule supplements the information reported on Schedule 0135, Taxes Accrued, Prepaid and Charged During Year.

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 Number	Instructions
1 (Key)	Normal Tax Computed Amount Less Surtax Exemption (N9) DOL.
2	Capital Gains Computed Amount (N9) DOL.
3	Provision for Adjustments of Previous Year's Accruals (N9) DOL: Enter the net of adjustments of prior year tax provisions made through the current year tax provision.
4	Total Other Tax Items (N9) DOL: Enter the computation amount related to any factor not specifically listed in data fields 1-3 above and 5 below.
5	Investment Tax Credits (N9) DOL.
6	Total Current Year Federal Income Tax Accrual (N9) DOL: The amount reported should be a total for the amounts reported for accruals charged to Accounts 409.10, 409.20, and 409.30 for the year.
7 (Key)	Description of Other Tax Item (A30): Describe each specific other tax item included in data field 4 above. (IDDESC)
8	Amount of Other Tax Item (N8) DOL: Enter the amount related to the other tax item listed in data field 7 above.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0137	CONSOLIDATED FEDERAL INCOME TAX RETURN INFORMATION	1 of 1

I. DESCRIPTION

This schedule is used to collect additional Federal income tax information if the respondent is a member of a group which files a consolidated tax return.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Respondents that do not file consolidated returns need not complete this schedule.

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 Number	Instructions
1 (Key)	Total Estimated Consolidated Tax Liability (N9) DOL: Enter the total estimated consolidated tax liability for the group.
2	Basis for Allocation of Consolidated Tax Among Group Members (A216): State basis of allocation of consolidated tax, including investment tax credits, among member companies. If allocated on basis of Internal Revenue Service (IRS) or Securities and Exchange Commission (SEC) regulations, furnish reference numbers. Abbreviate as necessary. (IDDESC)
3 (Key)	Member Company Name (A35): List name of each member company that is included in the consolidated return. (IDNAME)
4	Allocation of Estimated Consolidated Tax Liability (N9) DOL: State the amount (both positive and negative) of estimated Federal tax liability allocated to member company listed in data field 3 above.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0138	ACCUMULATED DEFERRED INCOME TAXES	1 of 3

I. DESCRIPTION

This schedule is used to collect detailed information on respondents utilizing deferred tax accounting.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. The following Uniform System of Accounts and Supplemental Accounts are to be reported on this schedule:

Uniform System of Accounts	Supplemental Accounts	Description
190.00		Accumulated deferred income taxes
281.00		Accumulated deferred income taxes - accelerated amortization property - total
	281.10	Accumulated deferred income taxes - accelerated amortization property - certified defense facilities
	281.20	Accumulated deferred income taxes - accelerated amortization property - certified pollution control facilities
	281.30	Accumulated deferred income taxes - accelerated amortization property - other
282.00		Accumulated deferred income taxes - other property
283.00		Accumulated deferred income taxes - other

D. For utilities with more than one department, furnish in addition to the above accounts, information on deferred taxes for the electric, gas and other departments according to the Supplemental Accounts specified in the Register of Data Standards, ACCTML. For example:

Electric Respondents

190.01	Accumulated deferred income taxes - electric
190.02	Accumulated deferred income taxes - gas
190.05	Accumulated deferred income taxes - other

Natural Gas Respondents

283.01	Accumulated deferred income taxes - other - gas
283.02	Accumulated deferred income taxes - other - electric
283.05	Accumulated deferred income taxes - other - other

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0138	ACCUMULATED DEFERRED INCOME TAXES	2 of 3

E. Where respondent has deferred taxes related to other income and deductions, include the particulars under the Supplemental Account numbers for "Other".

F. Include in data fields 3-14, details on contra entries to Expense Accounts 410.10, Provision for Deferred Income Taxes, Utility Operating Income, 410.20, Provision for Deferred Income Taxes, Other Income and Deductions, 411.10, Provision for Deferred Income Taxes - Credit, Utility Operating Income, and 411.20, Provision for Deferred Income Taxes, Credit Other Income and Deductions, associated with the Deferred Tax Item as specified in data field 2. Space has been provided in data fields 3-14 to list two separate contra entries for debits, credits and adjustments for each deferred tax item. If only one contra entry is involved, list the account number and amount in the appropriate data field 3-4, 7-8 and/or 11-12.

G. Data fields 16-18 which call for a summary of the deferred taxes by a Federal, State and local classification, should be completed only where data field 1 equals Prime Accounts 190.00, Accumulated Deferred Income Taxes, 281.00, Accumulated Deferred Income Taxes - Accelerated Amortization Property, 282.00, Accumulated Deferred Income Taxes - Other Property, and 283.00, Accumulated Deferred Income Taxes - Other.

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 Number	Instructions
1 (Key)	Account Number (N3.2): List separately each of the account numbers and supplemental account numbers having a balance at end of year. Refer to General Information, II-C and the Register of Data Standards, ACCTML.
2 (Key)	Description of Deferred Tax Item (A70): Provide a separate description for each significant deferred tax item included in Accounts 190.00 and 283.00 and related supplemental accounts (if more than one department) and Supplemental Account 282.05, such as: Unbilled Revenues Purchased Gas Adjustment Research and Development Interest Expense Associated with Construction Deferrals of minor items may be grouped under an "Other" description. Information on the contra accounts affected and the amounts involved for items included in this data field should be listed in data fields 3 through 15 below. (IDDESC)
3	Debits - Account Number (N3.2): Enter the appropriate account number from the Register of Data Standards, ACCTML.
4	Debits - Amount (N9) DOL.
5	Debits - Account Number (N3.2): (ACCTML)

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0138	ACCUMULATED DEFERRED INCOME TAXES	3 of 3

Data Field Number	Instructions
6	Debits - Amount (N9) DOL.
7	Credits - Account Number (N3.2): (ACCTML)
8	Credits - Amount (N9) DOL.
9	Credits - Account Number (N3.2): (ACCTML)
10	Credits - Amount (N9) DOL.
11	Adjustments - Account Number (N3.2): (ACCTML)
12	Adjustments - Amount (N9) DOL.
13	Adjustments - Account Number (N3.2): (ACCTML)
14	Adjustments - Amount (N9) DOL.
15	Balance End of Year (N9) DOL.
16	Classification of Tax - Federal Income (N9) DOL: Enter the portion of the deferred tax balance end of year (data field 15 above) which is applicable to Federal income tax.
17	Classification of Tax - State Income (N9) DOL: Enter the portion of the deferred tax balance end of year (data field 15 above) which is applicable to State income tax.
18	Classification of Tax - Local Income (N9) DOL: Enter the portion of the deferred tax balance end of year (data field 15 above) which is applicable to local income tax.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0139	ACCELERATED AMORTIZATION OF FACILITIES	1 of 2

I. DESCRIPTION

This schedule is used to collect details on the accounting for income tax deferrals included in Account 281.00, Deferred Income Taxes - Accelerated Amortization Property, that relate to certified defense facilities and to certified pollution control facilities.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. The respondent shall list separately in data fields 1-11, details for any property for which accelerated amortization under Sections 168 or 169 of the Internal Revenue Code has been authorized and where normalization accounting for the tax benefits has been practiced.

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 Number	Instructions
1 (Key)	Facility Certificate Number (A10): (NRCADL)
2	Facility Description (A40): (IDDESC)
3	Facility Amortizable Cost (N9) DOL.
4	Facility Total Cost (N9) DOL.
5	Date Amortization Commenced (N6): Enter the date amortization for tax purposes commenced, in the format MMDDYY. (TMDATE)
6	Normal Depreciation Rate (N2.2) PCT: Enter the normal depreciation rate for the current year (straight line book rate) used in tax deferral.
7	Tax Rate - Original Deferral (N2.2) PCT: Enter the tax rate used to originally defer amounts in Account 281.00. If the tax rate used to originally defer amounts varied from year to year, list the composite of the tax rates.
8	Tax Rate Amortized Flow Backs (N2.2) PCT: Enter the tax rate used during current year to amortize previous deferrals.
9	Total Deferred Taxes for Facility (N9) DOL: Enter total amount of tax deferrals related to the certificate.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0139	ACCELERATED AMORTIZATION OF FACILITIES	2 of 2

Data Field Number	Instructions
10	Amount of Flow Back Accelerated Amortization (N9) DOL: Enter total amount of flow backs to date (credits to Account 411.00) related to the certificate.
11	Balance of Deferred Taxes Amortization (N9) DOL: Enter the balance of deferred taxes as of the end of year related to the certificate listed in data field 1 above.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0140	TAX DEFERRALS RELATED TO OTHER PROPERTY	1 of 1

I. DESCRIPTION

This schedule is used to collect information on deferred tax accounting related to property included in Account 282.00, Accumulated Deferred Income Taxes - Other Property.

II. GENERAL INSTRUCTIONS

A. This schedule shall be submitted by Class A and Class B Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule in their first submission. On subsequent submissions, respondents shall submit only appropriate identification (key data fields) and the changed values, additions and deletions.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data fields number:

Data Field Number	Instructions
1 (Key)	Year (N4): Beginning with the year 1954, list each year for which deferred income taxes were recognized and included in Account 282.00.
2	Total Amount Deferred (N9) DOL: Enter the gross amount of tax deferrals for the particular year reported in data field 1 above.
3	Flow Backs (N9) DOL: Enter the total amount of flow backs (amortization of previous deferrals) to date related to the year shown in data field 1 above. Calculations to segregate and associate the gross flow backs for the year to the particular years where deferral arose may be based on reasonable methods of approximation which are consistently applied.
4	Tax Deferrals - Balance (N9) DOL: Enter the balance of deferred tax as of the end of the year relating to the particular year shown in data field 1 above.
5	Explanation of Deferred Tax Items (A72): For each year listed in data field 1, enter the general nature of the items deferred and, where appropriate, the basis of the deferral: (IDDESC) Liberalized depreciation (straight line tax rate to liberalized tax rate or straight line tax rate to book straight tax rate) ADR class life Repair allowance Cost of removal

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0141	INVESTMENT TAX CREDITS	1 of 2

I. DESCRIPTION

This schedule is used to collect information related to investment tax credits for the years 1962 to date.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A, Class B, Class C and Class D Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule in their first submission. On subsequent submissions, respondents shall submit only appropriate identification (key data fields and data fields 2 and 4) and changed values, additions, and deletions.

C. This schedule shall be prepared by the respondent regardless of the method of accounting adopted for the investment tax credits. The schedule collects details by years for all investment tax credits generated and utilized by the respondent beginning with 1962 through the current year. The required information for each year should be presented as adjusted at year end to reflect corrections of estimated amounts, carryback or carryforward of unused credits.

D. In the initial submission of this schedule, respondents will indicate Code "1" in data field 3 for each year's data. For subsequent submissions, respondents will use "1" (original) or "2" (corrected) as appropriate.

E. For electric respondents with more than one department, report tax credit for the electric department and the total of tax credits for all other departments. For natural gas respondents with more than one department, report tax credits for the gas department and the total of tax credits of all other departments.

II. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

Data Field Number	Instructions
1 (Key)	Year (N4): Beginning with 1962 enter the year. (TMYEAR)
2	Rate (N2) PCT: Indicate 03 percent, 04 percent, 07 percent, 10 percent, 11 percent credits or other appropriate percent credits.
3	Indicator Original/Corrected (N1): Enter "1" at time of original submission. On subsequent submissions, enter "1" (original) or "2" (corrected) as appropriate. (INETOR)
4	Department (A3): Enter one of the following abbreviations to indicate department or operation: (TYUTIL) ELC = electric GAS = gas OTH = other

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0141	INVESTMENT TAX CREDITS	2 of 2

Data Field Number	Instructions
5	Credit Generated (N10) DOL: Enter the amount of investment tax credits generated from properties used in utility operations.
6	Credit Utilized (N10) DOL: Enter the amount of generated credits utilized in computing the Federal income tax liability for the year.
7	Unused Credit Available (N10) DOL: Enter the amount of unused tax credits available at end of each year.
8	Weighted Average Life of Property (N3.2) PCT: Enter the weighted average useful life of all eligible properties subject to the credit.

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I. DESCRIPTION

This schedule is used to collect details concerning advances for gas outstanding during the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Report information concerning all advances for gas the cost of which is included in Accounts 124.00, Other Investments; 166.00, Advances for Gas Exploration, Development and Production; and 167.00, Other Advances for Gas, of the Uniform System of Accounts. Do not include take or pay gas arrangements properly included in Account 165.00, Prepayments.

D. Do not report in data fields 6 or 8, the effects of transfers between Account 124.00 and Accounts 166.00 or 167.00 for balance sheet reporting purposes.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field numbers:

Data Field Numbers	Instructions
1 (Key)	Account Number (N3.2): First list advances included in Account 124.00 (as of the balance sheet date) then advances included in Accounts 166.00 and 167.00. (ACCTML)
2 (Key)	Name of Payee (A35): Enter name of payee. If advances are made to a payee in connection with different projects with different arrangements for repayments, use separate lines for reporting; otherwise all advances may be grouped by payee, subject to the requirement that repayments and other credits (data fields 8, 10 and 11) are to be shown by specific account charged. (IDNAME)
3	Associated Company Indicator (N1): If company named in data field 2 above is an associated company, enter "1"; if not, enter "Ø". (INYONO)
4	Date of Advance (N6): Enter the date, in the format MMDDYY. (TMDATE)
5	Date of Repayment (N6): Enter an estimated date for complete repayment of the advance, in the format MMDDYY. (TMDATE) Do not use the term "indefinite" for advances included in Accounts 124.00 and 166.00.

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Data Field Number	Instructions
6	Advances During Year (N8) DOL: Enter the amount of new advances made during the year or any additional amounts on previously made advances.
7	Purpose of Advance (A45): Enter purpose of advance - for example, exploration, development, production, working interest, general loan, etc. (IDDESC)
8	Repayments or Other Credits (N8) DOL: Enter the total amount of repayments received or other credits made during the year. The total amount and amounts shown in data field (8) must be reported by specific accounts in data fields 10 and 11 below.
9	Balance End of Year (N8) DOL.
10 (Key)	Account Charged (N3.2): (ACCTML)
11	Amount (N8) DOL.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: PARTICULARS FOR ESTIMATING DEPRECIATION, SCHEDULE 0143 DEPLETION AND AMORTIZATION OF UTILITY PLANT		1 of 2

I. DESCRIPTION

This schedule is used to collect the factors and other particulars used in estimating depreciation, depletion, and amortization of utility plant.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule in their first submission. On subsequent submissions, respondents shall submit only appropriate identification (key data fields) and changed values, additions, and deletions.

C. Each logical entry has two parts. Report in data fields 1-6, information with respect to estimating depreciation accruals. Report in data fields 1, 7 and 8, information on depletion and amortization.

D. Information must be reported on this schedule by each of the 300 series of plant accounts which is subject to depreciation, depletion, and/or amortization. Also report the subtotal of functional classifications by use of the following Supplemental Accounts in data field 1:

Uniform System of Accounts	Supplemental Accounts	Description
Electric Respondents		
	303.90	Total intangible plant
	319.90	Total steam production
	325.90	Total nuclear production
	339.90	Total hydraulic production - conventional pumped storage
	347.90	Total other production plant
	359.90	Total transmission plant
	379.90	Total distribution plant
	399.90	Total general plant
Natural Gas Respondents		
	303.90	Total intangible plant
	320.90	Total manufactured gas production plant
	339.90	Total natural gas production and gathering plant
	347.90	Total products extraction plant
	359.90	Total underground storage plant
	363.90	Total local storage plant
	372.90	Total transmission plant
	389.90	Total distribution plant
	399.90	Total general plant

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: PARTICULARS FOR ESTIMATING DEPRECIATION, SCHEDULE 0143 DEPLETION AND AMORTIZATION OF UTILITY PLANT		2 of 2

Refer to General Instruction II-D, Schedule 0144, Plant in Service, for a detailed listing of the 300 series of plant accounts from the Uniform System of Accounts.

E. Respondents utilizing different depreciation rates for plant included in one plant account should repeat in data field 1, the appropriate primary account number and complete data fields 2-6 for each type of plant. Do not report in data field 1 any account numbers used for your internal purposes only.

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 Number	Instructions
1 (Key)	Account Number (N3.2): Enter the account number, from the Register of Data Standards, ACCTML.
2	Depreciation - Estimated Average Service Life (N3) YR: For each plant account subject to depreciation listed in data field 1 above, state the estimated average service life of the related property, rounded to nearest whole number.
3	Depreciation - Net Salvage (N2.2) PCT: For each plant account subject to depreciaton, state the per cent, positive or negative, of net salvage. Net salvage is defined as gross salvage less cost of removal. If net salvage is not used as a factor in determining rates, report Ø's.
4	Depreciation - Applied Rate (N2.2) PCT: State the depreciation rate applied to the plant account.
5	Depreciation - Mortality Curve Type (A6): If plant mortality studies are prepared to assist in estimating average service lives, show the type mortality curve selected as most appropriate for the account. (IDDESC)
6	Depreciation - Average Remaining Life (N3) YR: State the weighted average remaining life of surviving plant.
7	Depletion/Amortization - Type Plant (A30): For plant subject to depletion or amortization, list the types of plant involved. For example: (IDDESC) Franchises/Consents (if data field 1 is Account 302.00) Producing Lands (if data field 1 is Account 325.10)
8	Depletion/Amortization - Number of Years (N2) YR: For property subject to amortization, state the number of years (period of amortization) associated with data field 7 above. For property subject to depletion, state on an estimated basis, the number of years for such property to be completely depleted.

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I. DESCRIPTION

This schedule is used to collect detailed information on the additions, retirements, adjustments, transfers and end of year balance for property included in Account 101.00, Electric/Gas Plant in Service, classified according to the 300 series of plant accounts.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Natural gas respondents with more than one utility department furnish data for gas plant only; electric respondents furnish data for the electric plant only.

D. Report in data field 1 the appropriate account number from the 300 series of plant accounts. The 300 series includes the following Uniform System of Account numbers (301.00-399.00) and Supplemental Account numbers:

Uniform System of Accounts	Supplemental Accounts	Description
Electric Respondents		
		INTANGIBLE PLANT
301.00		Organization
302.00		Franchises and consents
303.00		Miscellaneous intangible plant
	303.90	Total Intangible Plant
		PRODUCTION PLANT
		STEAM PRODUCTION
310.00		Land and land rights
311.00		Structures and improvements
312.00		Boiler plant equipment
313.00		Engines and engine driven generators
314.00		Turbogenerator units
315.00		Accessory electric equipment
316.00		Miscellaneous power plant equipment
	319.90	Total Steam Production
320.00		Land and land rights
321.00		Structures and improvements
322.00		Reactor plant equipment
323.00		Turbogenerator units
324.00		Accessory electric equipment
325.00		Miscellaneous power plant equipment
	325.90	Total Nuclear Production

Uniform System of Accounts	Supplemental Accounts	Description
		HYDRAULIC PRODUCTION
330.00		Land and land rights
	330.10	Land and land rights - fish and wildlife
	330.20	Land and land rights - recreation
331.00		Structures and improvements
	331.10	Structures and improvements - fish and wildlife
	331.20	Structures and improvements - recreation
332.00		Reservoirs, dams and waterways
	332.10	Reservoirs, dams and waterways - fish and wildlife
	332.20	Reservoirs, dams and waterways - recreation
333.00		Waterwheels, turbines and generators
334.00		Accessory electric equipment
335.00		Miscellaneous power plant equipment
	335.10	Miscellaneous power plant equipment - fish and wildlife
	335.20	Miscellaneous power plant equipment - recreation
336.00		Roads, railroads and bridges
	339.90	Total Hydraulic Production
		OTHER PRODUCTION
340.00		Land and land rights
341.00		Structures and improvements
342.00		Fuel holders, producers and accessories
343.00		Prime movers
344.00		Generators
345.00		Accessory electric equipment
346.00		Miscellaneous power plant equipment
	347.90	Total Other Production
	349.90	Total Production Plant
		TRANSMISSION PLANT
350.00		Land and land rights
352.00		Structures and improvements
353.00		Station equipment
354.00		Towers and fixtures
355.00		Poles and fixtures
356.00		Overhead conductors and devices
357.00		Underground conduit
358.00		Underground conductors and devices
359.00		Roads and trails
	359.90	Total Transmission Plant
		DISTRIBUTION PLANT
360.00		Land and land rights
361.00		Structures and improvements

R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: PLANT IN SERVICE OR ALL UTILITY PLANT SCHEDULE 0144	CLASS A AND CLASS B - PART I	3 of 7

Uniform System of Accounts	Supplemental Accounts	Description
362.00		Station equipment
363.00		Storage battery equipment
364.00		Poles, towers and fixtures
365.00		Overhead conductors and devices
366.00		Underground conduit
367.00		Underground conductors and devices
368.00		Line transformers
369.00		Services
370.00		Meters
371.00		Installations on customers' premises
372.00		Leased property on customers' premises
373.00		Street lighting and signal systems
	379.90	Total Distribution Plant
		GENERAL PLANT
389.00		Land and land rights
390.00		Structures and improvements
391.00		Office furniture and equipment
392.00		Transportation equipment
393.00		Stores equipment
394.00		Tools, shop and garage equipment
395.00		Laboratory equipment
396.00		Power operated equipment
397.00		Communication equipment
398.00		Miscellaneous equipment
399.00		Other tangible property
	399.90	Total General Plant
Natural Gas Respondents		
		INTANGIBLE PLANT
301.00		Organization
302.00		Franchise and consents
303.00		Miscellaneous intangible plant
	303.90	Total Intangible Plant
		PRODUCTION PLANT
		MANUFACTURED GAS PRODUCTION PLANT
304.00		Land and land rights
305.00		Structures and improvements
306.00		Boiler plant equipment
307.00		Other power equipment
308.00		Coke ovens
309.00		Producer gas equipment
310.00		Water gas generating equipment
311.00		Liquefied petroleum gas equipment

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: PLANT IN SERVICE OR ALL UTILITY PLANT SCHEDULE 0144	CLASS A AND CLASS B - PART I	4 of 7

Uniform System of Accounts	Supplemental Accounts	Description
312.00		Oil gas generating equipment
313.00		Generating equipment - other processes
314.00		Coal, coke, and ash handling equipment
315.00		Catalytic cracking equipment
316.00		Other reforming equipment
317.00		Purification equipment
318.00		Residual refining equipment
319.00		Gas mixing equipment
320.00		Other equipment
	320.90	Total Manufactured Gas Production Plant
		NATURAL GAS PRODUCTION PLANT
		NATURAL GAS PRODUCTION AND GATHERING PLANT
325.10		Producing lands
325.20		Producing leaseholds
325.30		Gas rights
325.40		Rights-of-way
325.50		Other land and land rights
326.00		Gas well structures
327.00		Field compressor station structures
328.00		Field measuring and regulating station structures
329.00		Other structures
330.00		Producing gas wells - well construction
331.00		Producing gas wells - well equipment
332.00		Field lines
333.00		Field compressor station equipment
334.00		Field measuring and regulating station equipment
335.00		Drilling and cleaning equipment
336.00		Purification equipment
337.00		Other equipment
338.00		Unsuccessful exploration and development costs
	339.90	Total Natural Gas Production and Gathering Plant
		PRODUCTS EXTRACTION PLANT
340.00		Land and land rights
341.00		Structures and improvements
342.00		Extraction and refining equipment
343.00		Pipe lines
344.00		Extracted products storage equipment
345.00		Compressor equipment
346.00		Gas measuring and regulating equipment
347.00		Other equipment
	348.90	Total Products Extraction Plant
	349.90	Total Production Plant

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Uniform System of Accounts	Supplemental Accounts	Description
		NATURAL GAS STORAGE PLANT
		UNDERGROUND STORAGE PLANT
350.10		Land
350.20		Rights-of-way
351.00		Structures and improvements
352.00		Wells
352.10		Storage leaseholds and rights
352.20		Reservoirs
352.30		Nonrecoverable natural gas
353.00		Lines
354.00		Compressor station equipment
355.00		Measuring and regulating equipment
356.00		Purification equipment
357.00		Other equipment
	359.90	Total Underground Storage Plant
		OTHER STORAGE PLANT
360.00		Land and land rights
361.00		Structures and improvements
362.00		Gas holders
363.00		Purification equipment
363.10		Liquefication equipment
363.20		Vaporizing equipment
363.30		Compressor equipment
363.40		Measuring and regulating equipment
363.50		Other equipment
	363.90	Total Other Storage Plant
	364.90	Total Natural Gas Storage Plant
		TRANSMISSION PLANT
365.10		Land and land rights
365.20		Rights-of-way
366.00		Structures and improvements
367.00		Mains
368.00		Compressor station equipment
369.00		Measuring and regulating station equipment
370.00		Communication equipment
371.00		Other equipment
	372.90	Total Transmission Plant
		DISTRIBUTION PLANT
374.00		Land and land rights
375.00		Structures and improvements
376.00		Mains

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Uniform System of Accounts	Supplemental Accounts	Description
377.00		Compressor station equipment
378.00		Measuring and regulating station equipment - general
379.00		Measuring and regulating station equipment - city gate check stations
380.00		Services
381.00		Meters
382.00		Meter installations
383.00		House regulator
384.00		House regulator installations
385.00		Industrial measuring and regulating station equipment
386.00		Other property on customers' premises
387.00		Other equipment
	388.90	Total Distribution Plant
		GENERAL PLANT
389.00		Land and land rights
390.00		Structures and improvements
391.00		Office furniture and equipment
392.00		Transportation equipment
393.00		Stores equipment
394.00		Tools, shop and garage equipment
395.00		Laboratory equipment
396.00		Power operated equipment
397.00		Communication equipment
398.00		Miscellaneous equipment
399.00		Other tangible property
	399.90	Total General Plant

E. Credit balances in data fields 2, 4 , 5 and 6 should be indicated by a minus sign (-). Debit balances for plant retired (data field 3) should also be indicated by a minus sign.

F. The respondents shall report the original cost of fish, wildlife and recreation facilities in Supplemental Accounts for Hydraulic Plant.

G. Plant balances related to property included in Account 106.00, completed construction not classified, should be reported on Schedule 0145.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: PLANT IN SERVICE OR ALL UTILITY PLANT SCHEDULE 0144	CLASS A AND CLASS B - PART I	7 of 7

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): Enter the appropriate 300 series plant account, from the Register of Data Standards, ACCTML.
2 (Key)	Additions to Plant in Service (N9) DOL: Additions for current year.
3	Retirements to Plant in Service (N9) DOL: Enter retirements for current year. If the respondent has a significant amount of plant retirements which have not been classified to primary accounts at the end of the year, a tentative distribution of such retirements to the 300 series of accounts on an estimated basis, with appropriate contra entry to Account 108.00, Accumulated Provision for Depreciation of Utility Plant, or Account 111.00, Accumulated Provision for Amortization of Utility Plant shall be made and the related dollar amount included in this data field. Include also in this data field reversals of tentative distributions of prior year of unclassified retirements.
4	Adjustments to Plant in Service (N9) DOL: Enter the amount of adjustments to the plant in service account listed in data field 1 above.
5	Transfers of Plant in Service (N9) DOL: Enter reclassification or transfers to plant in service within utility plant accounts or transfer of in service plant from one detail plant in service account to another account, i.e., nonutility property.
6	Plant Balance End of Year (N10) DOL.

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I. DESCRIPTION

This schedule is used to collect detailed information on Account 106.00, Completed Construction Not Classified.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Natural gas respondents with more than one utility department furnish data for gas department only; electric respondents furnish data for the electric department only.

D. For the purpose of reporting to the Commission, the balance included in Account 106.00, Completed Construction Not Classified, should be tentatively classified in as accurately as practicable according to the detailed 300 series of plant in service accounts. The purpose of this reporting requirement is to avoid any significant omission in the reported amounts of plant in service.

E. Report in data field 1 the appropriate account number from the 300 series of plant accounts. The 300 series includes the Uniform System of Account numbers (301.00-399.00) and the following Supplemental Account numbers:

Uniform System of Accounts	Supplemental Accounts	Description
Electric Respondents		
	303.90	Total intangible plant
	319.90	Total steam production
	325.90	Total nuclear plant
	339.90	Total hydraulic production
	347.90	Total other production
	349.90	Total production plant
	359.90	Total transmission plant
	379.90	Total distribution plant
	399.90	Total general plant
Natural Gas Respondents		
	303.90	Total intangible plant
	320.90	Total manufacturerd gas production plant
	339.90	Total natural gas production and gathering plant
	347.90	Total products extraction plant
	349.90	Total production plant
	359.90	Total underground storage plant
	363.90	Total local storage plant
	372.90	Total transmission plant
	389.90	Total distribution plant
	399.90	Total general plant

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Refer to General Information, II-D, Schedule 0144, Plant In Service, for a detail listing of the 300 series of plant accounts from the Uniform System of Accounts.

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 Number	Instructions
1 (Key)	Account Number (N3.2): Enter the appropriate 300 series of plant accounts, from the Register of Data Standards, ACCTML.
2 (Key)	Balance Beginning of Year (N10) DOL.
3	Balance End of Year (N10) DOL.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0146	PLANT PURCHASED OR SOLD	1 of 1

I. DESCRIPTION

This schedule is used to collect selected information concerning purchases and sales of plant operating units or systems made during the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Natural gas respondents having more than one utility department furnish data for gas department only; electric respondents furnish data for the electric department only.

D. The respondent shall only report information on this schedule concerning purchases or sales of operating units or systems.

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 Number	Instructions
1 (Key)	Name of Purchaser or Seller (A35): (IDRESP)
2	Date of Transaction (N6): Enter the date, in the format MMDDYY. (TMDATE)
3	Account Number Indicator (N1): If Account 102.00 was initially used to record the transaction, enter "1" in this data field; if not, enter "0". (INYONO)
4	Date of Commission Approval of Transaction (N6): Enter the date, in the format MMDDYY, if the purchase or sale transaction was approved by this Commission. (TMDATE)
5	Date of Commission Approval of Journal Entries (N6): Enter the date, in the format MMDDYY, if proposed journal entries have been filed with the Commission as required by the Uniform System of Accounts. (TMDATE)
6	Description of Property (A45): Furnish a description of the property purchased or sold. (IDDESC)
7	Purchase or Sale Price (N10) DOL.
8	Original Cost of the Facility (N10) DOL.
9	Accumulated Reserve of the Facility (N10) DOL: Enter the accumulated depreciation, depletion and amortization related to the facility.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0147	EXPERIMENTAL PLANT UNCLASSIFIED	1 of 1

I. DESCRIPTION

This schedule is used to collect details on utility plant included in Account 103.00, Experimental Plant Unclassified.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Gas respondents with more than one utility department furnish data for gas departments only; electric respondents furnish data for the electric departments only.

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 Numbers	Instructions
1 (Key)	Description of Experimental Plant/Process (A45): Provide a description for any plant and/or process included in Account 103.00 at any time during the year. (IDDESC)
2	Date Experimental Plant Included in Account (N6). (TMDATE)
3	Date of Experimental Plant Expenditure Final Classification (N6): State the transfer date (estimated) if not already transferred to plant in service or nonutility property, in the format MMDDYY. (TMDATE)
4	Original Cost of Experimental Plant (N9) DOL.

R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0148	UTILITY PLANT LEASED TO OTHERS	1 of 2

I. DESCRIPTION

This schedule is used to collect information concerning utility plant included in Account 104.00, Plant Leased to Others.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Natural gas respondents with more than one utility department furnish data for gas department only; electric respondents furnish data for the electric department only.

D. Report information in data fields 1-13 for each lease agreement.

E. Revenues and expenses of leased property (data fields 6-12) are those included in Accounts 412.00, 413.00, 408.10 and 409.10 for the year.

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 Number	Instructions
1 (Key)	Description of Leased Property (A45): State description and location of leased property. (IDDESC)
2	Name of Lessee (A35): (IDNAME)
3	Associated Company Indicator (N1): Enter "1" if lessee is an associated company; if not, enter "0". (INYONO)
4	Date of Commission Authorization (N6): Enter the date of Commission authorization of plant leased to others, in the format MMDDYY. (TMDATE)
5	Leased Property Original Cost (N9) DOL: Enter the original cost of leased property at the end of the year.
6	Leased Property Revenues (N7) DOL.
7	Leased Property Expense - Operation (N7) DOL.
8	Leased Property Expense - Maintenance (N7) DOL.
9	Leased Property Expense - Rent (N7) DOL.
10	Leased Property Expense - Depreciation and Amortization (N7) DOL.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0148	UTILITY PLANT LEASED TO OTHERS	2 of 2

Data Field Number	Instructions
11	Leased Property Expense - Taxes (N7) DOL.
12	Leased Property Expense - Other (N7) DOL.
13	Leased Property Net Income (N7) DOL.
14	Method of Determining Annual Rental (A45): If the property is leased on a basis other than that of a fixed annual rental, state the method of determining the annual rental and the expiration date of the lease. (IDDESC)

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0149	PLANT AND PRODUCTION PROPERTIES HELD FOR FUTURE USE	1 of 2

I. DESCRIPTION

This schedule is used to collect information on plant and production properties included in Account 105.00, Plant Held for Future Use, and Account 105.10, Production Properties Held for Future Use.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Natural gas respondents shall complete all specified data fields on this schedule annually. Electric respondents shall complete all specified data fields annually for Account 105.00 only.

C. Natural gas respondents having more than one utility department furnish data for gas department only; electric respondents furnish data for the electric department only.

D. Report separately each plant or property held for future use at end of the year having an original cost of $100,000 or more. Other items of property held for future use may be grouped, by entering the word "other" in data field 2 and listing the number of items so grouped. Plant properties consisting of land and land rights, leaseholds, and gas rights should be grouped and listed first in data field 2, under the title "Natural Gas Lands, Leaseholds, and Gas Rights". Additional information on these investments shall be included in Schedule 0157.

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 Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description of Property (A50): Report only name of plant or property, county, and state. (IDDESC) Example: Land - 10 Acres, Hudson County, N.J.
3 (Key)	Date Originally Included in This Account (N6): Enter the date that property value was included in Account 105.00 or 105.10, in the format MMDDYY. (TMDATE)
4	Date Expected to be Used in Utility Service (N6): Enter the date that property is expected to be used in utility service. Unless property relates to land or land rights, respondent shall report a specific date in this data field, in the format MMDDYY. (TMDATE)
5	Date of Discontinued Use (N6): For property having an original cost of $100,000 or more previously used in utility

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0149	PLANT AND PRODUCTION PROPERTIES HELD FOR FUTURE USE	2 of 2

Data Field Number	Instructions
5 (cont'd)	operations, now held for future use, enter the date that utility use of such property was discontinued, in the format MMDDYY. (TMDATE)
6 (Key)	Date Original Cost Transferred (N6): Refer to instructions for data field 5 above. Enter the date that original cost was transferred to Account 105.00 or 105.10. in the format MMDDYY. (TMDATE)
7	Balance End of Year (N9) DOL: Report the total end of year balance for each property item or group.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0150	CONSTRUCTION WORK IN PROGRESS	1 of 1

I. DESCRIPTION

This schedule is used to collect information on construction projects included in Account 107.00, Construction Work in Progress at the end of the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Natural gas respondents with more than one utility department furnish data for gas department only; electric respondents furnish data for the electric department only

D. Report construction work in progress according to plant functions listed in data field 1.

E. Specific projects with total estimated expenditures under $100,000 shall be grouped by plant function.

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 Number	Instructions
1 (Key)	Plant Function (N2): Enter the plant function code from the following list: (IDPLFN) 01 = Production plant 02 = Storage plant 03 = Transmission plant 04 = Distribution plant 05 = General plant 06 = Research and development 07 = Nuclear fuel 08 = Gathering plant 99 = Other items
2	Description of Project (A120): Provide a complete description of the project under construction. (IDDESC)
3	Expenditure Balance - End of Year (N9) DOL.
4	Estimated Additional Cost of Project (N9) DOL: Enter the latest estimate of the additional cost to complete the project.

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I. DESCRIPTION

This schedule is used to collect information related to the entries to Account 108.00, Accumulated Provision for Depreciation of Utility (Electric and Natural Gas) Plant for the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Natural gas respondents with more than one utility department furnish data for gas department only; electric respondents furnish data for the electric department only.

D. Information on depreciation reserve shall be reported separately for plant in service, plant leased to others and plant held for future use. Use the following Supplemental Accounts in data field 1, as a means of grouping information:

Uniform System of Accounts	Supplemental Accounts	Description
	108.11	Accumulated provision for depreciation - plant in service
	108.21	Accumulated provision for depreciation - plant leased to others
	108.31	Accumulated provision for depreciation - plant held for future use
	108.01	Accumulated provision for depreciation of utility plant (electric and gas) - total

For Respondents having more than one classification of plant subject to depreciation (i.e., plant in service leased to others), must report depreciation information by totals, under Supplemental Account 108.01.

These Supplemental Accounts are related to the following utility plant accounts:

Uniform System of Accounts	Supplemental Accounts	Description
101.00		Plant in service
104.00		Plant leased to others
105.00		Plant held for future use
106.00		Completed construction not classified

E. Depreciation on property included in Account 106.00, Completed Construction Not Classified, should be reported under Supplemental Account 108.11.

F. The provisions of Account 108.00, of the Uniform System of Accounts contemplate that retirements of depreciable plant be recorded when such plant is removed from service. If the respondent has a significant amount of plant retired at year end

which has not been recorded and/or classified to the various reserve functional classifications, preliminary closing entries to your books and records should be made to tentatively functionalize the book cost of the plant retired. These entries should be reflected in data fields 7-10.

G. Report additional information on the functionalization of the depreciation reserve on Schedule 0152.

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 Number	Instructions
1 (Key)	Account Number (N3.2): Use the Supplemental Account numbers referred to in General Information, II-D.
2 (Key)	Depreciation Provision Charged to Depreciation Expense (N9) DOL: Enter depreciation accruals charged to Account 403.00 for the year.
3	Depreciation Provision Charged to Expenses of Plant Leased to Others (N8) DOL: Enter depreciation accruals charged to Account 413.00 for the year.
4	Depreciation Provision Charged to Transportation and Other Clearing Accounts (N8) DOL: Enter depreciation expense charged to transportation or other clearing account.
5	Depreciation Provision Charged to Other Accounts (N8) DOL: Enter the total amount of depreciation accruals charged to other accounts for the year.
6	Total Depreciation Provisions for the Year (N8) DOL: Enter the total for data fields 2-5 above.
7	Book Cost of Plant Retired (N8) DOL.
8	Cost of Removal of Plant Retired (N8) DOL.
9	Salvage Value of Plant Retired (N8) DOL: Enter salvage value of plant retired during the year.
10	Net Charges For Plant Retired (N10) DOL: Enter the net of data fields 7-9 above.
11	Other Items - Net (N10) DOL: Enter the net effect of other entries to the depreciation reserve for the year. Indicate net debit amounts by overstriking the minus sign in this data field.

R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0151	ACCUMULATED PROVISION FOR DEPRECIATION OF UTILITY PLANT - PART I	3 of 3

Data Field Number	Instructions
12	Balance End of Year (N10) DOL: Enter the provision balance at end of year.
13	Description of Other Item (A40): Enter a description for any item entered in data field 11 above. (IDDESC)
14	Amount of Other Debit Items (N9) DOL: Enter the amount related to debit entries specified in data field 13 above.
15	Amount of Other Credit Items (N9) DOL: Enter the amount related to credit entries specified in data field 13 above.

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(5-76)

I. DESCRIPTION

This schedule is used to collect information applicable to the end of year functional balances of Account 108.00, Accumulated Provision for Depreciation of Utility (Electric and Natural Gas) Plant.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Natural gas respondents with more than one utility department furnish data for gas department only; electric respondents furnish data for electric department only.

D. Information on depreciation reserve balances shall be reported separately for plant in service, plant leased to others and plant held for future use. Use the following Supplemental Accounts as a means of grouping information for reporting purposes:

Uniform System of Accounts	Supplemental Accounts	Description
	108.11	Accumulated provision for depreciation - plant in service
	108.21	Accumulated provision for depreciation - plant leased to others
	108.31	Accumulated provision for depreciation - plant held for future use
	108.01	Accumulated provision for depreciation of utility plant (electric and gas) - total

For respondents having more than one classification of plant subject to depreciation (i. plant in service leased to others), must report depreciation information by totals under Supplemental Account 108.01.

E. This schedule supplements information provided on Schedule 0151. The sum of entries to fields 2-9 for each particular account should agree with that reported in data field 12 of Schedule 0151.

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 Number	Instructions
1 (Key)	Account Number (N3.2): Use the Supplemental Account numbers referred to in General Information, II-D. (ACCTML)
2	Balance at End of Year - Production of Manufactured Gas (for Gas respondents) / Steam Production Plant (for Electric respondents) (N10) DOL.

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Data Field Number	Instructions
3	Balance at End of Year - Production and Gathering of Natural Gas (for Gas respondents) / Nuclear Production Plant (for Electric respondents) (N10) DOL.
4	Balance at End of Year - Products Extraction of Natural Gas (for Gas respondents) / Hydraulic Production Conventional Plant (for Electric respondents) (N10) DOL.
5	Balance at End of Year - Underground Gas Storage (for Gas Respondents) / Hydraulic Production Pumped Storage (for Electric respondents) (N10) DOL.
6	Balance at End of Year - Other Storage Plant (for Gas respondents) / Other Production Plant (for Electric respondents) (N10) DOL.
7	Balance at End of Year - Transmission Plant (N10) DOL.
8	Balance at End of Year - Distribution Plant (N10) DOL.
9	Balance at End of Year - General Plant (N10) DOL.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0154	COMMON PLANT AND EXPENSE DATA - PART II	1 of 1

I. DESCRIPTION

This schedule is used to collect information on the allocation of common utility plant costs and expenses to operating departments of the utility.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule in their first submission. On subsequent submissions, respondents shall submit only appropriate identification (key data fields) and changed values, additions, and deletions.

C. This schedule supports information included in Schedule 0155.

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 Number	Instructions
1 (Key)	Date of Approval (N6) MMDDYY: Enter the date of approval by the Commission for use of the common utility plant accounting. (TMDATE)
2	Bases of Allocation of Plant Costs (A246): Report the bases used to allocate plant costs to the various departments at year end. State the percentage of allocation applicable to each department. If plant costs were allocated on different bases, state the specifics for each type of plant so allocated. (IDDESC)
3	Bases of Allocation of Accumulated Reserves for Depreciation and Amortization (A246): Report the bases used to allocate the accumulated reserves for depreciation, depletion, and amortization of the various departments at year end. (IDDESC)
4	Bases of Allocation of Expenses (A246): Report the bases used to allocated operation, maintenance, depreciation, and other expenses to the various departments for the reporting year. If expenses were allocated on different bases, state the specifics for each type of expense so allocated. (IDDESC)

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I. DESCRIPTION

This schedule is used to collect data pertaining to common utility plant costs and related expenses in accordance with plant instruction 13, Common Utility Plant, of the Uniform System of Accounts.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Information on common utility plant and expenses called for on this schedule should be reported in totals prior to allocation to the appropriate departments. Report on Schedule 0154 information on the bases of allocation to departments for the year.

D. The following listing of Supplemental Accounts is provided as examples of account numbers to be reported in data field 1. For type common utility plant not specified in the listing, add XXX.03 to the appropriate three digit plant in service account breakdown. Summarize other type expenses not shown on the attached listing and report under Account 409.03. The end of the year balances for accumulated depreciation and amortization should be reported in Accounts 108.03 and 111.03.

Uniform System of Accounts	Supplemental Accounts	Description
		INTANGIBLE PLANT
	301.03	Organization
	302.03	Franchises and consents
	303.03	Miscellaneous intangible plant
		GENERAL PLANT
	389.03	Land and land rights
	390.03	Structures and improvements
	391.03	Office furniture and equipment
	392.03	Transportation equipment
	393.03	Stores equipment
	394.03	Tools, ship and garage equipment
	395.03	Laboratory equipment
	396.03	Power operated equipment
	397.03	Communication equipment
	398.03	Miscellaneous equipment
	399.03	Other tangible property
		EXPENSE ACCOUNTS
	401.03	Operation expenses
	402.03	Maintenance expenses

Uniform System of Accounts	Supplemental Accounts	Description
		EXPENSE ACCOUNTS (cont'd)
	403.03	Depreciation expense
	404.03	Amortization expenses
	408.03	Taxes
	409.03	Other
		UTILITY PLANT
	108.03	Accumulated provision for depreciation of utility plant
	111.03	Accumulated provision for amortization of utility plant

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 Number	Instructions
1 (Key)	Account Number (N3.2): Enter the Supplemental Account number which relates to common utility plant or expense. Refer to General Information, II-D. (ACCTML)
2	Supplemental Account Name (A40): State the Supplemental Account Name for account number listed in data field 1. (ACCTML)
3	Balance/Amount (N9) DOL: Enter the appropriate EDY balance or amount for common utility plant costs or expenses applicable to the Supplemental Account reported in data field 1 above.

RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0156	CONSTRUCTION OVERHEAD	1 of 1

I. DESCRIPTION

This schedule is used to collect information concerning overhead cost charged to construction during the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Gas respondents frunish data for gas department only; electric respondents furnish data for electric department only.

D. For purposes of reporting on this schedule, the respondent should consider as a construction overhead the following categories of cost whether such costs have been charged directly to construction or have been apportioned to a construction work order:

Overhead Code	Type of Overhead
01	Engineering and Supervision
02	Administrative and General Expenses
03	Transportation
04	Injuries and Damages
05	Insurance
06	Pensions and Other Employee Benefits
07	Taxes (Property, sales, payroll, etc.)
08	Outside Professional Services
09	Allowance for Funds Used During Construction
10	Other

These code numbers shall be reported in data field 1.

II. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

Data Field Number	Instructions
1 (Key)	Type of Overhead (N2): Enter the overhead code from instruction II-D. (TYOVHD)
2	Overhead Amount Charged for the Year (N9) DOL.
3	Total Cost of Construction (N9) DOL: Enter the total cost of construction to which overheads were charged during the year (exclusive of construction overhead charges).
4	Per Cent Overhead to Construction Cost (N3.2) PCT: Enter the percent of fields 2 and 3, rounded to two decimal places.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0159	OPERATING REVENUES	1 of 2

I. DESCRIPTION

This schedule is used to collect information pertaining to sales of electricity or natural gas and the number of utility customers for the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A, Class B, Class C and Class D Natural Gas and Electric respondents.

B. Natural gas respondents shall complete data fields 1-3 annually. Electric respondents shall complete data fields 1, 4 and 5 annually. Jurisdictional respondents for both natural gas and electric shall complete all data fields annually.

C. Report the requested information for the year for each of the following prescribed accounts:

1. Class A, Class B, Class C and Class D Electric respondents:

Uniform System of Accounts	Supplemental Accounts	Description
440.00		Residential sales
442.00		Commercial and industrial sales
	442.10	Small or commercial customers
	442.20	Large or industrial customers
444.00		Public street and highway lighting
445.00		Other sales to Public Authorities
447.00		Sales for resale
448.00		Interdepartmental sales
449.00		Other sales
	449.90	Total Sales of Electricity

2. Class A, Class B, Class C and Class D Natural Gas respondents:

Uniform System of Accounts	Supplemental Accounts	Description
480.00		Residential sales
481.00		Commercial and industrial sales
	481.10	Small or commercial customers
	481.20	Large or industrial customers
482.00		Other sales to Public Authorities
483.00		Sales for resale
484.00		Interdepartmental sales
	485.90	Total Sales of Gas

D. Number of customers shall be reported on the basis of number of meters, plus number of flat rate accounts, except that where separate meter readings are added for billing purposes, one customer should be counted for each group of meters so added. The average number of customers means the average of the 12 figures at the close of each month.

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DETAILED INSTRUCTIONS: SCHEDULE 0159	OPERATING REVENUES	2 of 2

E. Natural gas means either natural gas unmixed or any mixture of natural and manufactured gas.

F. The classification of commercial and industrial sales according to small customer or commercial and large customer or industrial, may be according to the basis of classification regularly used by the respondent, provided such basis of classification is not greater generally than 1000 KW of demand for electricity or 200,000 MCF per year for natural gas companies.

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 Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2	Average Number of Monthly Natural Gas Customers (N7) NO.
3	Annual MMCF of Natural Gas Sold (N9.3) MMCF: Enter the annual MMCF, rounded to three decimal places.
4	Average Number of Monthly Electric Customers (N7) NO.
5	Annual MWH of Electricity Sold (N10) MWH.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0160	EXTRAORDINARY ITEMS	1 of 1

I. DESCRIPTION

This schedule is used to collect data on items included in Accounts 434.00, Extraordinary Income, 435.00, Extraordinary Deductions and 409.30, Income Taxes - Extraordinary Items.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. If additional disclosure is deemed necessary to report details for extraordinary item accounting, the respondent shall report such additional information on Schedule 0112, Notes to Financial Data.

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 Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Item Description (A120): Provide a detailed description of the extraordinary item. (IDDESC)
3	Date of Commission Approval (N6): Enter the date of Commission approval for extraordinary treatment of any item which amounts to less than five per cent of income, in the format MMDDYY. (TMDATE) (See General Instruction 7 of the Uniform System of Accounts.)
4	Gross Amount (N8) DOL.
5	Related Income Taxes (N8) DOL: Enter the income tax effects included in Account 409.30, relating to the extraordinary item listed in data field 2 above.

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I. DESCRIPTION

This schedule is used to collect detailed information supporting the accounting entries of certain of the balance sheet accounts of the Uniform System of Accounts.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A, Class B, Class C and Class D Natural Gas and Electric respondents.

B. The following accounts are included in this schedule:

Uniform System of Accounts	Supplemental Accounts	Description
123.00		Investment in associated companies
123.10		Investment in subsidiary companies
124.00		Other investments
136.00		Temporary cash investments
145.00		Notes receivable from associated companies
146.00		Accounts receivable from associated companies
181.00		Unamortized debt expense
187.00		Deferred losses from disposition of utility plant
189.00		Unamortized loss on reacquired debt
215.00		Appropriated retained earnings
223.00		Advances from associated companies
224.00		Other long-term debt
225.00		Unamortized premium on long-term debt
226.00		Unamortized discount on long-term debt
233.00		Notes payable to associated companies
234.00		Accounts payable to associated companies
256.00		Deferred gains from disposition of utility plant
257.00		Unamortized gain on reacquired debt

Class A and Class B respondents report the details for all accounts listed on this schedule. Class C and Class D respondents report the details for Account 215.00 only.

C. Respondents shall report the information for each account listed above as specified in Part III, Detailed Instructions. Not every data field is required for every account. The data fields for each account shall be reported annually.

D. Total debits and credits for each account listed on this schedule should be provided for as the last entry for each account in data fields 3 and 4. Report the word "Total" in data field 2. Then report in data field 3 the total debits to the account, and in data field 4 the total credits to the account.

III. DETAILED INSTRUCTIONS

Instructions, cross-referenced to the schedule layout by data field number, are given below for each account to be reported.

Accounts 123.00, 123.10, & 124.00

Report particulars for investments in associated and subsidiary companies and in other investments.

Investments in amounts of less than $10,000 may be grouped. For grouped items, enter the word "Other" in data field 2 together with the number of items grouped, i.e., Other (12). Report data for the grouped items in data fields 3, 4 and 5.

In reporting Account 123.10, include information pertaining to all investments other than common stock accounted for on the equity basis of accounting. Common stock investments under equity accounting should be included on Schedule 0125.

In reporting Account 124.00, do not include information pertaining to advances which are reported on Schedule 0142.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2)
2 (Key)	Description (A50): List separately each investment included in these accounts at any time during the year by the following groupings: Stock Bonds Advances Notes Other Provide a brief description of each investment to include name of issuer and where appropriate, the date acquired, the date issued and interest rate, i.e., Stock - ABC Corporation - 8/25/75 Note - XYZ Co. - 5/10/75 - 8% Stock - BCD Inc. - 3/1/75 Advances - Jones Corp. Bonds - Industrial Development - 8% State "Total" as last entry for each account. (IDDESC)
3	Debits - Amount (N9) DOL: Enter the amount of all purchases or other additions made during the year of the investment listed in data field 2 above.
4	Credits - Amount (N9) DOL: Enter the amount of all sales or other disposition made during the year of the investment listed in data field 2 above.
5	Balance End of Year (N9) DOL: Enter amount of investment at end of year.

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Data Field Number	Instructions
6	Particulars (N60): For advances which are open accounts, state "Open Account". For any investments which are pledged, state the name of the pledgee and the purpose of the pledge. For any investment which received the approval of a regulatory commission, give the name of the commission, date of authorization and the case or docket number. (IDDESC)
7	Principal Amount/Number of Shares (N9) NO.: For investments in bonds, enter the principal amount as of the end of the year. For investments in stock, enter the number of shares outstanding at the end of the year.
8	Revenues for Year (N8) DOL: Enter interest and dividends earned from investments during the year, including any revenues from securities disposed of during the year.
9	Date of Maturity (N6): Enter the date of maturity for each note or bond, in the format MMDDYY. (TMDATE)
10	Amount of Loss (N9) DOL: Enter the loss realized on disposition of the investment during the year.
11	Amount of Gain (N9) DOL: Enter the gain realized on disposition of the investment during the year.

Account 136.00.

Report information on temporary cash investments. Investments of less than $50,000 may be grouped. For grouped items enter the word "Other" in data field 2 with the number of items grouped, i.e., Other (12). Report data for the grouped items in data fields 3, 4 and 5.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): List separately each investment involved in this account by the following groupings: Notes Treasury Bills Commercial Paper Certificates of Deposit Other Provide a brief description of each investment to include name of issuer and where appropriate the date acquired and interest rate, i.e., Notes - General Motors Acceptance Corp. - 10/15/75 - 8%

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Data Field Number	Instructions
2 (cont'd)	State "Total" as last entry. (IDDESC)
3	Debits - Amount (N9) DOL: Enter the amount of all purchases or other additions of the investment listed in data field 2 above, made during the year.
4	Credits - Amount (N9) DOL: Enter the amount of all sales or other disposition of the investment listed in data field 2 above, made during the year.
5	Balance End of Year (N9) DOL: Enter amount of investment at end of year.
8	Interest/Revenues for Year (N8) DOL: Enter the interest earned from the investment during the year.
10	Amount of Loss (N9) DOL: Enter the loss realized on disposition of the investment during the year.
11	Amount of Gain (N9) DOL: Enter the gain realized on disposition of the investment during the year.

Accounts 145.00, 146.00, 233.00, & 234.00

Report information on transactions with associated companies.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): For notes receivable or notes payable, state name of associated company, the date of note and interest rate. For accounts receivable or accounts payable, state name of associated company. State "Total" as last entry for each account. (IDDESC)
3	Debits - Amount (N9) DOL: Enter the total amount of debits for year for each note or account listed in data field 2 above.
4	Credits - Amount (N9) DOL: Enter the total amount of credits for year for each note or account listed in data field 2 above.
5	Balance End of Year (N9) DOL.
6	Particulars (A60): For each note, state the purpose for which the note was issued or received. If any note was received in satisfaction of any open account, state the number of years the account was open. For any note or account pledged or discounted, state the name of the third party.

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Data Field Number	Instructions
6 (cont'd)	If the respondent is holding collateral in connection with a note or open account, state the type and value of the collateral. (IDDESC)
8	Interest for Year (N8) DOL: Enter interest recorded during the year on accounts and notes listed in data field 2 above.
9	Date of Maturity (N6): For each note enter the date of maturity, in the format MMDDYY. (TMDATE)

Accounts 181.00, 225.00, & 226.00

Report information on unamortized expense, premium and discount on long-term debt.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): List the type of debt followed by the class and series of debt, i.e., First Mortgage Bonds - Series H - 6 1/8% Convertible Debentures - 6 1/4% Pollution Control Bonds - 7% State "Total" as last entry for each account. (IDDESC)
3	Debits - Amount (N9) DOL.
4	Credits - Amount (N9) DOL.
5	Balance End of Year (N9) DOL.
6	Particulars (A60): Explain the planned disposition for any undisposed amounts applicable to issues which were redeemed in prior years. (IDDESC) Explain the nature of any debits and credits other than amortization debited to Account 428.00, Amortization of Debt Discount and Expense, or credited to Account 429.00, Amortization of Premium on Debt - Credit.
9	Date of Maturity (N6): Enter the date of maturity of the related debt issue, in the format MMDDYY. (TMDATE)
12	Period of Amortization (A5): Enter the period amortization was debited to Account 428.00, in the format YY-YY. (IDDESC)

Accounts 187.00, & 256.00

Report information related to deferrals of losses or gains to disposition of utility plant. Losses or gains on property with an original cost of less than $50,000 may be grouped. For grouped items, enter the word "Other" in data field 2 with the number of items grouped, i.e., Other (12). Report data for the grouped items in data fields 3, 4 and 5.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Give a brief description of the property creating the deferred loss or gain and the date the loss or gain was originally recognized. Enter "Total" as last entry for each account. (IDDESC)
3	Debits - Amount (N9) DOL: For Account 187.00, enter the total amount of losses incurred from the disposition of utility plant during the year. For Account 256.00, enter the total amount of amortizations (to Account 411.60) of previously recorded gains during the year.
4	Credits - Amount (N9) DOL: For Account 187.00, enter the amount of amortizations during the year (to Account 411.70) of previously recorded losses. For Account 256.00, enter the total amount of gains resulting from the disposition of utility plant during the year.
5	Balance End of Year (N9) DOL.
6	Particulars (A60): Give the date of Commission approval of journal entries. Where approval has not been received, give explanation. (IDDESC)
10	Amount of Loss (N9) DOL: For Account 187.00, enter the amount of original loss on the disposition of the property.
11	Amount of Gain (N9) DOL: For Account 256.00, enter the amount of original gain on the disposition of the property.

Accounts 189.00 & 257.00

Report information on reacquired debt. Gains or losses of less than $25,000 may be grouped. For grouped items, enter the word "Other" in data field 2 with the number of items grouped, i.e., Other (12). Report data for the grouped items in data fields 3, 4 and 5.

If certain series of debt were reacquired at different times during the year, the information should be summarized and the totals reported in data fields 2-11.

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Gains and losses on particular class and series of debt reacquired during a year should not be netted, but the resulting gain or loss amounts should be classified and reported as either Account 189.00 or 257.00

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Enter the type, class of debt and the year(s) the debt was reacquired, i.e., Sinking Fund Debentures - 5% - 1974 Sinking Fund Debentures - 5% - 1975 Enter "Total" as last entry for each account. (IDDESC)
3	Debits - Amount (N9) DOL.
4	Credits - Amount (N9) DOL.
5	Balance End of Year (N9) DOL.
6	Particulars (A60): If gain or loss resulted from a refunding transaction, state the maturity date of the new issue. (IDDESC) Explain any debits and credits other than amortization debited to Account 428.10, Amortization of Loss on Reacquired Debt or credited to Account 429.10, Amortization of Gain on Reacquired Debt - Credit.
7	Principal Amount (N9) DOL: Enter the principal amount of debt listed in data field 2 above, reacquired during the year.
9	Date of Maturity (N6): Enter the maturity date of long-term debt, in the format MMDDYY. (TMDATE)
10	Amount of Loss (N9) DOL: Enter the amount of loss realized for the year for each class and series of debt listed in data field 2 above.
11	Amount of Gain (N9) DOL: Enter the amount of gain realized from the year for each class and series of debt listed in data field 2 above.

Account 215.00

Report information on appropriations of retained earnings.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)

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Data Field Number	Instructions
2 (Key)	Description (A50): Describe the purpose of each appropriation of retained earnings. Enter "Total" as last entry. (IDDESC)
3	Debits - Amount (N9) DOL.
4	Credits - Amount (N9) DOL.
5	Balance End of Year (N9) DOL.
6	Particulars (A60): Explain the nature of any debit entries to this account during the year. (IDDESC)

Accounts 223.00 & 224.00

Report information on advances from associated companies and other long-term debt.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): For each advance made by an associated company included in Account 223.00, enter the name of the associated company. For other long-term debt included in Account 223.00, describe the nature of the debt. Enter "Total" as last entry for each account. (IDDESC)
3	Debits - Amount (N9) DOL: For advances, enter the principal amount repaid and any other debit entries during the year to the associated company listed in data field 2 above. For other debt, enter the principal amount and any other debit entries repaid during the year.
4	Credits - Amount (N9) DOL: For advances, enter the principal amount advanced and any other credit entries during the year by the associated company entered in data field 2 above. For other debt, enter the principal amount and any other credit entries issued during the year.
5	Balance End of Year (N9) DOL.
6	Particulars (A60): For associated company advances, state whether the advance is a note (demand or otherwise) or open account. If advance was authorized by a commission, state the name of the commission and date approved. For Account 223.00, enter the date the note was issued and the interest rate. (IDDESC)
8	Interest/Revenue for Year (N8) DOL: Enter the amount of interest for the year associated with the advances and other debt entered in data field 2 above.

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I. DESCRIPTION

This schedule is used to collect detailed information supporting the accounting entries to certain balance sheet and retained earning accounts of the Uniform System of Accounts and the Supplemental Accounts.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A, Class B, Class C and Class D Natural Gas and Electric respondents.

B. The following accounts are included on this schedule:

Uniform System of Accounts	Supplemental Accounts	Description
114.00		Utility plant acquisition adjustments
115.00		Accumulated provision for amortization of utility plant acquisition adjustments
116.00		Other utility plant adjustments
120.10		Nuclear fuel in process of refinement, conversion, enrichment and fabrication
	120.11	Nuclear fuel in process - fabrication
	120.12	Nuclear fuel in process - nuclear materials
	120.13	Nuclear fuel in process - allowance for funds used during construction
	120.14	Nuclear fuel in process - other overhead
120.20		Nuclear fuel materials and assemblies - stock account
120.30		Nuclear fuel assemblies in reactor
120.40		Spent nuclear fuel
120.50		Accumulated provision for amortization of nuclear fuel assemblies
121.00		Nonutility property
122.00		Accumulated provision for depreciation and amortization of nonutility property
	144.10	Accumulated provision for uncollectable accounts - utility customers
	144.20	Accumulated provision for uncollectable accounts - merchandise, jobbing, and contract work
	144.30	Accumulated provision for uncollectable accounts - officers and employees
	144.40	Accumulated provision for uncollectable accounts - other
157.00		Nuclear materials held for sale
	157.10	Nuclear materials held for sale - uranium
	157.20	Nuclear materials held for sale - plutonium
	157.30	Nuclear materials held for sale - other
182.00		Extraordinary property losses
183.00		Preliminary survey and investigation charges
183.10		Preliminary natural gas survey and investigation charges

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Uniform System of Accounts	Supplemental Accounts	Description
183.20		Other preliminary survey and investigation charges
186.00		Miscellaneous deferred debits
209.00		Reduction in par or stated value of capital stock
210.00		Gain on resale or cancellation of reacquired capital stock
211.00		Miscellaneous paid-in capital
213.00		Discount on capital stock
214.00		Capital stock expense
216.10		Unappropriated undistributed subsidiary earnings
253.00		Other deferred credits
	255.10	Accumulated deferred investment tax credits - electric or gas department
	255.20	Accumulated deferred investment tax credits - other departments
261.00		Property insurance reserve
262.00		Injuries and damages reserve
263.00		Pensions and benefits reserve
264.00		Amortization reserve - Federal
265.00		Miscellaneous operating reserves
437.00		Dividends declared - preferred stock
438.00		Dividends declared - common stock
439.00		Adjustments to retained earnings

Class A and Class B Electric respondents report the detail for all accounts above except Accounts 183.10 and 183.20.

Class A and Class B Natural Gas respondents report the detail for all accounts above except Accounts 120.10 through 120.50, 157.00 through 157.30, 183.00 and 264.00.

Class C and Class D Natural Gas and Electric respondents report only the detail for Accounts 216.00, 255.10, 255.20, 437.00, 438.00 and 439.00.

C. Respondents shall report the information for each account as specified in Part III, Detailed Instructions. Not every data field is required for every account. The data fields for each account shall be reported annually.

D. Data fields 5 or 6 provide space for entry of one account number. If more than one account has been debited or credited for the item listed in data field 2, list the major account in data field 5 or 6 and the remaining accounts in data field 8, Particulars.

III. DETAILED INSTRUCTIONS

Instructions, cross-referenced to the schedule layout by data field number, are given below for each account to be reported.

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Accounts 114.00, 115.00 & 116.00

Report particulars for utility plant acquisition or other adjustments.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Explain the nature of each plant acquisition adjustment in Account 114.00 and plant adjustment in Account 116.00. For companies who utilize Account 115.00, provide the same description for each acquisition adjustment as provided under Account 114.00. Include the name of the company from which the property was acquired. (IDDESC)
3	Debits - Amount (N9) DOL.
4	Credits - Amount (N9) DOL.
5	Contra Account Credited (N3.2): (ACCTML)
6	Contra Account Debited (N3.2): (ACCTML)
8	Particulars (A60): For acquisition adjustments occuring during the year, state date of transaction and date journal entries clearing Account 102.00, Plant Purchased or Sold, were accepted for filing by the Commission. Give the date Commission authorized the amortization of acquisition adjustments. Explain the plan of disposition of any acquisition adjustments not currently being amortized. (IDDESC)
9	Balance End of Year (N10) DOL.
10	Period of Amortization (A5): Enter the period of amortization by years, in the format YY-YY, i.e., 74-79. (IDDESC)

Accounts 120.10 through 120.14, 120.20 through 120.50, & 157.00 through 157.30

Report the costs incurred for nuclear fuel materials on hand, in reactor, and in cooling owned by the respondent.

If the nuclear fuel stock is obtained under leasing arrangements, details of the leasing arrangements should be included on Schedules 0170 and 0171.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
3	Debits - Amount (N9) DOL: Enter the amount of additions during year.

Data Field Number	Instructions
4	Credits - Amount (N9) DOL: Enter the amount transferred, amortized during year or the amount of other reductions to the cost of nuclear fuel made during the year.
8	Particulars (A60): Explain the nature of all credit entries to Accounts 120.10 through 120.14, except transfers to Account 120.20. For Accounts 120.20, 120.30 and 120.40, state the estimated net salvage value of nuclear materials related to nuclear fuel included in each account. Explain the reason for any adjustments (data field 7) to the cost previously recorded in these accounts. (IDDESC)
9	Balance End of Year (N10) DOL.

Account 121.00

Report particulars for nonutility property.

Information on specific property having a cost under $100,000 should be grouped. For grouped items, enter the word "Other" in data field 2 with the number of item grouped, i.e., Other (12). Report data for the grouped items in data field 3, 4, and 9. Properties previously devoted to public service are separate and distinct from those allowed to be grouped under this instruction.

Total debits and credits should be provided for in data fields 3 and 4. Report the word "Total" as the last item in data field 2, in the first five spaces, and in data field 3, the total debits to the account and in data field 4, the total credits to the account.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Give a brief description and state the location (city, state) of nonutility property. (IDDESC)
3	Debits - Amount (N9) DOL: Enter the cost of any property described in data field 2 above, which was purchased or otherwise transferred to Account 121.00 during the year.
4	Credits - Amount (N9) DOL: Enter the cost of property described in data field 2 above, which was sold or otherwise transferred from Account 121.00 during the year.
8	Particulars (A60): List details of sales, purchases or transfers of nonutility property. For all property previously devoted to public service list date of transfer to Account 121.00. (IDDESC)
9	Balance End of Year (N10) DOL.

Data Field Number	Instructions
11	Name of Company/Department (A35): If property is leased to another company, enter the name of lessee in this data field. (IDNAME)

Account 122.00

Report particulars for depreciation and amortization of nonutility property.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Enter the word "Total". (IDDESC)
3	Debits - Amount (N9) DOL: Enter the total debits to Account 122.00 for the year. Total debits include the book cost of plant retired, the cost of removal and any other debit adjustments to the reserve.
4	Credits - Amount (N9) DOL: Enter the total credits to Account 122.00 for the year. Total credits include depreciation and amortization accruals for the year, salvage and any other credit adjustments by the reserve.
9	Balance End of Year (N10) DOL: Enter the end of year balance for accumulated depreciation and amortization of nonutility property.

Accounts 144.10 through 144.40

Report particulars for uncollectable accounts.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
3	Debits - Amount (N9) DOL: Enter the total debits for the year to each supplemental account listed in data field 1 above. Total debits include all accounts written off and other debit adjustment to the reserve.
4	Credits - Amount (N9) DOL: Enter the total credits for the year to each supplemental account listed in data field 1 above. Total credits include the annual provision for uncollectable accounts for the year, collections of accounts previously written off and any other credit adjustments to the reserve.
9	Balance End of Year (N10) DOL.

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Account 182.00

Report particulars for extraordinary property losses.

Total debits and credits should be provided for in data fields 3 and 4. Report the word "Total" as the last item in data field 2, in the first five space, and in data field 3, the total debits to the account and in data field 4, the total credits to the account.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Provide a description of each property loss included in this account. (IDDESC)
3	Debits - Amount (N9) DOL: Enter the amount of any additional extraordinary property losses incurred during the year from property described in data field 2 above.
4	Credits - Amount (N9) DOL: Enter the amount of extraordinary property losses charged off during the current year relative to property described in data field 2 above.
6	Contra Account Debited (N3.2): Enter the contra account debited with losses charged off during the year (data field 4 above). (ACCTML)
8	Particulars (A60): Enter date of abandonment or loss and date of Commission authorizing for use of Account 182.00. (IDDESC)
9	Balance End of Year (N10) DOL.
10	Period of Amortization (A5): Enter period of amortization by year, in the format YY-YY, i.e., 74-84. (IDDESC)

Accounts 183.00 or 183.10 and 183.20

Report particulars for expenditures for preliminary survey.

Preliminary survey items with total expenditures to date under $50,000 should be grouped. For grouped items, enter the word "Other" in data field 2 with the number of items grouped, i.e., Other (12). Report data for the grouped items in data fields 3, 4 and 9.

Total debits and credits should be provided for in data field 3 and 4. Report the word "Total" as the last item in data field 2, in the first five spaces, and in data field 3 the total debits to the account and in data field 4 the total credits to the account.

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Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Describe the nature and purpose of each project for which preliminary survey and investigation work has been done for the purpose of determining the feasibility of projects under contemplation. (IDDESC)
3	Debits - Amount (N9) DOL.
4	Credits - Amount (N9) DOL.
6	Contra Account Debited (N3.2): (ACCTML)
9	Balance End of Year (N10) DOL.

Account 186.00

Report particulars for miscellaneous deferred debits.

Deferred debit items of less than $25,000 should be grouped. For grouped items enter the word "Other" in data field 2 with the number of items grouped, i.e., Other (12), Report data for the grouped items in data fields 3, 4 and 9.

Total debits and credits should be provided for in data fields 3 and 4. Report the word "Total" as the last item in data field 2, in the first five spaces, and in data field 3 the total debits to the account and in data field 4 the total credits to the account.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Give a brief description of the nature of the miscellaneous deferred debit item. Miscellaneous work in progress and regulatory commission expenses should be stated separately under the following titles: (IDDESC) Miscellaneous Work in Progress Deferred Regulatory Commission Expenses
3	Debits - Amount (N9) DOL.
4	Credits - Amount (N9) DOL.
6	Contra Account Debited (N3.2): (ACCTML)
9	Balance End of Year (N10) DOL.
10	Period of Amortization (A5): For any deferred debit being amortized, enter the period of amortization, in the format YY-YY, i.e., 74-79. (IDDESC)

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Accounts 209.00, 210.00, 211.00, 213.00 and 214.00

Report particulars for other paid-in capital accounts.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): For Accounts 210.00, 213.00 and 214.00, state the class and series of stock to which each debit and credit are related. For Accounts 209.00 and 211.00, state the general nature of transactions which gave rise to the reported amounts. (IDDESC)
3	Debits - Amount (N9) DOL.
4	Credits - Amount (N9) DOL.
5	Contra Account Credited (N3.2): (ACCTML)
6	Contra Account Debited (N3.2): (ACCTML)
9	Balance End of Year (N10) DOL.

Account 216.10

Report particulars for unappropriated undistributed subsidiary earnings.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Enter the word "Total". (IDDESC)
3	Debits - Amount (N9) DOL: Enter the amount of dividend received from subsidiaries and any other debit entries to this account during the year.
4	Credits - Amount (N9) DOL: Enter the amount of equity in subsidiary earnings and any other credit entries to this account during the year. Subsidiary losses should be included in data field 5 below, with the notation "Subsidiary Loss" included in data field 8 below.
5	Contra Account Credited (N3.2): (ACCTML)
8	Particulars (A60): Explain the nature of any debit or credit amounts included in data fields 4 or 5, other than subsidiary earnings or dividends. (IDDESC)
9	Balance End of Year (N10) DOL.

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Account 253.00

Report particulars for other deferred credits.

Report under this account any advance billings or receipts for gas sales or service classified in Account 253.00, but not related to take-or-pay arrangements. Take-or-pay arrangements should be included on Schedule 0131.

Other deferred credits of less than $25,000 should be grouped. For grouped items, enter the word "Other" in data field 2 with the number of items grouped, i.e., Other (12). Report data for the grouped items in data fields 3, 4 and 9.

Total debits and credits should be provided for in data fields 3 and 4. Report the word "Total" as the last item in data field 2, in the first five spaces, and in data field 3 the total debits to the account and in data field 4 the total credits to the account.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Give a brief description of the nature of the other deferred credit item. (IDDESC)
3	Debits - Amount (N9) DOL.
4	Credits - Amount (N9) DOL.
5	Contra Account Credited (N3.2): (ACCTML)
9	Balance End of Year (N10) DOL.
10	Period of Amortization (A5): For any deferred credit being amortized, enter the period of amortization, in the format YY-YY, i.e., 74-79. (IDDESC)

Account 255.00

Report particulars for investment tax credits.

Information on investment tax credits should be stated separately for each of the applicable credit percentages. Do not group credit percentages.

Electric respondents with more than one utility department should report as the last entry for Account 255.10, the total of accumulated deferred investment tax credits for their electric department and as the last entry for Account 255.20, the total of accumulated deferred investment tax credits for all other departments combined. Natural Gas respondents with more than one utility department should report as the last entry for Account 255.10, the total of accumulated deferred investment tax credits for their gas department and as the last entry for Account 255.20, the total of accumulated deferred credits for all other departments combined.

Respondents with only one utility department should report in data field 1, Account 255.00.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): In the first two spaces of data field 2, enter one of the following values: "03", "04", "07", "10" or "11" to indicate the appropriate investment tax credit rate. (IDDESC)
3	Debits - Amount (N9) DOL: Enter the amount of investment tax credits amortized to current year income related to each credit listed in data field 2 above.
4	Credits - Amount (N9) DOL: Enter the amount of investment tax credits deferred for the current year related to each credit listed in data field 2 above.
5	Contra Account Credited (N3.2): (ACCTML)
6	Contra Account Debited (N3.2): (ACCTML)
7	Adjustments - Amount (N9) DOL: Enter any adjustment of investment tax credit amounts previously recorded for this account.
8	Particulars (A60): Explain the reason for any adjustments (data field 7 above) to the account balance. Also include in this data field the amount of credits deferred for the year associated with leased property in the following manner: Leased property - $1,000,000. (IDDESC)
9	Balance End of Year (N10) DOL.
10	Period of Amortization (A5): Enter the average period over which the investment tax credits will be amortized to income, in the format YY-YY, i.e., 75-95. (IDDESC)

Accounts 261.00, 262.00, 263.00, 264.00, 265.00

Report particulars for operating reserve accounts.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): For accounts 216.00, 262.00, 263.00 and 264.00, state the nature of each entry included in data fields 3 and 4. For Account 265.00, identify each reserve therein separately and state the nature of the entry. If

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Data Field Number	Instructions
2 (cont'd)	the entries in data fields 3-6 affect more than one department, indication of each department affected should be made by placing letter E (electric), G (gas) or O (other) at the end of this data field. (IDDESC)
3	Debits - Amount (N9) DOL.
4	Credits - Amount (N9) DOL.
5	Contra Account Credited (N3.2): (ACCTML)
6	Contra Account Debited (N3.2): (ACCTML)
8	Particulars (A60): For Account 261.00, Property Insurance Reserve and 262.00, Injuries and Damages Reserve, explain the nature of the risks covered by the reserves. (IDDESC)
9	Balance End of Year (N10) DOL.

Accounts 437.00 & 438.00

Report particulars for dividends declared.

Data Field Numbers	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): For Account 437.00, state the class and series of stock and the type of dividend (cash, stock, other forms). For Account 438.00, state the type of dividend and the dividend rate per share. Provide a detailed description if dividends are in forms other than cash or stock. (IDDESC)
9	Amount for Year (N10) DOL: Enter the total amount of dividends for each class and series listed in data field 2 above.

Account 439.00

Report particulars for adjustments to retained earnings.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Describe briefly each debit or credit adjustment to retained earnings. The income tax effect of each adjustment to retained earnings should be included in data field 3 or 4 below, as appropriate. (IDDESC)

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Data Field Number	Instructions
3	Debits - Amount (N9) DOL.
4	Credits - Amount (N9) DOL.
5	Contra Account Credited (N3.2): (ACCTML)
6	Contra Account Debited (N3.2): (ACCTML)

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I. DESCRIPTION

This schedule is used to collect detailed information supporting end of year balances or amounts for certain of the Uniform System of Accounts and the Supplemental Accounts.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A, Class B, Class C and Class D Natural Gas and Electric respondents.

B. The following accounts are included on this schedule:

Uniform System of Accounts	Supplemental Accounts	Description
154.00		Plant materials and operating supplies
	165.10	Prepaid insurance
	165.20	Prepaid rent
	165.30	Prepaid taxes
	165.40	Prepaid interest
	165.50	Gas prepayments
	165.60	Other prepayments
174.00		Miscellaneous current and accrued assets
202.00		Common stock subscribed
203.00		Common stock liability for conversion
205.00		Preferred stock subscribed
206.00		Preferred stock liability for conversion
207.00		Premium on capital stock
208.00		Donations received from stockholders
212.00		Installments received on capital stock
242.00		Miscellaneous current and accrued liability
	252.10	Customer advances for construction - electric department
	252.20	Customer advances for construction - gas department
	252.30	Customer advances for construction - other
419.00		Interest and dividend income
421.00		Miscellaneous nonoperating income
	421.10	Gain on disposition of property
	421.20	Loss on disposition of property
425.00		Miscellaneous amortization
	426.10	Miscellaneous income deductions - donations
	426.20	Miscellaneous income deductions - insurance
	426.30	Miscellaneous income deductions - penalties
	426.41	Expenditures for certain civic, political and related activities - radio, television, and motion picture advertising
	426.42	Expenditures for certain civic, political and related activities - newspaper, magazine and pamphlet advertising
	426.43	Expenditures for certain civic, political and related activities - inserts in customers' bills or reports to stockholders

Uniform System of Accounts	Supplemental Accounts	Description
	426.44	Expenditures for certain civic, political and related activities - newspaper and magazine editorial services
	426.45	Expenditures for certain civic, political and related activities - other advertising
	426.46	Expenditures for certain civic, political and related activities - expenses other than advertising
426.50		Miscellaneous income deductions - other deductions
430.00		Income on debt to associated companies
431.00		Other interest expenses
436.00		Appropriations of retained earnings
813.00		Other gas supply expenses
858.00		Transmission and compression of gas by others
930.30		Industry association dues
930.40		Nuclear power, experimental and general research expenses
930.50		Stockholder expenses
930.60		Other expenses

Class A and Class B Electric respondents report detail for all accounts listed above except Account 165.10 through 165.60, 491.00, 813.00 and 858.00.

Class A and Class B Natural Gas respondents report detail for all accounts listed above.

Class C and Class D Electric and Natural Gas respondents report detail for Accounts 426.41 through 426.46 and 436.00.

C. Respondents shall report the information for each account as specified in Part III, Detailed Instructions. Not every data field is required for every account. The data fields for every account shall be reported annually.

III. DETAILED INSTRUCTIONS

Instructions, cross-referenced to the schedule layout by data field number, are given below for each account to be reported.

Account 154.00

Report information for plant materials and operating supplies.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): Refer to General Information, II-B. (ACCTML)
2 (Key)	Description (A50): Furnish a breakdown of plant materials and operating supplies included in Account 154.00, according to the general character of the items. Examples: (IDDESC) Electric: Poles and pole materials; Steel tower and fittings; Conductor-wire-cable-insulators; Substation materials; Underground materials; Other operations: Maintenance materials, Auto parts & supplies, Stationery & supplies, Production M&S and spare Gas: Steel pipe line; Well casing; Valves and fittings; Meters, regulators and parts; Miscellaneous machine parts, tools & electrical supplies; Compressor station engine parts; Building materials, poles, paint, etc.; Miscellaneous equipment & supplies
3	Balance End of Year (N10) DOL.
4	Particulars (A60): State the amount of any important inventory adjustment made during the year to the classes of material listed in data field 2 above. For any class of material listed in data field 2 above, that pertains to other than the primary department, state in this data field the department affected. (IDDESC)

Accounts 165.10 - 165.60

Natural Gas respondents report information on prepayments.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): Refer to General Information, II-B. (ACCTML)
2	Description (A50): Furnish a description for any prepayment reported in Supplemental Account 165.60, Other Prepayments. (IDDESC)
3	Balance End of Year (N10) DOL.

Accounts 174.00 & 242.00

Report information on miscellaneous current and accrued assets and liabilities or liabilities of less than $25,000 may be grouped. For grouped items, enter the word

"Other" in data field 2 with the number of items grouped, i.e., Other (12). Report data for the grouped items in data field 3.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): Refer to General Information, II-B. (ACCTML)
2 (Key)	Description (A50): Describe current and accrued assets or liabilities. (IDDESC)
3	Balance End of Year (N10) DOL.

Accounts 202.00, 203.00, 205.00, 206.00, 207.00, 208.00 and 212.00

Report information on other capital stock accounts.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): Refer to General Information, II-B. (ACCTML)
2	Description (A50): For Accounts 202.00 and 205.00, enter the subscription price on each class of stock at year end. For Accounts 203.00 and 206.00, describe the agreement under which a conversion liability existed at end of year. For Account 208.00, provide an explanation of the origin and purpose of each donation. For Account 212.00, state each class and series of capital stock with an outstanding installment at year end. For Account 207.00, state the class and series of stock giving rise to the premium. Provide a brief explanation of any premiums arising from transactions with associated companies. If additional information is required for adequate disclosure, use data field 4, Particulars. (IDDESC)
3	Balance End of Year (N10) DOL: Enter the balance end of year associated with the item listed in data field 2 above.
4	Particulars (A60): Enter the number of shares at year end, if applicable. (IDDESC)

Accounts 252.10 - 252.30

For respondents with more than one utility department, report information on customer advances by departments.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): Refer to General Information, II-B. (ACCTML)
3	Balance End of Year (N10) DOL: Enter the balance of customer advances at the end of year for each account listed in data field 1 above.

Account 419.00

Report information on interest and dividend income.

Interest and dividend items in amounts of less than $10,000 may be grouped. For grouped items, enter the word "Other" in data field 2 with the number of items grouped, i.e., Other (12). Report data for the grouped items in data field 3.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Income from investments included in Accounts 123.00, 124.00 and 136.00, should be grouped and listed in this data field as: Income from Investments - Accounts 123.00 and 124.00 Income from Investments - Account 136.00 Provide a description of any other income or expense items included in Account 419.00. (IDDESC)
3	Amount for Year (N10) DOL.

Account 421.00

Report information on miscellaneous nonoperating income.

Amounts of less than $10,000 may be grouped. For grouped items, enter the word "Other" in data field 2 with the number of items grouped, i.e., Other (12). Report data for the grouped items in data field 3.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Provide a description of each miscellaneous nonoperating income and/or expense item. (IDDESC)
3	Amount for Year (N10) DOL.

Accounts 421.10, 421.20

Report information related to disposition of property.

Individual gain or losses relating to property with an original cost of less than $50,000 may be grouped with the number of items in data field 2.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)

Data Field Number	Instructions
2 (Key)	Description (A50): Provide a brief description of the location of property (city and state) and original cost of property disposed of during the year. (IDDESC)
3	Amount for Year (N10) DOL: Enter amount of gain or loss associated with the disposition of property reported in data field 2 above.
4	Particulars (A60): Enter the name of the party acquiring the property, when acquired by another utility or an associated-company. Enter the classification of the property prior to its disposition (in-service, future use nonutility, etc.) Also enter the date of Commission approval of journal entries when approval is required, i.e., Commission approval 5.10.75. Where approval is required but has not been received, provide an explanation. (IDDESC)

Account 425.00

Report information on miscellaneous amortization.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Describe the nature of items being amortized. (IDDESC)
3	Amount for Year (N10) DOL: Enter the total amount amortization charges for the year for each item listed in data field 2 above.
4	Particulars (A60): Enter the period of amortization for any item listed in data field 2 above. (IDDESC)

Accounts 426.10, 426.20, 426.30, & 426.50

Report information on miscellaneous income deduction accounts.

Amounts of less than $1,000 may be grouped. For grouped items, enter the word "Other" in data field 2 with the number of items grouped, i.e., Other (12). Report data for the grouped items in data field 3.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): Refer to General Information, II-B. (ACCTML)
2 (Key)	Description (A50): Report the nature of the income deduction and the payee. (IDDESC)

Data Field Number	Instructions
3	Amount for Year (N10) DOL.

Accounts 426.41 - 426.46

Report all expenditures incurred by the respondent during the year for the purpose of influencing public opinion with respect to the election or appointment of public officials, referenda, legislation or ordinances (either with respect to the possible adoption of new referenda, legislation or ordinances or repeal or modification of existing referenda, legislation or ordinances); approval, modification, or revocation of franchises; or for the purpose of influencing the decisions of public officials which are accounted for as Other Income Deductions, Expenditures for Certain Civic, Political and Related Activities; Account 426.40.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): Refer to General Information, II-B. (ACCTML)
2 (Key)	Description (A50): Indicate the nature and purpose of the activity. (IDDESC)
3	Amount for Year (N10) DOL.

Account 430.00

Report information related to interest on associated company debt.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): List the name of the associated company, the type of debt involved and interest rate: (IDDESC) Jones Company - Advance - 6% Ace Company - Note - 8%
3	Amount for Year (N10) DOL.

Account 431.00

Report information on other interest expense.

Amounts of less than $10,000 may be grouped. For grouped items, enter the word "Other" in data field 2 with the number of items grouped, i.e., Other (12). Report data for the grouped items in data field 3.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Describe the nature of the selected debt or other interest expense item. Include also the interest rate, if not provided elsewhere in this filing. Examples: (IDDESC) Customer Deposits - 7% Notes Payable - Banks - 8-9% Notes Payable - Commercial Paper - 7% Notes Payable - Other Other
3	Amount for Year (N10) DOL.

Account 436.00

Report information on appropriations of retained earnings made during the year.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): State purpose of any appropriation of retained earnings made during the year. (IDDESC)
3	Amount for Year (N10) DOL.

Account 813.00

Natural Gas repondents only report information on other gas supply expenses.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Provide a description of the nature of the other gas supply expense item. (IDDESC)
3	Amount for Year (N10) DOL.

Account 858.00

Natural Gas respondents only report information on expenses paid for transmission and compression of gas by others.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): State name of company and a description of the service performed. (IDDESC)
3	Amount for Year (N10) DOL.

Accounts 930.30 - 930.60

Report information on miscellaneous general expenses.

For Accounts 930.30 - 930.50, complete data fields 1 and 3 only.

Account 930.50, Stockholder Expenses, includes publishing and distributing information to stockholders.

For Account 930.60, list separately in data field 2 each item of miscellaneous other expense of $500 or more. Amounts of less than $500 may be grouped. For grouped items, enter the word "Other" in data field 2 with the number of items grouped, i.e., Other (12). Report data for the grouped items in data field 3.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): Refer to General Information, II-B. (ACCTML)
2 (Key)	Description (A50): Describe each item of miscellaneous other expenses. (IDDESC)
3	Amount for Year (N10) DOL.

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DETAILED INSTRUCTIONS: SCHEDULE 0164	DETAILED ACCOUNT DATA - PART IV	1 of 4

I. DESCRIPTION

This schedule is used to collect detailed information supporting amounts for the year for certain revenue accounts of the Uniform System of Accounts.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. The following accounts are included on this schedule.

Uniform System of Accounts	Supplemental Accounts	Description
451.00		Miscellaneous service revenues
454.00		Rent from electric property
455.00		Interdepartmental rents (electric)
456.00		Other electric revenues
	484.00	Interdepartmental sales - natural gas
	490.00	Sales of products extracted from natural gas
	491.00	Revenues from natural gas processed by others
	492.00	Incidental gasoline and oil sales
	493.00	Rent from gas property
	494.00	Interdepartmental rents (gas)
	495.00	Other gas revenues

Class A and Class B Electric respondents report the detail for Accounts 451.00 and 454.00 through 456.00.

Class A and Class B Natural Gas respondents report the detail for Accounts 484.00 and 490.00 through 495.00.

C. Respondents shall report the information for each account as specified in Part III, Detailed Instructions. Not every data field is required for every account. The data fields for every account shall be reported annually.

III. DETAILED INSTRUCTIONS

Instructions, cross-referenced to the schedule layout by data field number, are given below for each account to be reported.

Accounts 451.00 & 456.00

Report particulars for miscellaneous revenue accounts.

Revenues of less than $10,000 may be grouped. For grouped items, enter the word "Other" in data field 2 with the number of items grouped, i.e., Other (12). Report data for the grouped items in data field 3.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0164	DETAILED ACCOUNT DATA - PART IV	2 of 4

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Describe each category of miscellaneous service or other revenue. Provide a separate caption for revenues from operation of fish and wildlife and recreation facilities (regardless of whether such facilities are operated by company or by contract concessionaries). Also list separately revenues realized through Research and Development ventures. (IDDESC)
3	Amount for Year (N9) DOL: State amount of revenue for year.
4	Name of Company (A35): State name of company or other organization from which revenue is derived. (IDNAME)
5	Associated Company Indicator (N1): If the company named in data field 4 is an associated company, enter "1"; if not, enter "Ø". (INYONO)

Accounts 454.00, 455.00, 493.00, & 494.00

Report information related to rent from property and interdepartmental rents.

Amounts under $10,000 may be grouped. For grouped items, enter the word "Other" in data field 2 with the number of items grouped, i.e., Other (12). Report data for the grouped items in data field 3.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): For Accounts 454.00 and 493.00, provide description of the related property. For Accounts 493.00 and 494.00, if the amount reported in data field 3 is derived from a manufactured gas property, indicate this by entering the words "Manufactured Gas" in this data field. (IDDESC)
3	Amount for Year (N9) DOL.
4	Name of Department/Company (A35): Enter name of lessee of department from which revenue is received. (IDNAME)
5	Associated Company Indicator (N1): If the company named in data field 4 above is an associated company, enter "1"; if not, enter "Ø". (INYONO)
6	Particulars (A60): If rents are included which were arrived at under an arrangement for apportioning expenses of a joint facility, whereby the amount included in this account represents profit or return on property, depreciation, and taxes,

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Data Field Number	Instructions
6 (cont'd)	give particulars and the basis of apportionment of such charges to the account shown in data field 1. (IDDESC)

Account 484.00

Natural Gas respondents only report information on interdepartmental sales.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): List the other utility department and basis of the charges. (IDDESC)
3	Amount for Year (N9) DOL.

Account 490.00

Natural Gas respondents only report particulars concerning sales of gasoline, butane, propane, and other products extracted from natural gas, including sales of any such products which may have been purchased from others for resale.

If the purchasers are numerous it is permissible to group the sales by kind of product. In that case, state in data field 2 the number of producers grouped. Show separately, however, sales to associated companies or to companies which were associated at the time the applicable sales contracts were made.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): State name of purchaser. (IDDESC)
3	Amount for Year (N9) DOL.
5	Associated Company Indicator (N1): If the company named in data field 2 above is an associated company, enter "1"; if not, enter "Ø". (INYONO)
6	Particulars (A60): State name of product and the number of gallons sold. (IDDESC)

Account 491.00

Natural Gas respondents report particulars concerning transactions with others for removing products from natural gas of the respondent. The information called for in this schedule should also be provided in instances where gas of the repondent is processed by others and no revenue is received.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Provide description transaction. (IDDESC)
3	Amount for Year (N9) DOL.
4	Name of Department/Company (A35): State name of processor. (IDNAME)
6	Particulars (A60): Provide details in instances where no revenues have been received in the transaction. (IDDESC)

Accounts 492.00 & 495.00

Report particulars concerning revenues received from incidental gas and oil sales and from other gas revenues.

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): Describe each source of revenue. List separately revenue realized through research and development ventures. (IDDESC)
3	Amount for Year (N9) DOL: State amount of revenue for year.
4	Name of Company (A35): State name of company or other organization from which revenue is derived. (IDNAME)
5	Associated Company Indicator (N1): If the company named in data field 4 above is an associated company, enter "1"; if not, enter "Ø". (INYONO)

R S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULES 0165 & 0166	MONTHLY STATEMENT OF ELECTRIC OPERATING REVENUE AND INCOME, PARTS I & II	1 of 4

I. DESCRIPTION

These schedules are used to collect details on selected monthly electric operating data for plant, revenues and expenses.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Electric respondents.

B. Respondents shall complete all data fields on these schedules monthly.

C. Report the information on these schedules by the Uniform System of Accounts and Supplemental Account numbers shown below:

Uniform System of Accounts	Supplemental Accounts	Description
		ELECTRIC PLANT/DIVIDENDS
	120.70	Electric utility plant - total
	120.80	Accumulated provision for depreciation and amortization of electric utility plant
	107.10	Construction work in progress - electric gross additions
	238.10	Dividends declared - preferred stock
	238.20	Dividends declared - common stock
	238.90	Total (Accounts 120.7-238.90 for edit purposes only)
		ELECTRIC EXPENSES AND INCOME
401.00		Operating expense - total
	401.10	Operation expense - salaries and wages
	401.20	Operation expense - fuel
	401.30	Operation expense - other
402.00		Maintenance expense - total
	402.10	Maintenance expense - salaries and wages
	402.20	Maintenance expense - other
403.00		Depreciation expense
	407.90	Amortization expense
408.10		Taxes other than income taxes, utility operating income
409.10		Income taxes, utility operating income - total
	409.18	Income taxes, utility operating income - Federal
	409.19	Income taxes, utility operating income - other
410.10		Provision for deferred income taxes, utility operating income
411.10		Provision for deferred income taxes - credit, utility operating income
411.40		Investment tax credit adjustments, utility operations
411.60		Gains from disposition of utility plant
411.70		Losses from disposition of utility plant

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R S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULES 0165 & 0166	MONTHLY STATEMENT OF ELECTRIC OPERATING REVENUE AND INCOME, PARTS I & II	2 of 4

Uniform System of Accounts	Supplemental Accounts	Description
413.00		Expenses of electric plant leased to others
	413.90	Total Electric Operating Expenses
414.00		Other utility operating income
	414.90	Net Utility Operating Income
	417.90	Nonutility Operating Income
418.10		Equity in earnings of subsidiary companies
419.00		Interest and dividend income
419.10		Allowance for funds used during construction
421.00		Miscellaneous nonoperating income
421.10		Gain on disposition of property
421.20		Loss on disposition of property
425.00		Miscellaneous amortization
	426.70	Miscellaneous income deductions
408.20		Taxes other than income taxes, other income and deductions
409.20		Income taxes, other income and deductions
410.20		Provision for deferred income taxes, other income and deductions
411.20		Provision for deferred income taxes - credit, other income and deductions
411.50		Investment tax credit adjustments, nonutility operations
420.00		Investment tax credits
	426.90	Net Other Income and Deductions
427.00		Interest on long-term debt
428.00		Amortization of debt discount and expense
428.10		Amortization of loss on reacquired debt
429.00		Amortization of premium on debt (credit)
	429.10	Amortization of gain on reaquired debt - (credit
430.00		Interest on debt to associated companies
431.00		Other interest expense
	431.90	Total Interest Charges
	432.90	Income Before Extraordinary Items
434.00		Extraordinary income
435.00		Extraordinary deductions
409.30		Income taxes, extraordinary items
433.00		Balance transferred to net income
440.00		Residential sales
	442.10	Commercial and industrial sales - commercial
	442.20	Commercial and industrial sales - industrial
444.00		Public street and highway lighting
445.00		Other sales to public authorities
446.00		Sales to railroads and railways
447.00		Sales for resale
448.00		Interdepartmental sales
	449.90	Total Sales of Electricity
450.00		Forfeited discounts
451.00		Miscellaneous service revenues

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Uniform System of Accounts	Supplemental Accounts	Description
453.00		Sales of water and water power
454.00		Rent from electric property
455.00		Interdepartmental rents
456.00		Other electric revenues
	457.90	Total Other Operating Revenues
400.00		Total Electric Operating Revenues
412.00		Revenues from gas plant leases to others

D. Where a company has changed its accounting policy and begins to recognize unbilled revenues, the initial amount recorded and reported should be included in Account 434.00, Extraordinary Items, with the tax effect in Account 409.30, Income Taxes, Extraordinary Items, when the amounts are significant. Thereafter, the amounts relating to unbilled revenues should be reported in the class of sales giving rise to unbilled revenues (Accounts 440.00 to 448.00). If the amounts are not significant, report the amounts in the appropriate operating revenues accounts (Accounts 440.00 to 448.00). Do not report unbilled revenues as a separate line item.

E. Report residential space heating amounts in Account 440.00.

F. Smaller commercial sales should be included in Account 442.10. Large or industrial sales should be included in Account 442.00.

G. Payments for lease obligations included in the 500.00 and 900.00 series of accounts should be included in Account 401.30.

H. Salaries and wages charged to electric operation expense (Account 401.10) and maintenance expense (Account 402.10) should include only amounts charged to electric operation and maintenance expense accounts, including O & M clearing accounts. Total company salaries and wages should not be reported. Electric operations and maintenance salaries and wages may be estimated if actual amounts are not available.

I. Include steam purchase expense relating to utility operations in Account 401.30.

J. Fuel expense reported in Account 401.20 should include only amounts actually charged to operations during the reporting period which were recorded in primary Accounts 501.00, 518.00 and 547.00 for the production of energy during the month.

K. Report in Accounts 238.10 and 238.20 only the amounts for dividends actually declared during the month, exclusive of dividends paid.

L. Account Definitions:

107.10 Construction Work in Progress, Gross Additions - The total expenditures (both direct and indirect) charged for the month to Account 107.00, Construction Work in Progress. Do not include credits for transfer of completed construction or abandoned projects.

120.70 Electric Utility Plant - Sum of Account 101.00-107.00, 114.00, 116.00 and 120.10-120.40.

120.80 Accumulated Provision for Depreciation and Amortization - Sum of Accounts 108.00, 111.00, 115.00 and 120.50.

401.20 Operation Expense - Fuel - Sum of amounts recorded in Accounts 501.00, 518.00 and 547.00.

401.00 Operation Expense - Equals the sum of Accounts 401.10, 401.20 and 401.30.

407.90 Amortization Expense - Sum of Accounts 404.00, 405.00, 406.00 and 407.00

426.70 Miscellaneous Income Deductions - Sum of Accounts 426.10 through 426.50.

457.90 Total Other Operating Revenues - Sum of Accounts 450.00 through 456.00.

M. Notes to financial data should be reported on Schedule 0215.

N. Accounts 401.00 through 411.90 pertain only to electric department operations. If a respondent has more than one utility department, include the net of revenues and expenses applicable to the other departments in Account 414.00.

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 Number	Instructions
1 (Key)	Month/Year (N4): Enter the month and year, in the format MMYY. (TMMAYR)
2 (Key)	Account Number (N3.2): This is a preprinted data field, see General Information, II-C above. (ACCTML)
3	Amount (N9) DOL.
4	Sales (N9.3) MWH: Report sales of electric included in Accounts 440.00 through 448.00.
5	Customers (N7) NO: Report number of customers related to sales of electric included in Accounts 440.00 through 448.00.

R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0169	PROFESSIONAL AND OTHER CONSULTATIVE SERVICES	1 of 3

I. DESCRIPTION

This schedule is used to collect details on all charges made during the year included in any account (including plant accounts) for outside consultative and other professional services, such as services concerning rate, management, construction, engineering, research, financial, valuation, legal, accounting, purchasing, advertising, labor relations, and public relations, rendered the respondent under written or oral arrangement.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Each logical entry has two parts. In data fields 1-10, report information on services performed. In data fields 11-13, show each account charged for that service with the associated amount.

D. For aggregate payments (other than for employee services or medical and personnel related services) amounting to $5,000 for Class B and $10,000 for Class A companies, complete data fields 1-6 and 10, with data fields 11-13 as needed. These payments should include legislative services payments except those which are to be reported in Account 426.40, Expenditures for Certain Civic, Political and Related Activities. For aggregate payments to any one individual, group or partnership, by Class A companies in the amount $600 or greater but less than $10,000, and aggregate payment by Class B companies in the amount $600 or greater but less than $5,000, complete data fields 1, 2, 4 and 10.

E. For any services which are under a long-term contract, complete data fields 7 and 8, and, if applicable, data field 9.

F. The respondent shall report professional and consultative services charged to any account of the Uniform System of Accounts. Do not report in data field 11 any control accounts (i.e., 401.00, Operation Expense) nor any respondent developed subaccount numbers. Data field 12 should be used to distinguish the department utilizing the service if the respondent has more than one utility department.

G. The respondent may be a member of a consolidated group which furnishes centralized professional services through a group service organization or it may receive professional services from other group memeber companies. In such instances, the respondent shall furnish complete details on the intercompany arrangements. For each type of service listed in data field 5, the respondent shall state briefly the basis for the charge (data field 6), the account(s) charged (data field 11) and the amount charged to each account (data field 13).

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DETAILED INSTRUCTIONS: SCHEDULE 0169	PROFESSIONAL AND OTHER CONSULTATIVE SERVICES	2 of 3

H. Outside services should be reported in data field 2 using the following codes:

Code	Type of Service
01	Financial
02	Auditing
03	Accounting
04	Purchasing
05	Rates
06	Management
07	Construction
08	Engineering
09	Research
10	Environmental
11	Valuation
12	Legal
13	Advertising
14	Labor Relations
15	Public Relations
16	Legislation
17	Fuel Supply
99	Other

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 Number	Instructions
1 (Key)	Name of Consultant (A35): (IDNAME)
2	Type of Service (N2): Enter the code for the type of consultant service, from General Information II-H. (TYCNSV)
3	Description of Service (A40): Provide other description of service including case number or project name. (IDDESC)
4	Associated Company Indicator (N1): If consultant is an associated company, enter "1"; if not, enter "Ø". (INYONO)
5	Address of Consultant (A22): Report the address (state and city) of the consultant. Enter the state abbreviation in the first two positions of the data field, from the Register of Data Standards, IDSTAT, followed by the city name (IDCITY).
6	Basis of Charges (A50): Examples are: Payroll plus overhead plus expenses, hourly rate plus expenses, fixed fee plus expenses. (IDDESC)
7	Contract Start Date (N6): Enter the date, in the format MMDDYY. (TNDATE)

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Data Field Number	Instructions
8	Contract Termination Date (N6): Enter the date, in the format MMDDYY. (TMDATE)
9	Date of Commission Authorization (N6): Enter the date, in the format MMDDYY. (TMDATE)
10	Consultant's Total Charge for Year (N8) DOL.
11 (Key)	Account Charged (N3.2): (ACCTML)
12 (Key)	Department Using Consultant (A3): This data field should be completed by respondents with more than one utility department. If the account charged is common to two or more departments or all departments, enter COM. Enter one of the department abbreviations from the following list: (TYUTIL) ELC = Electric GAS = Natural Gas OTH = Other COM = Common
13	Amount Charged (N8) DOL.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0170	LEASE RENTAL CHARGES - GENERAL DATA	1 of 2

I. DESCRIPTION

This schedule is used to collect detailed information on properties leased by the respondent.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule in their first submission. On subsequent submissions, respondents shall submit only appropriate identification (key data fields) and changed values, additions and deletions.

C. Report information called for where lease annual charges are $250,000 or more. Leases of construction equipment used in connection with work in progress or continuous, master or open-end leases for general plant, EDP or office equipment or other property short-lived and replaced under terms of the lease or for pole rentals, are not required to be reported on this schedule, unless leasee has the option to purchase the property.

D. Lease identifications (beginning with Ø1) are assigned by the respondent when the lease is first reported. The same value must be used for reporting in subsequent years. This value, which is reported in data field 1 of this schedule, must be identical to that reported in data field 1 of Schedule 0171.

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 Number	Instructions
1 (Key)	Lease ID (N2): Assign a unique, sequential number to identify the lease for which data is to be given in data fields 2-14 below. (NRCADL)
2 (Key)	Description of Property (A70): Include the type, size, quantity and estimated useful life of property leased. (IDDESC)
3	Name of Lessor (A35): (IDNAME)
4	Option to Purchase Indicator (N1): If lessee has an option to purchase, enter "1"; if not, enter "Ø". (INYONO)
5	Particulars - Option to Purchase (A45): If lessee has an option to purchase, state the dates, the basis of determining the purchase price and other particulars. (IDDESC)
6	Lease Start Date (N6): Enter the date, in the format MMDDYY. (TMDATE)

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0170	LEASE RENTAL CHARGES - GENERAL DATA	2 of 2

Data Field Number	Instructions
7	Lease End Date (N6): Enter the date, in the format MMDDYY. (TMDATE)
8	Lease Cancellable Indicator (N1): If lease is cancellable by either party, enter "1"; if not, enter "Ø". (INYONO)
9	Conditions Under Which Lease is Cancellable (A60): State the conditions under which the lease agreement may be cancelled by either party. (IDDESC)
10	Sale/Leaseback Indicator (N1): If lease is related to a sale and leaseback arrangement, enter "1"; if not, enter "Ø". (INYONO)
11	Accounting Treatment (A60): Describe accounting treatment of lease payments (levelized charges to expense or other treatment). (IDDESC)
12	Lease Rental Tax Treatment (A60): State whether the lease is treated as an item of capital or expense for Federal income tax purposes. (IDDESC)
13	Responsibilities of Respondent (A60): State responsibilities of respondent for payment of operation, maintenance, taxes, insurance or other expense associated with the property. (IDDESC)
14	Apportionment of Charges (A60): State the nature and basis for apportioning any charges between the lessor and lessee. (IDDESC)

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0171	LEASE RENTALS CHARGED	1 of 3

I. DESCRIPTION

This schedule is used to collect details on the accounting for payments made to third parties in connection with lease agreements.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents. Natural Gas respondents furnish data for gas departments only. Electric respondents furnish data for the electric departments only.

B. Respondents shall complete all specified data fields on this schedule annually.

C. For purposes of this schedule a "lease" is defined as a contract or other agreement by which one party (lessor) conveys an intangible right to land or other tangible property and equipment to another (lessor) for a specified period of one year or more for rent.

D. For leases with annual charges of $25,000 or more, but less than $250,000, complete data fields 1, 2, 3, 4, 16, 17 and 18.

E. For leases having annual charges of $250,000 or more, complete all data fields.

F. The annual charges referred to in General Information D and E include the basic lease payment and other payments to or in behalf of the lessor such as taxes, depreciation, assumed interest or dividends on the lessor's securities, cost of property replacements and other expenditures with respect to leased property except the expenses of operating and maintaining such leased property.

G. Oil and gas leases and leases of construction equipment used in connection with construction work in progress are not required to be reported herein. For continuous master or open-end leases for general plant items, EDP or office equipment, automobile fleets that are short-lived and replaced under terms of the lease, the respondent shall report only the data called for in data fields 1, 2, 3, 4, 5, 16, 17 and 18 unless the leasee has the option to purchase the property.

H. Each logical entry has two parts. In data fields 1-15, report data concerning each individual lease. In data fields 16-18, show the distribution of the current year lease rental charges to the various accounts.

I. Lease identification (beginning with Ø1) are assigned by the respondent when the lease is first reported. The same value must be used for reporting in subsequent years. This value is reported in data field 1 of this schedule and must be identical to that reported in data field 1 of Schedule 0170.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0171	LEASE RENTALS CHARGED ANNUAL DATA	2 of 3

Data Field Number	Instructions
1 (Key)	Lease ID (N2): Assign a unique, sequential number to identify the lease for which data is to be given in data fields 2-18 below. (NRCADL)
2 (Key)	Description of Property (A70): The entry in this data field should duplicate the entry in data field 1 of Schedule 0170. (IDDESC)
3 (Key)	Plant Function (N2): Enter one of the following codes: (IDPLFN) Code = Type 01 = Production Plant 02 = Storage Plant 03 = Transmission Plant 04 = Distribution Plant 05 = General Plant 06 = Research and Development 07 = Nuclear Fuel 08 = Gathering Plant 99 = Other Items
4	Name of Lessor (A35): (IDNAME)
5	Associated Company Indicator (N1): If lessor is an associated company, enter "1"; if not, enter "Ø". (INYONO)
6	Current Lease Beginning Date (N6): Enter the date, in the format MMDDYY. (TMDATE)
7	Current Lease Ending Date (N6): Enter the date, in the format MMDDYY. (TMDATE)
8	Primary/Renewal Indicator (N1): If lease is in its primary term, enter "1"; if it is in a renewal term, enter "2". (INETOR)
9	Original Cost/Fair Market Beginning Value of Property (N9) DOL: Report, as of the date of the current lease term, the original cost of the property leased, estimated if not known, or the fair market value of the property if greater than original cost
10	Type Expense Paid by Lessee (A45): Enter a brief description of type expenses paid by lessee (See General Information, II-F) (IDDESC)
11	Amount of Accumulated Rent - Lessor (N8) DOL: Enter the accumulated amount of rents paid to the lessor during the current term of the lease.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0171	LEASE RENTALS CHARGED	3 of 3

Data Field Number	Instructions
12	Amount of Accumulated Rent - Other (N8) DOL: Enter the accumulated amount of expenses paid to third parties on behalf of the lessor, such as taxes, interest, insurance, etc.
13	Amount of Current Year's Rent - Lessor (N8) DOL: Enter the rental charges for the current year paid to the lessor.
14	Amount of Current Year's Rent - Other (N8) DOL: Enter the amount of expenses for the current year paid by the respondent related to the lease.
15	Remaining Annual Charges Under Lease (N9) DOL: Enter the total annual charges over the remaining life of the lease. Estimate if actual amounts are not known.
16 (Key)	Account Charged (N3.2): Enter the account(s) charged with the expenses for the year. (ACCTML)
17	Amount Charged (N8) DOL: Enter the amount charged related to the account listed in data field 16 above.
18	Department (A3): This data field should be completed by respondents with more than one utility department. Enter one of the department abbreviations from the following list: (TYUTIL) ELC = Electric GAS = Natural Gas OTH = Other COM = Common

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I. DESCRIPTION

This schedule is used to collect particulars of regulatory commission expenses incurred during the current year or incurred in previous years, if being amortized, relating to formal cases before a regulatory body, or cases in which such a body was a party.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Each entry has two parts. In data fields 1-10, report details of the regulatory commission expense items and information on deferrals of such expenses. In data fields 11-13, report information on all expenses charged off during the year, including expenses incurred in the current year (and charged off directly) and amortization of previous deferrals.

D. Individual cases, whose total expenses (data field 6) are $5,000 or less, may be grouped. For these items enter "999" in data field 1, enter "999999999" in data field 2, enter "Grouped Items" in data field 3, and complete data fields 4-6 and 11-13.

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 Number	Instructions
1 (Key)	Commission Code (N3): Enter the three digit code, from the Register of Data Standards, IDCOMM.
2 (Key)	Docket or Case Number (A9): (IDDCKT)
3	Description of Case (A55): Enter a brief description of case, i.e., rate filing; security issue; certificate application; and grouped items. (IDDESC)
4	Expense Assessed by Regulatory Commission (N7) DOL.
5	Expenses of Utility (N7) DOL: Enter the expenses incurred by the respondent other than by assessment of a regulatory body.
6	Total Expense (N7) DOL: Enter the total expenses to date - sum of data fields 4 and 5.
7	Period of Amortization (A5): Enter the period of amortization for any expenses incurred which are being amortized, in the format YY-YY, i.e., 75-80. (IDDESC)

Data Field Number	Instructions
8	Amount Deferred in Account 186.00 - Beginning of Year (N7) DOL.
9	Amount Deferred in Account 186.00 - End of Year (N7) DOL.
10	Amount Deferred to Account 186.00 During Year (N7) DOL.
11	Account Charged (N3.2): (ACCTML)
12	Department Charged (A3): This data field should be completed by respondents with more than one utility department. Enter one of the department abbreviations from the following list: (TYUTIL) ELC = Electric GAS = Natural Gas OTH = Other COM = Common
13	Expense Charged to Account (N7) DOL: Enter the expenses charged to the account specified in data field 11, above.

R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0174	PARTICULARS CONCERNING CERTAIN OTHER INCOME ACCOUNTS	1 of 2

I. DESCRIPTION

This schedule is used to collect detailed information supporting the accounting entries to certain other income and expense accounts of the Uniform System of Accounts.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. The following accounts are to be reported on this schedule:

Uniform System of Accounts	Description
415.00	Revenues from merchandising, jobbing and contract work
416.00	Cost and expenses of merchandising, jobbing and contract work
417.00	Revenues from nonutility operations
417.10	Expenses of nonutility operations
418.00	Nonoperating rental income

D. Minor nonutility and nonoperating revenues under $25,000 may be grouped. For grouped items, enter the word "Other" in data field 2, i.e., Other (12). Report data for the grouped items in data fields 3-7.

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 Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A50): For Accounts 415.00 and 416.00, list the type activity, i.e., merchandising, appliances, jobbing and contract work; and provide a general description of the activity. For Accounts 417.00 and 417.10, describe each major nonutility operation. For respondents with more than one department, state the department associated with the activity. For Acccount 418.00, give a brief description of each major item miscellaneous property included in Account 121.00, Nonutility Property, which is not used in operations for which income is included in Account 417.00, but which is leased or rented to others. (IDDESC)
3	Revenues (N9) DOL.
4	Expenses - Operation (N9) DOL.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0174	PARTICULARS CONCERNING CERTAIN OTHER INCOME ACCOUNTS	2 of 2

Data Field Number	Instructions
5	Expenses - Maintenance (N9) DOL.
6	Expenses - Depreciation, Depletion and Amortization (N9) DOL.
7	Expenses - Other (N9) DOL.
8	Particulars (A60): For each item of property listed in data field 2 above, for Account 418.00, state the name of lessee, the effective date and expiration date of lease. (IDDESC)

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I. DESCRIPTION

This schedule is used to collect detailed information related to the accounting for technological research and development (R&D) projects initiated, continued or concluded during the year.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. The following accounts from the Supplemental System of Accounts shall be reported on this schedule:

Research and Development Performed Internally - Electric

Supplemental Accounts	Description
630.00	Hydroelectric generation - recreation, fish and wildlife
631.00	Hydroelectric generation - other
632.00	Fossil-fuel steam generation
633.00	Internal combustion or gas turbine generation
634.00	Nuclear generation
635.00	Unconventional generation
636.00	Sitting and heat rejection generation
637.00	System planning, engineering and operation
638.00	Overhead transmission
639.00	Underground transmission
640.00	Distribution
641.00	Environment (other than equipment)
642.00	Other

Research and Development Performed Externally - Electric

Supplemental Accounts	Description
643.00	Research support to the Electric Research Council
644.00	Research support to the Electric Power Research Institute
645.00	Research support to Edison Electric Institute
646.00	Research support to nuclear power groups
647.00	Research support to others
648.00	Total electric research and development costs

Research and Development Performed Internally - Gas

Supplemental Accounts	Description
630.10	Pipeline design
630.20	Pipeline efficiency
631.10	Compressor station design
631.20	Compressor station efficiency
632.00	System planning, engineering and operation
633.00	Transmission control and dispatching
634.00	LNG storage and transportation
635.00	Underground storage
636.00	Other storage
637.00	New appliances and new uses
638.00	Gas exploration, drilling, production and recovery
639.00	Coal gasification
640.00	Synthetic gas
641.00	Environmental research
642.00	Other

Research and Development Performed Externally - Gas

Supplemental Accounts	Description
644.00	Research support to American Gas Association
645.00	Research support to others
648.00	Total gas research and development costs

D. For any research and development work carried on by the respondent in which there is a sharing of costs with others, list in data fields 1-6 only, the respondent's cost for the year.

E. Each logical entry has two parts. In data fields 1-4, report information on each research and development activity. In data fields 5-6, show each account number charged with expenses for the year with the associated amount. Example:

Account Number - 506.00 Amount - 350000

F. For Account 642.00 (Other), report separately only research and development projects over $5,000.

G. Unamortized Research and Development Costs - End of Year (data field 4) should show the balance in Account 188.00, Research and Development Expenditures, for each particular category at the end of the year.

RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0177	RESEARCH AND DEVELOPMENT ACTIVITIES	3 of 3

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 Number	Instructions
1 (Key)	Classification of Research and Development Activity (N3.2): Enter the Supplemental Account number listed under General Information II-C, which identifies the activity being described. (ACCTML)
2	Costs - Current Year (N8) DOL: Enter the cost incurred during the year, related to the project listed in data field 3 below.
3 (Key)	Description of Research and Development Activity (A130): Provide a concise description explaining the nature of a project classified as research and development. For research and development projects sponsored jointly with others, list the names of the other participating companies in this data field. (IDDESC)
4	Unamortized Research and Development Costs - End of Year (N8) DOL: Enter the accumulated unamortized balance at the end of year for research and development activities described in data field 3 above.
5 (Key)	Costs Charged Off, Account Number (N3.2): Enter the account number used to record project costs charged off during the current year. (ACCTML)
6	Cost Charged Off, Amount (N8) DOL: Enter the amount of charges related to the account listed in data field 5 above.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0179	FRANCHISE REQUIREMENTS (ACCOUNT 927.00)	1 of 2

I. DESCRIPTION

This schedule is used to collect data on expenses of franchise requirements included in Account 927.00, Franchise Requirements.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Natural Gas respondents with more than one utility department, furnish data for gas department only; electric respondents furnish data for the electric department only.

D. Report below, payments made to municipal or other governmental authorities, and the cost of electricity or gas, materials, supplies, and other items furnished such authorities during the year without reimbursement in compliance with franchise, ordinance, or similar requirements. Electric respondents must separately disclose any payments in the amount of $25,000 or more. Natural Gas respondents must separately disclose any payments in the amount of $10,000 or more. Payments less than the amounts specified may be grouped by listing the word "other" in data field 1 and completing data fields 3-6 and 8.

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 Number	Instructions
1 (Key)	Name of Municipal Authority (A35): (IDNAME)
2	Date of Franchise (N6): Enter the date, in the format MMDDYY. (TMDATE)
3	Cash Outlays (N7) DOL.
4	Gas Supplied Without Charge (N9.3) MMCF: Enter the gas supplied, in MMCF rounded to three decimal places at a uniform pressure base of 14.73 PSIA at 60° Fahrenheit.
5	Energy Supplied Without Charge (N5.3) MWH: Electric
6	Dollar Amount of Energy Supplied Without Charge (N7) DOL: Enter the dollar amount of energy (gas or electric) supplied without charge related to data fields 4 or 5 above.
7	Other Items Furnished Without Charge (N7) DOL: Enter the dollar amount of other items furnished in connection with the franchise.

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0179	FRANCHISE REQUIREMENTS (ACCOUNT 927.00)	2 of 2

Data Field Number	Instructions
8	Amount Furnished to Municipal (N8) DOL: Enter the total of franchise requirements from data fields 3, 6, and 7 above.
9	Particulars of Items Furnished Without Charges (A50): State particulars for items listed in data field 7 above. (IDDESC)

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0187	RECONCILIATION OF REPORTED NET INCOME WITH TAXABLE INCOME	1 of 2

I. DESCRIPTION

This schedule is used to collect data on the reconciliation of reported book net income for the year with taxable income used in computing Federal income tax accruals.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. The first account to be reported shall be Account 433.00, Balance Transferred from Income.

D. Additionally, the following Supplemental Accounts are to be reported on this schedule.

Uniform System of Accounts	Supplemental Accounts	Description
	003.10	Taxable income not reported on books
	003.20	Deductions recorded on books not deducted for return
	003.30	Income recorded on books not included in return
	003.40	Deductions on return not charged against book income
	003.50	Federal Tax Net Income

Every reconciling item must be reported according to one of the four categories listed above (Accounts 003.10 through 003.40).

E. The reconciliation provided on this schedule should, as far as practicable, contain the respondent's best estimates for items that will be furnished on Schedule M-1 of the tax return for the year.

F. This schedule must be submitted even though the tax return has not yet been filed for the year. In instances where items or amounts reported on this schedule differ materially from that filed with the tax return, the respondent shall furnish revised information to the Commission. The schedule should be submitted even though there is no taxable income for the year.

G. For Account 003.50, data field 2 may be omitted.

H. Information on the computation of Federal income tax accruals should be reported on Schedule 0136.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number:

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0187	RECONCILIATION OF REPORTED NET INCOME WITH TAXABLE INCOME	2 of 2

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): (ACCTML)
2 (Key)	Description (A60): State the nature of each reconciling item. (IDDESC)
3	Amount for Year (N9) DOL.

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I. DESCRIPTION

This schedule is used to collect detailed information on the balance of and additions to, retirements of and adjustments to, environmental facilities and expenses associated with such facilities and environmental programs.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Electric respondents.

B. Respondents shall complete all applicable data fields on this schedule annually.

C. For purposes of this schedule, environmental protection facilities shall be defined as any building, structure, equipment, facility or improvement designed and constructed solely for control, reduction, prevention or abatement of discharges or releases into the environment of gaseous, liquid or solid substances, heat, noise or for the control, reduction, prevention or abatement of any other adverse impact of an actiivity on the environment.

D. There shall be reported herein the difference in cost of facilities installed for environmental considerations over the cost of alternative facilities which would otherwise be used without environmental considerations. The basis for determining costs without environmental considerations will be the best engineering design achievable without environmental restrictions. It is not intended that special design studies be made for purposes of this response. The best engineering judgment shall suffice where direct comparisons are not available.

These differences in costs would include the costs or estimated costs of environmental protection facilities in service, constructed or modified in connection with the production, transmission and distribution of electrical energy and shall be reported herein for all such environmental facilities placed in service on or after January 1, 1969, so long as it is readily determinable that such facilities were constructed or modified for environmental rather than operational purposes. Similar expenditures for environmental plant included in construction work in progress shall also be reported herein. The cost of facilities may be estimated when the original cost is not available or facilities are jointly owned with another utility, provided the respondent explains the basis of such estimations.

Examples of these costs could include a portion of the costs of tall smokestacks, underground lines and landscaped substations.

E. The cost of facilities included herein shall include an estimated portion of the cost of plant that is or will be used to provide power to operate associated environmental protection facilities. These costs may be estimated on a percentage of plant basis.

F. Explanantions of estimating methods and basis used shall be reported in Schedule 0214, Environmental Protection Facilities and Expenses - Notes.

G. All plant costs shall be reported under the Supplemental Account classifications provided below and include, but are not limited to, the items listed hereunder:

Supplemental Accounts	Description
601.00	Air pollution control facilities: 1. Scrubbers, precipitators, tall smokestacks, etc. 2. Changes necessary to accommodate use of environmentally clean fuels such as low sulfur fuels including storage and handling equipment. 3. Monitoring equipment. 4. Other.
602.00	Water pollution control facilities: 1. Cooling towers, ponds, piping, pumps, etc. 2. Waste water treatment equipment. 3. Sanitary waste disposal equipment. 4. Oil interceptors. 5. Sediment control facilities. 6. Monitoring equipment. 7. Other.
603.00	Solid waste disposal costs: 1. Ash handling and disposal equipment. 2. Land. 3. Settling ponds. 4. Other.
604.00	Noise abatement equipment: 1. Structures. 2. Mufflers. 3. Sound proofing equipment. 4. Monitoring equipment. 5. Other.
605.00	Esthetic costs: 1. Architectural costs. 2. Towers. 3. Undergrounding lines. 4. Landscaping. 5. Other.
606.00	Additional plant capacity - environmental: Additional plant capacity necessary due to restricted output from existing facilities, or addition of pollution control facilities.
607.00	Miscellaneous environmental costs: 1. Preparation of environmental reports. 2. Fish and wildlife plants included in Accounts 330.00, 331.00, 332.00 and 335.00. 3. Parks and related facilities. 4. Other.

Supplemental Accounts	Description
608.00	Construction work in progress - environmental facilities.
609.90	Total environmental facilties.

For Account 608.00, Construction Work in Progress - Environmental Facilities, report only data field 6 and 7.

H. The expenses shall be reported in data field 6 for each of the following classifications identified by Supplemental Account numbers:

Supplemental Accounts	Description
610.00	Depreciation - environmental.
611.00	Labor, maintenance, materials and supplies related to environmental facilities and programs.
612.10	Fuel related costs - operation of facilities.
612.30	Fuel related costs - flyash and sulfur sludge removal.
612.50	Fuel related costs - difference in cost of environmentally clean fuels: The difference in costs of environmentally clean fuels as opposed to the alternative fuels that would otherwise be used and are available for use.
613.00	Replacement power costs: The cost of replacement power, purchased or generated, to compensate for the deficiency in output from existing plants due to the addition of pollution control equipment, use of alternate environmentally preferable fuels or environmental regulations of governmental bodies. Replacement power purchased shall be priced at the average system price of purchased power if the actual cost of such replacement power is not know. Internally generated replacement power shall be priced at the system average cost of power generated if the actual cost of specific replacement generation is not known.
614.00	Taxes and fees - environmental: Ad valorem and other taxes assessed directly on or directly relatable to environmental facilties. This item shall also include licensing and similar fees on such facilites.
615.00	Administrative and general - environmental.
616.00	Other environmental expenses.
617.90	Total environmental expenses.

I. In those instances when costs are composed of both actual supportable costs and estimates of costs, specify in data field 7 the actual costs that are included in data field 6.

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 Number	Instructions
1 (Key)	Account Number (N3.2): This is a preprinted data field. Refer to the account numbers in General Information, II-F and II-H. (ACCTML)
2	Balance Beginning of Year (N10) DOL.
3 (Key)	Additions to Environmental Plant (N9) DOL: Enter the additions for the current year.
4	Retirements of Environmental Plant (N9) DOL: Enter the retirements during the current year.
5	Adjustments to Environmental Plant (N9) DOL: Enter the adjustments to amounts listed in data field 2 above.
6	Balance End of Year / Amount for the Year (N10) DOL.
7	Actual Cost (N10) DOL: Enter the actual costs of environmental facilities and actual expenses included in data field 6 above, when both actual and estimated costs are reported therein.

R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0214	NOTES TO ENVIRONMENTAL PROTECTION FACILITIES AND EXPENSES	1 of 1

I. DESCRIPTION

This schedule is used to collect additional information related to environmental protection facilities and expenses.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. This schedule supports information included on Schedule 0213, Environmental Facilities and Expenses.

D. Furnish particulars for facilities concerning any basis of estimation of cost of facilities and also cost estimations based on a portion of plant basis. For expenses, indicate any basis or method used where allocations are necessary.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layouts by data field number:

Data Field Number	Instructions
1 (Key)	Type of Note (A60): Identify either "facilities" or "expenses". (IDDESC)
2	Note Number (N1): Use successive numbers to designate more than one occurrence of the type of note listed in data field 1 above. If only one occurrence is needed for a particular type note, enter "1". (NRCADL)
3	Entry Continuation Number (N1): Use successive numbers to designate continuation entries of textual information for a particular note. If only one textual entry is needed to report the required disclosure, enter "1" in this data field. (NRCADL)
4	Text of Note (A249): (IDDESC)

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0215	MONTHLY NOTES TO FINANCIAL DATA	1 of 1

I. DESCRIPTION

This schedule is used to collect information deemed necessary for adequate disclosure to support the financial data presented to the Commission in the monthly filing, to include the following aspects:

A. Disclosure of accounting changes made during the month which had significant effect on the reported net income.

B. Disclosure of any important factor occurring during the month that may materially effect the comparability of the financial data.

II. GENERAL INFORMATION

A. This schedule shall be submitted by Class A and Class B Natural Gas and Electric respondents.

B. Respondents shall complete all data fields on this schedule monthly.

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 Number	Instructions
1 (Key)	Type of Note (A60): (IDDESC)
2	Note Number (N1): Use successive numbers to designate more than one occurrence of the type of note listed in data field 1 above. If only one occurrence is needed for a particular type note, enter "1". (NRCADL)
3	Entry Continuation Number (N1): Use successive numbers to designate continuation entries of textual information for a particular note. If only one textual entry is needed to report the required disclosure, enter "1" in this data field. (NRCADL)
4	Text of Note (A249): (IDDESC)

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I. DESCRIPTION

These twenty-five schedules are used to collect the end of year balance or the amount for the year for certain accounts of the Uniform Systems of Accounts and certain other financial data that has been categorized as Supplemental Accounts for the presentation of the four primary Financial Statements. (For a discussion of the relationship between the two systems of accounts see General Instructions for Corporate and Financial Schedules.) This schedule replaces several former schedules which reported similar information concerning:

- Comparative Balance Sheet - Statement A
- Statement of Income for the Year - Statement C
- Statement of Retained Earnings for the Year - Statement D
- Statement of Changes in Financial Position - Statement E

The account numbers to be used from the two systems of accounts are listed in General Information, II-D.

II. GENERAL INFORMATION

A. These schedules shall be submitted by Class A and Class B Electric respondents.

B. Respondents shall complete all data fields on these schedules annually for those items below applicable to their circumstances.

C. For those accounts which had activity during the year or had previously been reported with balances but for the present reporting period there is no balance, respondent shall report the account as a "zero" balance.

D. The data to be reported is structured upon the account groupings from the Uniform System of Accounts augmented by a system of supplemental accounts to intergrate related data. The schedules for the following statements have been preprinted with account numbers and descriptions to facilitate respondent reporting:

Schedule Number	Title	Source
0216 through 0222	Balance Sheet	Uniform System of Accounts/ Supplemental Accounts
0223 through 0234	Statement of Income for the Year	Uniform System of Accounts/ Supplemental Accounts
0235	Statement of Retained Earnings for the Year	Uniform System of Accounts/ Supplemental Accounts
0236 through 0238	Statement of Changes in Financial Position	Supplemental Accounts

1. Balance Sheet: Respondent shall report the applicable amount identified by the appropriate 100 and 200 series accounts of the Uniform System of Accounts and Supplemental Accounts. Respondents with more than one department report in this statement the totals of utility plant by all departments, and on Schedule 0124, group 5, report separate details for utility plant by each department.

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
		ASSETS AND OTHER DEBITS - UTILITY PLANT	
101.00		Plant in service	0124, 0144
102.00		Plant purchased or sold	0124, 0146
103.00		Experimental plant unclassified	0124, 0147
104.00		Plant leased to others	0124, 0148
105.00		Plant held for future use	0124, 0149
106.00		Completed construction not classified	0124, 0145
107.00		Construction work in progress	0124, 0150
108.00		Accumulated provision for depreciation of utility plant	0124, 0152
111.00		Accumulated provision for amortization of utility plant	0124, 0152
114.00		Plant acquisition adjustments	0124, 0162
115.00		Accumulated provision for amortization of plant acquisition adjustments	0162
116.00		Other plant adjustments	0124, 0162
117.00		Gas stored underground - noncurrent	0127
120.10		Nuclear Fuel in process of refinement, conversion, enrichment and fabrication	0162
120.20		Nuclear fuel materials and assemblies - stock account	0162
120.30		Nuclear fuel assemblies in reactor	0162
120.40		Spent nuclear fuel	0162
120.50		Accumulated provision for amortization of nuclear fuel assemblies	0162
	120.90	Net Utility Plant	
		OTHER PROPERTY AND INVESTMENTS	
121.00		Nonutility property	0162
122.00		Accumulated provision for depreciation and amortization of nonutility property	0162
123.00		Investment in associated companies	0161

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DETAILED INSTRUCTIONS: SCHEDULE 0216-0238	FINANCIAL STATEMENTS - PART I (ELECTRIC CLASS A AND CLASS B)	3 of 11

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
123.10		Investment in subsidiary companies	0125,0161
124.00		Other investments	0125,0161
125.00		Sinking funds	
126.00		Depreciation fund	
127.00		Amortization fund - Federal	
128.00		Other special funds	
	129.90	Total Other Property and Investments	
		CURRENT AND ACCRUED ASSETS	
131.00		Cash	
132.00		Interest special deposits	
133.00		Dividend special deposits	
134.00		Other special deposits	
135.00		Working funds	
136.00		Temporary cash investments	0161
141.00		Notes receivable	
142.00		Customer accounts receivable	
143.00		Other accounts receivable	
144.00		Accumulated provision for uncollectible accounts - credit	0162
145.00		Notes receivable from associated companies	0161
146.00		Accounts receivable from associated companies	0161
151.00		Fuel stock	0128,0129
152.00		Fuel stock expenses undistributed	
153.00		Residuals	
154.00		Plant materials and operating supplies	0163
155.00		Merchandise	
156.00		Other materials and supplies	
157.00		Nuclear materials held for sale	0162
163.00		Stores expense undistributed	
164.10		Gas stored underground - current	0127
164.20		Liquefied natural gas stored	0127
165.00		Prepayments	
171.00		Interest and dividends receivable	
172.00		Rents receivable	
173.00		Accrued utility revenues	
174.00		Miscellaneous current and accrued assets	0163
	179.90	Total Current and Accrued Assets	
		DEFERRED DEBITS	
181.00		Unamortized debt expense	0161
182.00		Extraordinary property losses	0162
183.00		Preliminary survey and investigation charges	0162

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DETAILED INSTRUCTIONS: SCHEDULE 0216-0238	FINANCIAL STATEMENTS - PART I (ELECTRIC CLASS A AND CLASS B)	4 of 11

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
184.00		Clearing accounts	
185.00		Temporary facilities	
186.00		Miscellaneous deferred debits	0162
187.00		Deferred losses from disposition of utility plant	0161
188.00		Research and development expenditures	0177
189.00		Unamortized loss on reacquired debt	0161
190.00		Accumulated deferred income taxes	0138
	198.90	Total Deferred Debits	
	199.90	Total Assets and Other Debits	
		LIABILITIES AND OTHER CREDITS	
		PROPRIETARY CAPITAL	
201.00		Common stock issued	0132
202.00		Common stock subscribed	0163
203.00		Common stock liability for conversion	0163
204.00		Preferred stock issued	0132
205.00		Preferred stock subscribed	0163
206.00		Preferred stock liability for conversion	0163
207.00		Premium on capital stock	0163
208.00		Donations received from stockholders	0163
209.00		Reduction in par or stated value of capital stock	0162
210.00		Gain or resale or cancellation of reacquired capital stock	0162
211.00		Miscellaneous paid-in capital	0162
212.00		Installments received on capital stock	0163
213.00		Discount on capital stock	0162
214.00		Capital stock expense	0162
215.00		Appropriated retained earnings	0161
216.00		Unappropriated retained earnings	
216.10		Unappropriated undistributed subsidiary earnings	0162
217.00		Reacquired capital stock	0132
	219.90	Total Proprietary Capital	
		LONG TERM DEBT	
221.00		Bonds	0133
222.00		Reacquired bonds	0133
223.00		Advances from associated companies	0161
224.00		Other long-term debt	0161
225.00		Unamortized premium on long-term debt	0161
226.00		Unamortized discount on long-term debt - debit	0161
	229.90	Total Long-term Debt	

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Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
		CURRENT AND ACCRUED LIABILITIES	
231.00		Notes payable	0134
232.00		Accounts payable	
233.00		Notes payable to associated companies	0161
234.00		Accounts payable to associated companies	0161
235.00		Customer deposits	0135
236.00		Taxes accrued	
237.00		Interest accrued	
238.00		Dividends declared	
239.00		Matured long-term debt	
240.00		Matured interest	
241.00		Tax collections payable	
242.00		Miscellaneous current and accrued liabilities	0163
	249.90	Total Current and Accrued Liabilities	
		DEFERRED CREDITS	
252.00		Customer advances for construction	0163
253.00		Other deferred credits	0162
255.00		Accumulated deferred investment tax credits	0162
256.00		Deferred gains from disposition of utility plant	0161
257.00		Unamortized gain on reacquired debt	0161
281.00		Accumulated deferred income taxes - Accelerated amortization property	0138,0139
282.00		Accumulated deferred income taxes - Other property	0138,0140
283.00		Accumulated deferred income taxes - Other	0138
	284.90	Total Deferred Credits	
		OPERATING RESERVES	
261.00		Property insurance reserve	0162
262.00		Injuries and damages reserve	0162
263.00		Pensions and benefits reserve	0162
264.00		Amortization reserve - Federal	0162
265.00		Miscellaneous operating reserves	0162
	269.90	Total Operating Reserves	
	299.90	Total Capital Liabilities and Other Credits	

2.a. Statement of Income for the Year: Respondents shall report the applicable amounts identified by the 400 series of accounts of Uniform System of Accounts and Supplemental Accounts. Respondents with more than one department shall report on schedule 0223-0224, the total operating expenses of all departments, and on schedules 0227-0234 (section 2.b, below) report separate details of operating expenses for each department.

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
		UTILITY OPERATING INCOME	
400.00		Operating revenues	
412.00		Revenues from plant leased to others	
401.00		Operation expense	
402.00		Maintenance expense	
403.00		Depreciation expense	
404.00		Amortization of limited-term plant	
405.00		Amortization of other plant	
406.00		Amortization of plant acquisition adjustments	
407.00		Amortization of property losses	
408.10		Taxes other than income taxes, utility operating income	
409.10		Income taxes, utility operating income	
410.10		Provisions for deferred income taxes, utility operating income	
411.10		Provision for deferred income taxes - credit, utility operating income	
411.40		Investment tax credit adjustments, utility operations	
411.50		Investment tax credit adjustments; non-utility operations	
411.60		Gains from disposition of utility plant	0161
411.70		Losses from disposition of utility plant	0161
413.00		Expenses of electric plant leased to others	0148
	413.90	Total Utility Operating Expense	
	414.90	Net Utility Operating Income	
		OTHER INCOME AND DEDUCTIONS - OTHER INCOME	
415.00		Revenues from merchandising, jobbing, and contract work	0174
416.00		Costs and expenses of merchandising, jobbing and contract work	0174
417.00		Revenues from nonutility operations	0174
417.10		Expenses of nonutility operations	0174
418.00		Nonoperating rental income	0174
418.10		Equity in earnings of subsidiary companies	0125
419.00		Interest and dividend income	0163
419.10		Allowance for funds used during construction	

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
421.00		**Miscellaneous nonoperating income**	0163
421.10		**Gain on disposition of property**	0163
	421.90	Total Other Income	
		OTHER INCOME DEDUCTIONS	
421.20		**Loss on disposition of property**	0163
425.00		**Miscellaneous amortization**	0163
426.10		**Donations**	0163
426.20		**Life insurance**	0163
426.30		**Penalties**	0163
426.40		**Expenditures for certain civic, political, and related activities**	0163
426.50		**Other deductions**	0163
	426.70	Total Other Income Deductions	
		TAXES APPLICABLE TO OTHER INCOME AND DEDUCTIONS	
408.20		**Taxes other than income taxes, other income and deductions**	
409.20		**Income taxes, other income and deductions**	
410.20		**Provision for deferred income taxes, other income and deductions**	
411.20		**Provisions for deferred income taxes - Credit, other income and deductions**	
411.50		**Investment tax credit adjustments, non-utility operations**	
420.00		**Investment tax credits**	
	426.80	Total Taxes on Other Income and Deductions	
	426.90	Net Other Income and Deductions	
		INTEREST CHARGES	
427.00		**Interest on long-term debt**	
428.00		**Amortization of debt discount and expense**	
428.10		**Amortization of loss on reacquired debt**	
429.00		**Amortization of premium on debt - Credit**	
429.10		**Amortization of gain on reacquired debt - Credit**	
430.00		**Interest on debt to associated companies**	0163
431.00		**Other interest expense**	0163
	431.90	**Total Interest Charges**	
	432.90	**Income Before Extraordinary Items**	
		EXTRAORDINARY ITEMS	
434.00		**Extraordinary income**	0160
435.00		**Extraordinary deductions**	0160
	435.80	Net Extraordinary Items	
409.30		Income taxes, extraordinary items	0136
	435.90	Extraordinary Items After Taxes	
433.00		Balance transferred from income	

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2.b. Statement of Income for the Year - Departmental: Respondents with more than one utility department in their internal organization are required to report the following income accounts on the basis of operating utility departments. Supplemental Account numbers will consist of a second decimal place after the appropriate Uniform System of Account numbers as follows: electric department - XXX.X1; gas department - XXX.X2; steam department - XXX.X4; other departments - XXX.X5. When the basic number from the Uniform System of Accounts is a whole integer (e.g., 400), the Supplemental Account number will add a zero in the first decimal place (e.g., 400-0) and then the department code (e.g., 400-01). This has been adopted to insure uniformity with those few accounts from the Uniform System of Accounts with a decimal place (e.g., 409.1).

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
400.00		Operating revenues	
401.00		Operating expenses	
402.00		Maintenance expense	
403.00		Depreciation expense	
404.00		Amortization of limited-term plant	
405.00		Amortization of other plant	
406.00		Amortization of plant acquisition adjustments	
407.00		Amortization of property losses	
408.10		Taxes other than income taxes, utility operating income	
409.10		Income taxes, utility operating income	
410.10		Provision for deferred income taxes, utility operating income	
411.10		Provision for deferred income taxes - credit, utility operating income	
411.40		Investment tax credit adjustment, utility operation	
411.60		Gains from disposition of utility plant	
411.70		Losses from disposition of utility plant	
	411.80	Total Utility Operating Expenses	
	411.90	Net Utility Operating Income	

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3. Statement of Retained Earnings for the Year: Respondents shall report the applicable amounts identified by the appropriate accounts of the Uniform System of Accounts and Supplemental Accounts:

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
	216.30	Unappropriate retained earnings - Balance Beginning of Year	
	439.10	Adjustments to retained earnings - credit	0162
	439.20	Adjustments to retained earnings - debit	0162
433.00		Balance transferred from net income	
436.00		Appropriations of retained earnings	0163
437.00		Dividends declared - preferred stock	0162
438.00		Dividends declared - common stock	0162
	216.20	Transfers from Account 216.1, Unappropriated Undistributed Subsidiary Earnings	0162
216.00		Unappropriated retained earnings - end of year	
215.00		Appropriated retained earnings	0161
	216.90	Total Retained Earnings	

4. Statement of Changes in Financial Position: Respondents shall report the applicable amounts identified by the appropriate Supplemental Accounts:

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
		SOURCE OF FUNDS	
		FUNDS FROM OPERATIONS	
	010.00	Net income	
		Principal non-cash charges (credits) to income	
	010.10	Depreciation and depletion	
	010.20	Amortization of utility plant	
	010.30	Provision for deferred or future income taxes (net)	
	010.40	Investment tax credit adjustments	
	010.50	Allowance for funds used during construction	
	010.60	Increase in undistributed subsidiary earnings	
	010.70	Amortization - Other	

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Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
	010.80	Other (net)	
	010.90	Total Funds from Operations	
		FUNDS FROM OUTSIDE SOURCES	
	011.00	Long-term debt	
	011.10	Preferred stock	
	011.20	Common stock	
	011.30	Pollution control bonds	
	011.40	Net increase in short-term debt	
	011.50	Other (net)	
	011.60	Total Funds from Outside Sources	
		OTHER SOURCES	
	011.70	Sale of non-current assets - Investments	
	011.80	Sale of non-current assets - Fixed assets	
	011.90	Sale of non-current assets - Other	
	012.00	Contributions from associated and subsidiary companies	
	012.10	Decrease in working capital	
	012.20	Decrease in deferred debits	
	012.30	Other (net)	
	012.40	Total Sources of Funds	
		APPLICATION OF FUNDS	
		CONSTRUCTION AND PLANT EXPENDITURES (including land)	
	012.50	Gross additions to utility plant	
	012.60	Gross additions to nonutility plant	
	012.70	Other plant expenditures	
	012.80	Total Application to Construction and Plant	
	012.90	Dividends on preferred stock	
	013.00	Dividends on common stock	
		FUNDS FOR RETIREMENT OF SECURITIES AND DEBT	
	013.10	Long-term debt	
	013.20	Preferred stock	
	013.30	Redemption of capital stock	

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0216-0238	FINANCIAL STATEMENTS - PART I (ELECTRIC CLASS A AND CLASS B)	11 of 11

Uniform System of Accounts	Supplemental Accounts	Description	Details on Related Schedules
	013.40	Net decrease in short-term debt	
	013.50	Other debt-net	
	013.60	Total Funds for Retirement of Securities and Debt	
		OTHER APPLICATIONS	
	013.70	Purchase of non-current assets - investment	
	013.80	Purchase of non-current assets - fixed assets	
	013.90	Purchase of non-current assets - other	
	014.00	Investments in and advances to associated and subsidiary companies	
	014.10	Increase in working capital	
	014.20	Increase in deferred debits	
	014.30	Other (net)	
	014.40	Total Applications of Funds	

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 Number	Instructions
1 (Key)	Account Number (N3.2): This is a preprinted data field. Refer to General Information II-D (ACCTML)
2	Account Title (A55): This is a preprinted data field. Refer to General Information II-D (ACCTML)
3	Amount (N10) DOL.

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I. DESCRIPTION

This schedule is used to collect information on the physical quantities of electric plant, the electric energy account ans sale of firm electric power for resale.

II. GENERAL INSTRUCTIONS

A. This schedule will be submitted by all Class A and Class B respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. Data is to be reported on a total by company entering data applicable on a company wide basis. Essentially the data reported on this schedule will be used for statistical publication purposes. The data is grouped by the following categories:

Data Field	Description	Detailed on Related Schedules 1/
1 thru 7	Sale for Resale	0709
	Physical Quantities:	
8 thru 10	Generation	0604-0605, 0607, 0612-0615, 0637-0642
11 thru 14	Transmission	0663, 0667-0668
15 thru 18	Distribution	0664, 0667-0668
19 thru 31	Electric Energy Account	

1/ These schedules are included in FPC Form No. 156, 157 and 158 as explained in Level II, General Subject Instructions for Electric Utility/Industrial/Licensee Schedules.

III. DETAILED INSTRUCTIONS

The following data field-by-field instructions are cross-referenced to the corresponding schedule layout by data field numbers:

Data Field Number	Instructions
1 (Key)	Type of Sales (N2): Enter one of the following codes to identify the type of sales: 01 - Total requirements firm power customers 02 - Partial requirements firm power customers
2 (Key)	Classification of Sales (N2): Enter one of the following codes defining the classification of the sales: 01 - Associated utilities 02 - Non-associated utilities 03 - Municipals and other public authorities 04 - Cooperatives

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Data Field Number	Instructions
3	Number of Customers (N2): Enter the total number of customers for each of the classifications listed in data field 2, above.
4	Megawatt-Hours Sales (N10) MWH: Enter the total amount of energy billed for each of the classifications listed in data field 2, above.
5	KWH (cents) - High (N2.3) CTS: Enter the highest revenue per kilowatt-hour for each entry in data field 2, above.
6	KWH (cents) - Low (N2.3) CTS: Enter the lowest revenue per kilowatt-hour for each entry in data field 2, above.
7	KWH (cents) - Weighted Average (N2.3) CTS: Enter the weighted-average revenue per kilowatt-hour for each entry in data field 2, above.
8 (Key)	Generation Type (N2): Enter one of the following codes defining the generating facilities classified by type and capacity for plant in service at end of year: 01 - Steam Generating Stations 0 to 10,000 KW 02 - Steam Generating Stations 10,001 to 25,000 KW 03 - Steam Generating Stations 25,001 to 60,000 KW 04 - Steam Generating Stations 60,001 to 100,000 KW 05 - Steam Generating Stations 100,001 to 200,000 KW 06 - Steam Generating Stations 200,001 to 300,000 KW 07 - Steam Generating Stations 300,001 to 400,000 KW 08 - Steam Generating Stations 400,001 to 500,000 KW 09 - Steam Generating Stations 500,001 to 750,000 KW 10 - Steam Generating Stations 750,001 to 1,000,000KW 11 - Steam Generating Stations over 1,000,000 KW 12 - Nuclear Plants 13 - Hydraulic Plants 0 to 5,000 KW 14 - Hydraulic Plants 5,001 to 10,000 KW 15 - Hydraulic Plants 10,001 to 25,000 KW 16 - Hydraulic Plants 25,001 to 40,000 KW 17 - Hydraulic Plants 40,001 to 60,000 KW 18 - Hydraulic Plants 60,001 to 100,000 KW 19 - Hydraulic Plants over 100,000 KW

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0239	OPERATING STATISTICAL DATA	3 of 5

Data Field Number	Instructions
8 (Key) Cont'd.	20 - Internal Combustion Engines 0 to 1,000 KW 21 - Internal Combustion Engines 1,001 to 2,000 KW 22 - Internal Combustion Engines 2,001 to 5,000 KW 23 - Internal Combustion Engines over 5,000 KW 24 - Gas Turbine Plants 0 to 10,000 KW 25 - Gas Turbine Plants 10,000 to 50,000 KW 26 - Gas Turbine Plants over 50,000 KW 27 - Combined Cycle Plants
9	Capacity (N10) KW: Enter the total capacity for each entry in data field 8, above.
10	Number of Plants (N2): Enter the total number of plants included in each classification entered in data field 8, above.
11 (Key)	Transmission Systems (N2): Enter one of the following codes defining the appropriate classification of transmission systems: Overhead Lines - Structure Miles 01 - Less than 22,000 Volts 02 - 22,000 to 30,000 Volts 03 - 31,000 to 40,000 Volts 04 - 41,000 to 50,000 Volts 05 - 51,000 to 70,000 Volts 06 - 71,000 to 131,000 Volts 07 - 132,000 to 143,000 Volts 08 - 144,000 to 188,000 Volts 09 - 189,000 to 253,000 Volts 10 - 254,000 to 400,000 Volts 11 - 401,000 to 600,000 Volts 12 - 601,000 to 850,000 Volts Overhead Lines - Circuit Miles 13 - 132,000 to 143,000 Volts 14 - 144,000 to 188,000 Volts 15 - 189,000 to 253,000 Volts 16 - 254,000 to 400,000 Volts 17 - 401,000 to 600,000 Volts 18 - 601,000 to 850,000 Volts Underground and Submarine Lines - Circuit Miles 19 - Total underground and submarine lines

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0239	OPERATING STATISTICAL DATA	4 of 5

Data Field Number	Instruction
12	Structure Miles (N5): Enter the total structure miles for each of the classifications of 01 thru 12 entered in data field 11, above.
13	Circuit Miles (N5): Enter the total curcuit miles for each of the classifications of 13 thru 19 entered in data field 11, above.
14 (Key)	Transmission Substations - Transformers Capacity (N10) KVA: Enter the total capacity of transmission substations in service at end of year.
15 (Key)	Distribution Substations - Transformers Capacity (N10) KVA: Enter the total capacity of distribution substations in service at end of year.
16	Distribution - Number of Line Transformers (N9): Enter the total number of distribution line transformers at end of year.
17	Distribution - Capacity of Line Transformers (N10) KVA: Enter the total capacity of line transformers at end of year.
18	Distribution - Number of Meters (N9): Enter the total number of distribution watt-hour meters. Watt hour demand distribution meters should be included, but external demand meters should not be included.
19 (Key)	Generating Type (N2): Enter one of the following codes defining the classification of generation type source of energy: 01 - Steam 02 - Nuclear 03 - Hydro-conventional 04 - Hydro-pumped storage 05 - Other

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RIS	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0239	OPERATING STATISTICAL DATA	5 of 5

Data Field Number	Instructions
20	Generation Megawatt-Hours (N8.2) MWH: Enter the total megawatt-hours generated for each classification entered in data field 19, above.
21	Energy Used for Pumping (N8.2) MWH: Enter the total megawatt-hours of energy used for pumping.
22	Purchased Energy (N8.2) MWH: Enter the total megawatt-hours of energy purchased.
23	Interchanges - In (N8.2) MWH: Enter the gross megawatt-hours of energy interchanges received during the year.
24	Interchanges - Out (N8.2) MWH: Enter the gross megawatt-hours of energy interchanges delivered during the year.
25	Wheeling - Received (N8.2) MWH: Enter the total energy received for transmission for/by others (wheeling) during hte year.
26	Wheeling - Delivered (N8.2) MWH: Enter the total energy delivered for transmission for/by others (wheeling) during the year.
27	Sales to Ultimate Consumers (N8.2) MWH: Enter the total energy disposition by sales to ultimate consumers (including interdepartmental sales) for the year.
28	Sales for Resale (N8.2) MWH: Enter the total energy disposition by sales for resale during the year.
29	Energy Furnished Without Charge (N8.2) MWH: Enter the total energy furnished without charge during the year.
30	Energy Used by Company (N8.2) MWH: Enter the total energy used by the company (excluding station use) during the year.
31	Energy Losses (N8.2) MWH: Enter the total energy losses for the year.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0695	SALES OF ELECTRICITY BY RATE SCHEDULES	1 of 1

I. DESCRIPTION

This schedule is used to collect data on KWH sold, revenue, average number of customers, average KWH per customer, and average revenue per KWH.

II. GENERAL INFORMATION

A. This schedule will be submitted by all Class A and Class B Electric respondents.

B. Respondents shall complete all data fields on this schedule annually.

C. The average number of customers should be the number of bills rendered during the year divided by the number of billing periods during the year (12, if all billings are made monthly).

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by the data field number:

Data Field Number	Instructions
1 (Key)	System Code (N6): Enter the code, from the Register of Data Standards, IDSYST.
2 (Key)	Account Number (N3.2): Account number for rate schedule. from the Register of Data Standards, ACCTML.
3	Rate Schedule ID (A11): Enter rate schedule number for reported sales. (IDRATE)
4	Title (A15): Enter title of rate schedule. (IDRATE)
5	Amount KWH (N12) KWH: Enter the total KWH sold under rate schedule reported.
6	Revenue (N10) CDOL: Report total revenue (in 100 dollars) from sales under rate schedule reported.
7	Number of Customers (N8) NO: Average number of customers, calculated as specified in Part II. C. of these instructions.
8	KWH Per Customer (N6) KWH: Average KWH per customer under this rate schedule.
9	Revenue Per KWH (N5.2) DOL: Revenue per KWH sold (in dollars and cents) under this rate schedule.

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I. DESCRIPTION

This schedule is used to collect the data concerning sales of electricity in each community of 10,000 population or more.

II. GENERAL INFORMATION

A. This schedule shall be submitted by all Class A and Class B electric utilities.

B. Respondents shall complete all data fields on this schedule annually.

C. This schedule shall be submitted for each community of 10,000 population or more, or according to operating districts or divisions constituting distinct economic areas if the respondent's records do not readily permit reporting by communities.

D. Except for state boundaries, community areas need not hold rigidly to political boundaries and may embrace a metropolitan area and immediate environs.

E. The information called for in this schedule, however may be reported by individual communities of such size as required by the state regulatory commission concerned.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by the data field number:

Data Field Number	Instructions
1 (Key)	System Code (N6): Enter the code, from the Register of Data Standards, IDSYST.
2 (Key)	Community Code (N9): Enter the code, from the Register of Data Standards, IDCITY
3	Community Name (A20): Enter the community name. (IDCITY)
4 (Key)	State Abbreviation (A2): Enter the abbreviation, from the Register of Data Standards, IDSTAT.
5	Territory (A16): If reporting is not by community, the territory embraced within the reported area should be indicated here. (IDDESC)
6 (Key)	Sales Type (A3): Enter the abbreviation for the type of sales from the following list: (TYERSV) RES - Residential sales CID - Commercial and industrial sales PSL - Public street - highway lighting PUB - Other sales to public authorities.
7	Account Number (N3.2): Enter the account number for the type

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Data Field Number	Instructions
7 (cont'd)	of sale, from the Register of Data Standards, ACCTML.
8	Operating Revenue (N8) MDOL: Enter the total amount of operating revenue (in 1000 dollars) for each type of sale.
9	MWH Sold (N10) MWH: Enter the total amount of MWH sold for each type of sale.
10	Average Number of Customers (N7) NO: Enter the average number of customers per month.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0697	RAILROADS AND INTERDEPARTMENTAL SALES	1 of 1

I. DESCRIPTION

This schedule is used to collect particulars concerning revenue included in Account 446, Sales to Railroads and Railways and Account 448, Interdepartmental Sales.

II. GENERAL INFORMATION

A. This schedule will be submitted by all Class A and Class B electric utilities.

B. Respondents shall complete all data fields on this schedule annually.

C. If contract covers several points of delivery and small amounts of electricity are delivered at each point, such sales may be grouped. For grouped items, enter the word "other" in data field 2, together with the number of item grouped, i.e., other (5) and report data on grouped items in data fields 6, 7, and 8.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by the data field number:

Data Field Number	Instructions
1 (Key)	System Code (N6): Enter the code, from the Register of Data Standards, IDSYST.
2 (Key)	Name of Railroad - Department (A26): Enter the name of railroad or other department. (IDDESC)
3	Associated Company Indicator (N1): Designate associated company by entering "1"; if not associated, enter "Ø". (INYONO)
4	Basis of Charge (A25): Report the basis of charge for sales to other departments. (IDDESC)
5	Point of Delivery (A25): Enter the point of delivery name where actual delivery has taken place. (IDDESC)
6	Amount KWH Sold (N10) KWH: Report the total amount of KWH sold to each department.
7	Revenue (N8) DOL: Enter the revenue amount from each sale. Round it off to whole dollar value.
8	Revenue Per KWH (N2.2) CTS/KWH: Revenue per KWH, rounded to two decimal places.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0698	SALES OF WATER AND WATER POWER	1 of 1

I. DESCRIPTION

This schedule is used to collect information on revenues derived during the report period from sales included in Account 453, Sales of Water and Water Power.

II. GENERAL INFORMATION

A. This schedule shall be submitted by all Class A and Class B electric utilities.

B. Respondents shall complete all data fields on this schedule annually.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by the data field number:

Data Field Number	Instructions
1 (Key)	System Code (N6): Enter the code, from the Register of Data Standards, IDSYST.
2 (Key)	Name of Purchaser (A35): Enter the name of purchaser, abbreviate if necessary. (IDNAME)
3	Purpose of Water Use (A25): Enter the purpose for which water was used. (IDDESC)
4	Licensed Project Number (A5): Enter the licensed project number if water is supplied from license project, from the Register of Data Standards, IDLPRJ.
5	Name of Supplying Plant (A35): Name of the power plant development supplying water or water power. (IDNAME)
6	Amount (N9) DOL: Enter the amount of revenue for the year.

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R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0704	FISH AND WILDLIFE AND RECREATION PLANTS	1 of 1

I. DESCRIPTION

This schedule is used to collect the data concerning original cost of the fish and wildlife and recreational facilties included in the prescribed electric plant in-service accounts.

II. GENERAL INFORMATION

A. This schedule shall be submitted by all Class A and Class B electric utilities.

B. Respondents shall complete all data fields on this schedule annually.

C. Credit adjustments of plant accounts should be reported by printing a minus sign following actual value. (Refer to General Instructions for further details)

D. All dollar values must be rounded off to the nearest whole dollar.

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by the data field number:

Data Field Number	Instructions
1 (Key)	Account Number (N3.2): Enter the proper account number, from the Register of Data Standards, ACCTML.
2	Account Name (A40): Enter the corresponding account name to data field 1 above. (ACCTML)
3	Additions (N10) DOL: Enter any additions to the balance of last year for the particular account.
4	Retirements (N10) DOL: Enter the total retirement amount.
5	Adjustments (N10) DOL: Enter the total amount of adjustment taken place during the subject year.
6	Transfers (N10) DOL: Reclassifications or transfers within utility plant accounts should be included here.
7	Balance End of Year (N10) DOL: Enter the total balance end of the year after completing data fields 3-6 above.

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(3-76)

R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0000	FOOTNOTES TO FPC PUBLIC USE SCHEDULES	1 of 2

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:

RESPONDENT ENTRIES IN DATA FIELD ON SCHEDULE 0000

Type Footnote	Data Field 2 (Footnote No.)	Data Field 3 (Ref. ID)
1. General Footnote		
a. Entire schedule	001	GEN
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	GEN
b. Data item entry	002	004
	002	006
	002	008

III. DETAILED INSTRUCTIONS

The following data field-by-data field instructions are cross-referenced to the corresponding schedule layout by data field number.

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(3-76)

R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 0000	FOOTNOTES TO FPC PUBLIC USE SCHEDULES	2 of 2

Data Field Number	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 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.

FPC Form 131
(3-76)

R&S	FEDERAL POWER COMMISSION REGULATORY INFORMATION SYSTEM	
DETAILED INSTRUCTIONS: SCHEDULE 1000	SUPPORTING DOCUMENTATION	1 of 1

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.

FPC Form 131
(3-76)

ATTACHMENT D—CORPORATE AND FINANCIAL REPORTS FOR CLASS A AND CLASS B ELECTRIC UTILITIES AND LICENSEES

Comparison and Cross-Reference of Proposed ORIS Schedules

with FPC's Annual Report Form No. 1 and Monthly Report No. 5

Proposed ORIS Schedule No.	Title	Replaces (whole or in part) Schedule Page No.	U. S. of A. Account No. Reference	Highlights of Proposed Changes from Previous Reporting Requirements
0101	General Corporate Information	101-101A	-	Respondents will complete all data fields on this schedule in their first submission, and on subsequent submissions, respondents shall submit only appropriate changes, additions, or deletions.
0102	Control Over Respondent	102	-	Data to be filed on a one-time basis, see proposed 0101 above.
0104	Corporations Controlled by Respondents	103	-	Data to be filed on a one-time basis, see proposed 0101 above.
0105	Corporate Officers/ Directors	104-105	-	Data to be filed on a one-time basis, see proposed 0101 above.
0106	Other Corporate Employees	104	-	Separated from above schedule 0105 (proposed) to allow the reporting of this data on an annual basis, whereas schedule 0105 (proposed) is a one-time submission only. Instruction 2 in page 104 (old) has been deleted - thereby removing the exemption for filing when not required to report to SEC.
0107	Security Holders and Voting Powers - Total	106-107	-	Data to be filed on a one-time basis, see above proposed 0101. Present reporting requirements of pages 106-107 of Form No. 1 has been spread to this and the next three proposed schedules, in order to accommodate the data processing system.
0108	Security Holders and Voting Powers	106-107	-	Data to be filed on a one-time basis, see proposed 0101 above. Covers data presently required by instruction 1 of page 106 (Form No. 1). No reporting requirement changes, only format.
0110	Other Stockholder Information	106-107	-	Covers data presently required by instructions 5, 6, and 7 of page 106. No reporting requirement changes.
0111	Notes to Security Holders and Voting Powers	106-107	-	Covers data presently required by instructions 2, 3, and 4 of page 106 (Form No. 1). No reporting requirement changes.
0112	Annual Notes to Financial Data	101, 108, 112, 114-116A, 117A, 119, 221, 228	-	This schedule is proposed so as to collect important information deemed necessary for adequate disclosure to support the data presently reported on the pages listed in column 3 and on the new proposed schedules containing financial data. The format and location of the notes to various schedules is revised. Instruction 6 of page 112 (old) has been deleted - thereby removing the option to attach the notes appearing in the annual report to stockholders. Accounting changes are to be reported utilizing the principles of APB Opinion 20.
0113	Important changes during the year-Description of Constr-uction Overhead Procedures	428	-	Data to be filed on a one-time basis, see proposed 0101 above. Construction overheads have been assigned code numbers for identification purposes only and refer to this schedule alone.
0114	Important changes during the year-Transmission or Distribution System Changes	108	-	Represents data presently required by instruction 5 of page 108 (Form No. 1). No new reporting requirements.
0116	Important changes during the year-Supplier Rate Proceeding(s)	114	-	Represents data presently required by instruction 5 of page 114. No additional reporting requirements only an indication of what is required to be included in the concise explanations.

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Proposed ORIS Schedule No.	Title	Replaces (whole or in part) Schedule Page No.	U. S. of A. Account No. Reference	Highlights of Proposed Changes from Previous Reporting Requirements
0118	Important changes during the year-New Generating Plants/Units	108	-	Represents data presently required by instruction 11 of page 108, of Form No. 1. Field number 8 data is presently required in the statistical division of the Form No. 1, pages 433-440 (old) - "Original cost of plant." No additional or new reporting requirements.
0120	Important changes during the year-Utility Plant Not Operated	437, 439, 439c, 441	-	Represents data presently required by instruction 6, page 437, instruction 6, page 439, instruction 6, page 439c, instruction 6, page 441 of Form No. 1.
0121	Company Employee Data	420	-	New proposal will require data for all full-time employees (not including part-time employees) for payroll period ending December 31 of the calendar year in place of the October 31 pay period.
0122	Securities Issued During Year	101, 220	-	Breakdown of expenses by amount of underwriter commission and other expenses. Data from present page 101 in instruction 5(d), to be reported on the schedule. Will include issuance of short-term debt.
0123	Securities Assumed, Refunded or Retired During Year	220	-	Represents the data on assumed, refunded, or retired securities. Data on the issuance of securities is proposed for 0122, above.
0124	List of Accounts - Pt. 1			
	1. Distribution of Salaries and Wages	355-356	-	Supplemental account numbers have been assigned to enable the coding of these amounts. The listing has been revised to show operation and maintenance expenses by functional accounts rather than functions by Operations and Maintenance. Proposal to delete separate clearing account reporting. Amounts charged to clearing accounts would be included in appropriate functional accounts.
	2. Depreciation and Amortization	429	403, 404, 405	Details of basis and factors to be reported in proposed 0143. Supplemental account numbers have been assigned for the reporting to be on.
	3. Electric Operating Revenues	409	440-459	Report amount for year only. Details are to be reported in proposed 0139 and 0164. Supplemental account numbers have been assigned for coding purposes. Deleted reporting of increases (decreases) from preceding year column (c).
	4. Electric Operation and Maintenance Expense	417-420	500-599, 900-949	Report amount for year only, deleted reporting of "Increase or Decrease" from preceding year, column (c). Supplemental account numbers have been assigned for coding purposes.
	5. Departmental Accounts	113, 114, 115	101-108, 111, 114, 116	Supplemental account numbers have been assigned to indicate the various departments, i.e., electric, gas, common, steam, other. Total or amount for year are to be reported. Deleted reporting of increase (or decrease) from preceding year.

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Proposed ORIS Schedule No.	Title	Replaces (whole or in part) Schedule Page No.	U. S. of A. Account No. Reference	Highlights of Proposed Changes from Previous Reporting Requirements
0125	Investment in Subsidiary Companies-Equity Accounting	203	123.1, 418.1	Report only investments in stock of subsidiary companies. Information on advances, notes etc., relating to subsidiary companies shall be included in proposed schedule 0161. Deleted reporting of amount of investment beginning of year and date acquired, gain or loss from investment on this schedule. Field 4 (proposed) amount of equity in undistributed subsidiary earnings since acquisition for each company listed, represents the data required by instruction 5 of page 203 (old).
0126	Production Fuel Stocks	209	151	Established code for types of fuels to be consistent with other fuel cost data filed with the Commission. Data requirements spread to two schedules for coding purposes.
0129	Fuel Production Cost Data	209	151	Data represents requirements of instruction 4 of schedule page 209 (old) with some clarification as to the data required to be reported. Various units of measure.
0132	Capital Stock	215	201, 204, 217	No new reporting requirements, only format.
0133	Long-Term Debt	219	221, 222	Only data for Accounts 221 and 222 is to be reported on proposed 0133. Accounts 223 and 224 are to be reported on proposed schedule 0161.
0134	Notes Payable	271	231	Established a limit for reporting requirement - detailed reporting on items over $25,000. Items under $25,000 should be grouped for purposes of this proposed schedule. Some data required under instructions 3 and 4 of page 271 (old) is to be reported on proposed 0112.
0135	Taxes Accrued, Prepaid and Charged During Year	222-222A	163, 236, 408-409, 439	Deleted balance beginning of year for taxes accrued and prepaid taxes. Distribution of taxes to be reported by account numbers within departments instead of just by departments.
0136	Computation of Federal Income Tax Accruals	222-222A, 223	409.1, 409.2, 409.3	Previously reported at the bottom of page 223 (old). Data element structure has been added to this proposed schedule to provide consistency in reporting the data. The remainder of schedule page 223 (old) is to be reported on proposed schedule 0137 and 0182.
0137	Consolidated Federal Income Tax Return Information	223	-	Represents data required by instruction 2 of schedule page 223 (old). Deleted requirement for indicating intercompany amounts to be eliminated in such consolidated return. Field 1 of proposed schedule is a total of Field 4, tax assigned to each group member.
0138	Accumulated Deferred Income Taxes	214C, 214D, 227-227E	190, 281, 282, 283	Deleted "balance beginning of year." Supplemental account numbers have been assigned for reporting the various categories of accelerated amortization property and to report data by departments. No new reporting requirements.
0139	Accelerated Amortization of Facilities	227-227A	281	Represents data which is required by instruction 2 of page 227-227A (old). Fields 9 and 10 (Total Deferred Taxes for Facilities and Amount of Flow Back Accelerated Amortization) are additional but are readily available from the accounts and are needed for an overall description of the accelerated amortization by certificate.

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Proposed ORIS Schedule No.	Title	Replaces (whole or in part) Schedule Page No.	U. S. of A. Account No. Reference	Highlights of Proposed Changes from Previous Reporting Requirements
0140	Tax Deferral Related to Other Property	227B-227C	282	Represents data which is required by instruction 2 of page 227B-227C (old). Data to be filed on a one-time basis, see 0101. Flow Back Data is required in different format.
0141	Investment Tax Credits	228	-	Data to be filed on a one-time basis, with only changes submitted thereafter, see proposed 0101 above. Information on the accounting for investment tax credits will be reported on proposed schedule 0112.
0142	Particulars for Estimating Depreciation, Depletion, Amortization of Utility Plant	429, 430-430A	300 Series	Data to be filed on a one-time basis, with only changes submitted thereafter, see proposed 0101, above.
0144	Plant in Service or All Utility Plants (Part I)	401-403,	106, 300 Series	Deleted balance beginning of year. Supplemental accounts numbers have been assigned to functional plant locals for reporting purposes. Account 106 balances should not be reported on this schedule, but should be reported on proposed 0145.
0145	Completed Construction not Classified	401-403, 406	106, 300 Series	The reporting of the amount recorded in account 106 by the appropriate 300 Series of plant accounts has been removed from the aggregate reporting with amounts of account 101 on previous reporting. Supplemental account numbers have been assigned for reporting purposes. Detailed information on completed construction by projects (page 406) deleted from reporting requirements.
0146	Plant Purchased or Sold	108, 401, 403	102	Field 6, "date of Commission approval of transaction" represents requirement of inst. 3, page 108 (old). In reporting the details of the transaction a breakdown of the purchase or sale price, original cost of the facility, and accumulated provision for depreciation, depletion and amortization, is to be reported in a different format.
0147	Experimental Plant Unclassified	401, 403	103	New schedule designed. Previously only the dollar amounts for additions, retirements, adjustments and balances were reported for account 103. This data is needed to supplement the financial data.
0148	Utility Plant Leased to Others	114, 301, 404	104, 413, 413	Combined the data requirements of old pages 114, 301 and 404 into one schedule with revision in format for reporting taxes by each leased property.
0149	Plant and Production Properties Held for Future Use	405	105	No additional reporting requirements.
0150	Construction Work in Progress	406	107	Established a limit for reporting separately only projects over $100,000. Projects are to be grouped by plant function (production, transmission, etc.)
0151	Accumulated Provision for Depreciation of Utility Plant - Part I	408	108	Supplemental account numbers have been assigned for reporting purposes. Additional information on the functionalization of the depreciation reserve to be reported on proposed 0152, below.
0152	Accumulated Provision for Depreciation of Utility Plant - Part II	408	108	Supplemental account numbers have been assigned for reporting purposes. This schedule complements to the data reported on proposed 0151.
0154	Common Plant and Expense Data - Part II	351	Plant Instruction No. 13	Data to be reported on a one-time basis, see proposed 0101, above. Old schedules number 351 has been spread to two proposed schedules. This schedule supports the basis of allocation for the amounts included on proposed 0155, below.

Proposed OR1S Schedule No.	Title	Replaces (whole or in part) Schedule Page No.	U. S. of A. Account No. Reference	Highlights of Proposed Changes from Previous Reporting Requirements
0135	Common Plant and Expense Data - Part I	351	Plant Instruction No. 13	Supplemental accounts are to be used in reporting the required information. The basis for the allocations to departments are to be reported on proposed 0154, above. Reporting of tax expenses for common plant has been added to this schedule.
0136	Construction Overhead	427	-	Codes numbers have been assigned to the various types of overhead for reporting purposes. These codes are identical to those assigned on proposed schedule 0113. This schedule is supported by the explanatory information reported on proposed 0113.
0139	Operating Revenues	409	440, 442, 444, 447, 448, 449	This schedule requires reporting only the quantity of gas and number of customers. Supplemental account numbers assigned for reporting purposes.
0160	Extraordinary Items	306	434, 435, 409.3	Description requirement changed from a brief to a detailed (Field No. 2 of proposal).
0161	Detailed Account Data - Part I			Schedule pages for new proposal are rearranged from the previously reporting for efficiency in collecting simular type data in like format. Beginning of year data deleted.
		202, 203	123, 123.1, 124	For account: 123, 123.1, 124 - Established limit of $10,000 for requiring particulars for investments. Report information pertaining to investments other than common stock accounted for on the equity basis of accounting as that data is included on schedule 0145 (proposed).
		202	136	136 - Established limit of $50,000 for reporting grouped items.
		206, 221	145, 146, 233, 234	145, 146, 233, 234 - No new reporting requirements, only format.
		211,	181, 225, 226	181, 225, 226 - Deleted requirements of instructions 3 and 4 of page 211 (old).
		214A, 224A	187, 256	187, 256 - No new reporting requirements, only format.
		214B	189, 257	189, 257 - Established limit of $25,000 for reporting grouped gains and losses.
		117A	215	215 - Deleted requirement for reporting accounting entries.
		219	223, 224	223, 224 - No new reporting requirements, only format.
0162	Detailed Account Data - Part II			Schedule pages are rearranged for efficiency in collecting simular type data in like formats. Beginning of year data deleted. Supplemental account numbers assigned for reporting purposes.
		112, 407	114, 115, 116	For account: 114, 115, 116 - The data for account 116 is required by instruction 3 of page 112 (old). No new reporting requirements, only format changes.
		200	120.1-120.5, 137	120.1 - 120.5, 137 - Data required by instruction 2 of page 200 (old). 13 to be included on proposed schedule 0170 and 0171.
		201	121, 122	121, 122 - Established limit of $100,000 for reporting grouped items in account 121. Deleted detailed reportings of accruals and net charges for plant retired.
		204	144	144 - Report totals only by supplemental account numbers. Deleted detail reporting of debits and credits.
		210	182	182 - No additional requirements.
		212	183	183 - Established limit of $50,000 for reporting grouped items.
		214	186	186 - Established limit of $25,000 for reporting grouped items.

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Proposed OR1S Schedule No.	Title	Replaces (whole or in part) Schedule Page No.	U. S. of A. Account No. Reference	Highlights of Proposed Changes from Previous Reporting Requirements
0162	Detailed Account Data - Part II (Cont'd)	217, 218	209, 210, 211, 213, 214	209, 210, 211, 213, 214 - No new reporting requirements, only format changes.
		117A	216.1	216.1 - No new reporting requirements, only format changes.
		225	253	253 - Established limit of $25,000 for reporting grouped items.
		229	255	255 - Data required by primary utility department and other utility department. Supplemental account numbers have been assigned for division.
		226	261, 262, 263, 264, 265	261, 262, 263, 264, 265 - No new reporting requirements, only format changes.
		117	437, 438	437, 438 - No new reporting requirements, only format changes.
		117	439	439 - No new reporting requirements, represents requirements of instructions 2, 4 & 6, page 117 (old).
0163	Detailed Account Data - Part III			Schedule pages are rearranged for efficiency in collecting simular type data in like formats. Beginning of year data deleted. Supplemental account numbers assigned for reporting purposes.
		207	154	For account: 154 - Suggested breakdown of materials and supplies provided.
		210	174	174 - Established limit of $25,000 for reporting grouped items.
		226	242	242 - Established limit of $25,000 for reporting grouped items.
		224	252	252 - No new reporting requirements, supplemental account numbers for departments.
		216	202, 203, 205, 206, 207, 212	202, 203, 205, 206, 207, 212 - No new reporting requirements.
		217	208	208 - No new reporting requirements.
		303	419	419 - Represents data required by instruction 5 of page 303 (old). Established limit of $10,000 for grouped items.
		303	421	421 - Represents data required by instruction 6 of page 303 (old). Established limit of $10,000 for grouped items.
		300	421.1, 421.2	421.1, 421.2 - No new reporting requirements, only format changes.
		304	425	425 - Deleted reporting of contra account charged. Represents requirements of instruction No. 2 of page 304 (old).
		304	426.1, 426.2, 426.3, 426.5	426.1, 426.2, 426.3, 526.5 - Represents data required by instruction 3 of page 304 (old).
		305	426.4	426.4 - Supplemental accounts assigned to various classifications of advertising.
		304	430	430 - No new reporting requirements, only format changes.
		304	431	431 - Established limit of $10,000 for reporting grouped items.
		117	436	436 - No new reporting requirements.
		427	930	930 - Increase limit for grouping items from $100 to $500. Supplemental accounts assigned for the various elements of expenses. Field 2 requires a description of Miscellaneous Other Expenses in place of requiring the reporting of the purposes and recipient.

Proposed ORIS Schedule No.	Title	Replaces (whole or in part) Schedule Page No.	U. S. of A. Account No. Reference	Highlights of Proposed Changes from Previous Reporting Requirements
0166	Detailed Account Data - Part IV	415, 418	454, 455, 451, 456	Schedule pages have been rearranged for efficiency in collecting simular type data in like formats. Established a limit of $10,000 for grouped items, for accounts 451, 454-456.
0165	Monthly Statement of Electric Operating Revenue and Income - Part I	All of Form No. 5	-	Supplemental account numbers have been assigned for reporting purposes. Additional detail reporting will be required as this proposal is designed to have reporting by U. S. of A. account numbers, where as, previously the reporting, in some instances, were grouped. Deleted previous year reporting requirement. Notes to this proposed schedule shall be reported on proposed schedule No. 0215 on a monthly basis.
0166	Monthly Statement of Electric Operating Revenue and Income - Part II	All of Form No. 5	-	
0169	Professional and Other Consultative Services	334	- -	Established code numbers for the various types of services for reporting purposes.
0170	Lease Rental Charges General Data	421A-421D	-	The requirements for information about lease rentals has been divided between this schedule and proposed 0171. The General Data requirements are to be reported on a one-time basis, see proposed 0101 above instead of on a 3 year basis as required by instruction 7 of 421 B (old). Code numbers have been assigned to the various types of property and the respondent will have to assign a number to each lease, (Field 1 of proposal) with the reporting keyed to these code numbers. Some clarifications of what is required in the description of the property.
0171	Lease Rentals Charged - Annual Data	421A-421D	-	This proposed schedule contains the requirements of the Annual Data on the leases described and cross-refetenced in proposed 0170 above. The same code numbers assigned and used in proposed 0170 should also be used in this proposal.
0173	Regulatory Commission Expenses	353	-	Individual cases whose total expenses are $5,000 or less may be grouped. Format of data items rearranged.
0174	Particulars Concerning Certain Other Income Accounts	303	415, 416, 417, 418	Established a limit of $25,000 for reporting grouped items. Represents data requirements of Instructions 1 through 4 of page 303 (old). Account 419 from schedule page 303 (old) is now to be reported on proposed schedule No. 0163.
0177	Research and Development Activities	448, 448A	188	Supplemental account numbers have assigned for reporting purposes. Established a limit of $5,000 for reporting "other" R & D projects. The requirement for grouping items under $5,000 has been deleted. The requirement for description has been revised from "brief" to full and also requires the listing of the names of the other participating companies in R & D jointly sponsored.
0179	Franchise Requirements (Account 927.00)	426	927	Additional requirement - Date of Franchise (Field 2 of proposal).
0187	Reconciliation of Reported Net Income with Taxable Income	223	433	Supplemental account numbers have been assigned to the various categories of the proposed schedule for reporting and coding purposes only. No new reporting requirements. The remainder of data required by schedule page 223 (old) is to be reported on proposed schedules 0136 and 0137.
0213	Environmental Protection Facilities and Expenses	301-302	-	Supplemental account numbers have been assigned for reporting purposes. Balance beginning of year reporting has been deleted. Notes to the reporting on this proposal whould be reported on proposed schedule No. 0214, below.
0214	Notes to Environmental Protection Facilities and Expenses	301-302	-	This schedule supplements proposed 0123, above. Data to be filed on a one-time basis, see proposed 0101, above.

Proposed ORIS Schedule No.	Title	Replaces (whole or in part) Schedule Page No.	U. S. of A. Account No. References	Highlights of Proposed Changes from Previous Reporting Requirements
0215	Monthly Notes to Financial Data	-	-	New proposal for the monthly reporting to disclose accounting changes or any other important factor occuring during the month that may materially effect the monthly financial data or significantly effect the reported net income.
	Financial Statements:	-	-	These schedules for the financial statements have the Uniform System of Accounts and supplemental account numbers, with descriptions, preprinted thereby requiring only the amounts to be entered, similar to present reporting requirements.
0116 - 0222	Balance Sheet	110, 111, 200, 204, 207	100-299	The Balance beginning of Year, Increase (or Decrease) has been eliminated. Notes are to be reported at 0112. There are a few accounts which are presently grouped on page 110, 111, but will be individually listed in the new proposed schedule; some accounts are presently reported on supporting statements, therefore, no new reporting requirements are proposed, with the exception of detailed data for accounts 132-134 and 125-128. Supplemental account numbers have been established for reporting purposes.
0223 - 0234	Statement of Income for the Year	114-116A	400-412, 434, 435	Deleted reporting of Increase (or Decrease) from previous year. Notes to Statement have been moved to 0112, 115, 116. Departmental accounts are to be reported on schedules 0227-0234. Supplemental account numbers have been established for reporting purposes.
0235	Statement of Retained Earnings for the Year	117-117A	215,216, 436-439	Notes to retained earnings to be listed at 0112. Deleted reporting of contra primary accounr affected from this schedule. Other details of this schedule page are proposed for reporting in supporting schedules 0161-0163.
0236 - 0238	Statement of Changes in Financial Position	118-119	-	Supplemental account numbers have been assigned to the various elements of this schedule for reporting and coding purposes only. No additional reporting requirements.
0239	Operating Statistical Data	412-413, 431-434, 436-438, 440-442, 445-447	447, 300 series	This is a recap type schedule, requiring only totals in most instances. The details of the data for data fields 1 thru 18 will be reported on various schedules in FPC Forms 156, 157 and 158 as explained more fully in the Level II, General Subject Instructions for Electric Utility, Industrial/Licensee Schedules, accompanying the electric operating data forms listed above. Data fields 19 thru 31 represent the information requirements of schedule page 431c (old). Energy data will be reported in megawatts as compared to the kilowatts requirements in most instances. The Gas turbine plant classification as been expanded to include a breakdown for better statistical reporting. Also, a new classification for reporting the capacity and number of plants which are combined cycle plants has been added.
0691	Sales of Electricity by Rate Schedule	414	400 Accounts	Field 1 on the proposal will indicate the "System" for identification purposes. Instruction 5 from schedule page 414 (old) has been deleted from this particular schedule.
0696	Sales of Electricity by Communities	410-411	440,442, 444,445	Field 1 on the proposal will indicate the "System" for identification purposes. Codes have been used to identify Community and State. Capacity reporting has been revised to Mwh (Megawatt hours).
0697	Sales to Railroads, Railways and Interdepartmental Sales	415	445, 448	Report by "System" code. Report number of grouped items.

Proposed ORIS		Replaces (whole or in part)	U. S. of A. Account No.	
Schedule No.	Title	Schedule Page No.	References	Highlights of Proposed Changes from Previous Reporting Requirements
0698	Sales of Water and Water Power	416	453	Report by "System" code. Report the licensed project number.
0704	Fish, Wildlife and Recreation Plant	403A	Subaccounts of 330, 331, 332 and 333	Deleted reporting of Balance beginning of year. No new reporting requirements.

(For Form No. 142A - The number of copies to be filed has been)
(changed from "original and six" to "original and four.")

(For Form No. 142M - The number of copies to be filed has been)
(changed from "original and one" to "original and four.")

ATTACHMENT E—CORPORATE AND FINANCIAL REPORTS FOR CLASS A AND CLASS B ELECTRIC UTILITIES AND LICENSEES

FEDERAL POWER COMMISSION/REGULATORY INFORMATION SYSTEM REGISTER OF DATA STANDARDS

DATA ITEMS

FORM NO. 162

DATA ITEM LIST MNEMONIC: ACCTML

DATA ITEM LIST TITLE: FINANCIAL ACCOUNTS, MULTIPLE

DATA ITEM LIST DESCRIPTION: IDENTIFIES A MULTIPLE DATA ITEM FOR WHICH MORE THAN ONE DATA ITEM LIST MAY APPLY (SEE MULTIPLE LIST REFERENCES BELOW).

DATA ITEM LIST SOURCE: FPC STAFF

DATA ITEM LIST:
SEE THE FOLLOWING DATA ITEM LISTS AS APPLICABLE:

FINANCIAL ACCOUNTS, ELECTRIC A & B	ACELAB
FINANCIAL ACCOUNTS, ELECTRIC C & D	ACELCD
FINANCIAL ACCOUNTS, GAS A & B	ACGSAB
FINANCIAL ACCOUNTS, GAS C & D	ACGSCD
FINANCIAL ACCOUNTS, MUNICIPAL	ACMUNI
FINANCIAL ACCOUNTS, LICENSEE	ACLPRJ

DATA ITEM LIST MNEMONIC: ACELAB

DATA ITEM LIST TITLE: FINANCIAL ACCOUNTS, ELECTRIC A & B

DATA ITEM LIST DESCRIPTION: IDENTIFIES THE FINANCIAL ACCOUNTS COMPRISING THE UNIFORM SYSTEM OF ACCOUNTS AND RIS SUPPLEMENTARY ACCOUNTS (# ANNUAL ONLY, ## ANNUAL OR MONTHLY) FOR CLASS A & B ELECTRIC UTILITIES

DATA ITEM LIST SOURCE: FPC STAFF

DATA ITEM LIST:

RECONCILIATION OF REPORTED NET INCOME WITH TAXABLE INCOME FOR FEDERAL INCOME TAXES-TAXABLE INCOME NOT REPORTED ON BOOKS	003.1 #
RECONCILIATION OF REPORTED NET INCOME WITH TAXABLE INCOME FOR FEDERAL INCOME TAXES-DEDUCTIONS RECORDED ON BOOKS NOT DEDUCTED FOR RETURN	003.2 #

(REST TO BE SUPPLIED WHEN FORM IS DUE.)

DATA ITEM LIST MNEMONIC: IDCITY

DATA ITEM LIST TITLE: ID, US CITIES AND COMMUNITIES

DATA ITEM LIST DESCRIPTION: IDENTIFIES NAMED POPULATED PLACES AND RELATED ENTITIES OF THE STATES OF THE US. THIS IS A CHAIN DATA ITEM COMPOSED OF THE STATE, COUNTY AND PLACE IDENTIFICATION. THE CODE FORMAT IS SSCCCPPPP.

DATA ITEM LIST SOURCE: GSA WW GEOGRAPHICAL LOCATION CODES

DATA ITEM LIST: (RESPONDENT TO EMPLOY GSA CODES WHEN FORM IS DUE.)

DATA ITEM LIST MNEMONIC: IDCOMM

DATA ITEM LIST TITLE: ID, PUBLIC REGULATORY COMMISSIONS

DATA ITEM LIST DESCRIPTION: IDENTIFIES FEDERAL, STATE AND SELECTED FOREIGN PUBLIC REGULATORY COMMISSION, BOARDS OR AGENCIES TO WHICH RESPONDENTS TO THE FPC ARE ALSO REQUIRED OR REQUESTED TO REPORT.

DATA ITEM LIST SOURCE: NARUC AND FPC STAFF

DATA ITEM LIST:

	CODE	ABBREVIATION
CIVIL AERONAUTICS BOARD	1	CAB
DEPARTMENT OF TRANSPORTATION	2	DOT
FEDERAL HIGHWAY ADMINISTRATION	3	FHA
FEDERAL RAILROAD ADMINISTRATION	4	FRA
NATIONAL TRANSPORTATION SAFETY BOARD	5	NTSB
FEDERAL COMMUNICATIONS COMMISSION	6	FCC

(REST TO BE SUPPLIED WHEN FORM IS DUE.)

DATA ITEM LIST MNEMONIC: IDCNTY

DATA ITEM LIST TITLE: ID, COUNTIES OF THE US.

DATA ITEM LIST DESCRIPTION: IDENTIFIES THE COUNTIES OF THE US. 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.

DATA ITEM LIST SOURCE: FIPS PUB 6-2, SEP 15, 1973 AND FPC

DATA ITEM LIST:

	CODE	ABBREVIATION
OFFSHORE, STATE	00990	990
OFFSHORE, FEDERAL	00995	995
OFFSHORE, GENERAL	00999	999
(REST ARE FIPS)		

DATA ITEM LIST MNEMONIC: IDGPFL

DATA ITEM LIST TITLE: ID, GAS PLANTS/FIELDS

DATA ITEM LIST DESCRIPTION: IDENTIFIES GAS PLANTS AND FIELDS FOR WHICH PRODUCTION IS REPORTED TO THE FPC.

DATA ITEM LIST SOURCE: FPC STAFF

DATA ITEM LIST: (TO BE SUPPLIED WHEN FORM IS DUE.)

DATA ITEM LIST MNEMONIC: IDLPRJ

DATA ITEM LIST TITLE: ID, LICENSED PROJECTS/DEVELOPMENTS

DATA ITEM LIST DESCRIPTION: IDENTIFIES FPC LICENSED PROJECTS AND ASSOCIATED DEVELOPMENTS. THE PROJECT IDENTIFICATION IS GIVEN FIRST, FOLLOWED BY THE DEVELOPMENT. THE CODE FORMAT IS PPPPD WHERE P=NUMERIC PROJECT CODE AND D=ALPHABETIC DEVELOPMENT SUFFIX.

DATA ITEM LIST SOURCE: FPC STAFF

DATA ITEM LIST:

	CODE
KERR	0005
KERR FLATHEAD LAKE	0005A
GREEN ISLAND PROJECT	0013
GREEN ISLAND PROJECT GREEN ISLAND	0013A
TWIN FALLS HYDRO PRO	0018

(REST TO BE SUPPLIED WHEN FORM IS DUE.)

DATA ITEM LIST MNEMONIC: IDPLNT

DATA ITEM LIST TITLE: ID, ELECTRIC POWER PLANTS

DATA ITEM LIST DESCRIPTION: IDENTIFIES ELECTRIC POWER GENERATING PLANTS REPORTING TO THE FPC.

DATA ITEM LIST SOURCE: FPC STAFF

DATA ITEM LIST: (TO BE SUPPLIED)

DATA ITEM LIST MNEMONIC: IDSTAT

DATA ITEM LIST TITLE: ID, STATES OF THE UNITED STATES

DATA ITEM LIST DESCRIPTION: IDENTIFIES THE 50 STATES, THE DISTRICT OF COLUMBIA, AND THE OUTLYING AREAS OF THE US, ALL OF WHICH ARE CONSIDERED FIRST ORDER SUBDIVISIONS OF THE US.

DATA ITEM LIST SOURCE: FIPS PUB 5-1, JUN 15, 1970

DATA ITEM LIST:

	CODE	ABBREVIATION
ALABAMA	01	AL
ALASKA	02	AK
AMERICAN SAMOA	03	AS
ARIZONA	04	AZ
ARKANSAS	05	AR
CALIFORNIA	06	CA
CANAL ZONE	07	CZ
COLORADO	08	CO

(REST TO BE SUPPLIED WHEN FORM IS DUE.)

DATA ITEM LIST MNEMONIC: IDSYST

DATA ITEM LIST TITLE: ID, ELECTRIC POWER SYSTEMS

DATA ITEM LIST DESCRIPTION: IDENTIFIES ELECTRIC POWER SYSTEMS REPORTED TO THE FPC.

DATA ITEM LIST SOURCE: FPC STAFF

DATA ITEM LIST: (TO BE SUPPLIED WHEN FORM IS DUE.)

DATA ITEM LIST MNEMONIC: TYFUEL

DATA ITEM LIST TITLE: TYPE OF FUEL

DATA ITEM LIST DESCRIPTION: INDICATES THE SUBSTANCE OR MATERIAL USED AS A SOURCE OF HEAT OR POWER.

DATA ITEM LIST SOURCE: FPC STAFF

DATA ITEM LIST:	CODE	ABBREVIATION
UNSPECIFIED	00	UNSP
WORD, REFUSE OR WASTES	01	WD
FOSSIL FUEL, UNSPECIFIED	09	FFUN
COAL, UNSPECIFIED	10	CU
COAL, BITUMINOUS	11	CBIT
COAL, SUB-BITUMINOUS	12	CSUB
COAL, ANTHRACITE	13	CANT
COAL, LIGNITE	14	CLIG
PETROLEUM COKE	15	CPC
COAL, SOLVENT REFINED	16	CSR

(REST TO BE SUPPLIED WHEN FORM IS DUE.)

DATA ITEM LIST MNEMONIC: TYOVHD

DATA ITEM LIST TITLE: TYPE OF OVERHEAD COST

DATA ITEM LIST DESCRIPTION: INDICATES SOME COMMON TYPES OF OVERHEAD COST AND EXPENSE INCURRED BY UTILITIES.

DATA ITEM LIST SOURCE: FPC STAFF

DATA ITEM LIST:	CODE	ABBREVIATION
ENGINEERING AND SUPERVISION	01	A
ADMINISTRATIVE AND GENERAL EXPENSES	02	B
TRANSPORTATION	03	C
INJURIES AND DAMAGES	04	B
INSURANCE	05	E
PENSIONS AND OTHER EMPLOYEE BENEFITS	06	F
TAXES	07	G
OUTSIDE PROFESSIONAL SERVICES	08	H
ALLOWANCE FOR FUNDS USED DURING CONSTRUCTION	09	I
OTHER	99	J

DATA ITEM LIST MNEMONIC: TYPWTN

DATA ITEM LIST TITLE: TYPE OF ELECTRIC POWER TRANSACTION

DATA ITEM LIST DESCRIPTION: INDICATES THE TYPE OF ELECTRIC POWER TRANSACTION OR TRANSFER WITH RESPECT TO THE TYPE OF SYSTEM OR CONTRACT PROVISIONS.

DATA ITEM LIST SOURCE: FPC STAFF

DATA ITEM LIST:	CODE	ABBREVIATION
BORDERLINE CUSTOMERS	1	BDLN
INDUSTRIAL COMPANIES	2	INDS
CLASS I, II, AND LARGE CLASS IV	3	UTLG
CLASS III, V, AND SMALL CLASS IV	4	UTSM
CLASS IV SYSTEMS REQUIRED TO SUBMIT SAME SCHEDULES AS CLASS I AND V SYSTEMS	5	URLG
CLASS IV SYSTEMS REQUIRED TO SUBMIT SAME SCHEDULES AS CLASS III AND V SYSTEMS	6	URSM
WHEELING	7	WHLG

DATA ITEM LIST MNEMONIC: TYUNMS

DATA ITEM LIST TITLE: TYPE OF UNIT OF MEASURE

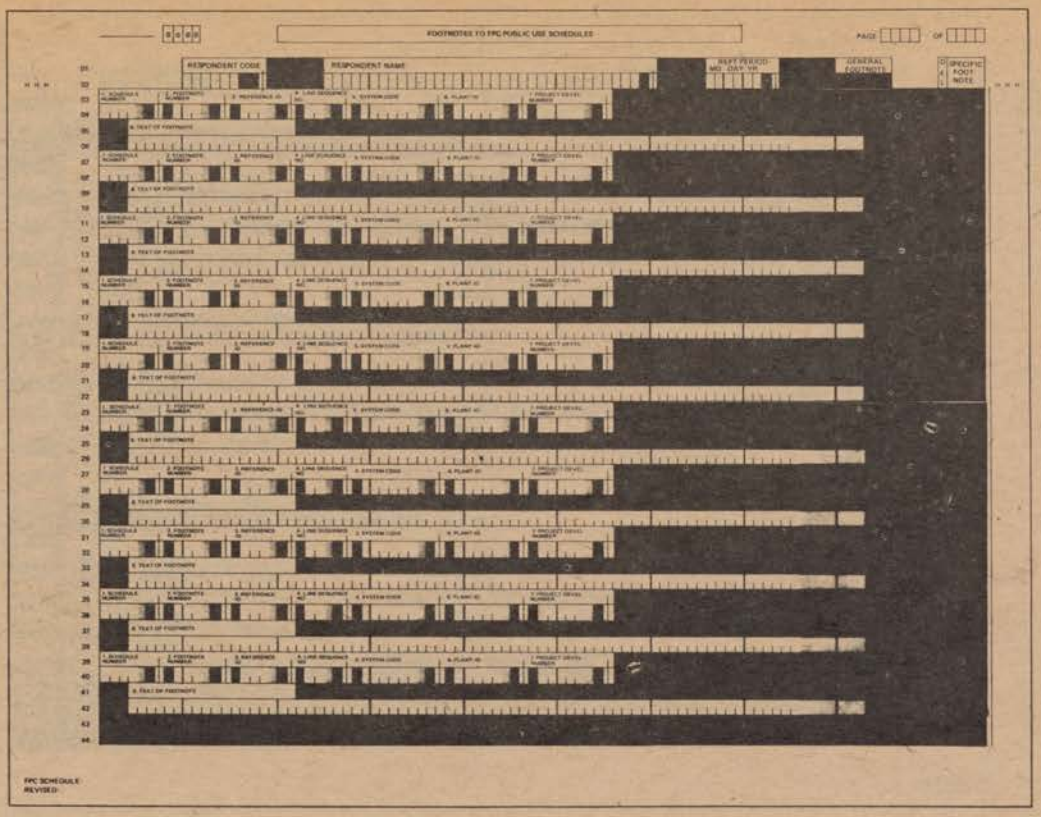
DATA ITEM LIST DESCRIPTION: INDICATES THE PHYSICAL OR TIME UNITS BY WHICH A VALUE IS MEASURED.

DATA ITEM LIST SOURCE: FPC STAFF

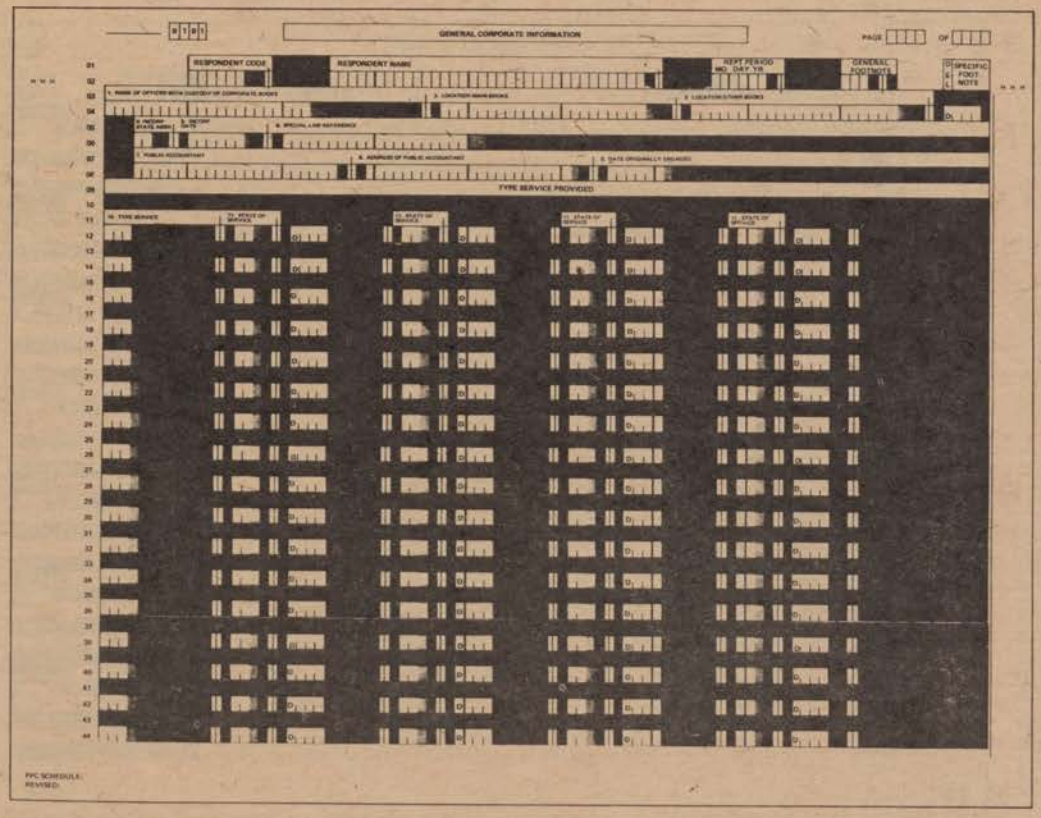
DATA ITEM LIST:	CODE	ABBREVIATION
LITER		L
ACRE FEET	1	ACFT
ACRE	2	ACRE
AMPERE	3	AMP
BARREL	4	BBL
BARRELS PER HOUR	5	BBL/HR
BILLIONS BTU	6	BBTU
BRAKE HORSEPOWER	7	BHP
BARRELS PER DAY	8	BPD
BRITISH THERMAL UNIT	9	BTU

(REST TO BE SUPPLIED WHEN FORM IS DUE.)

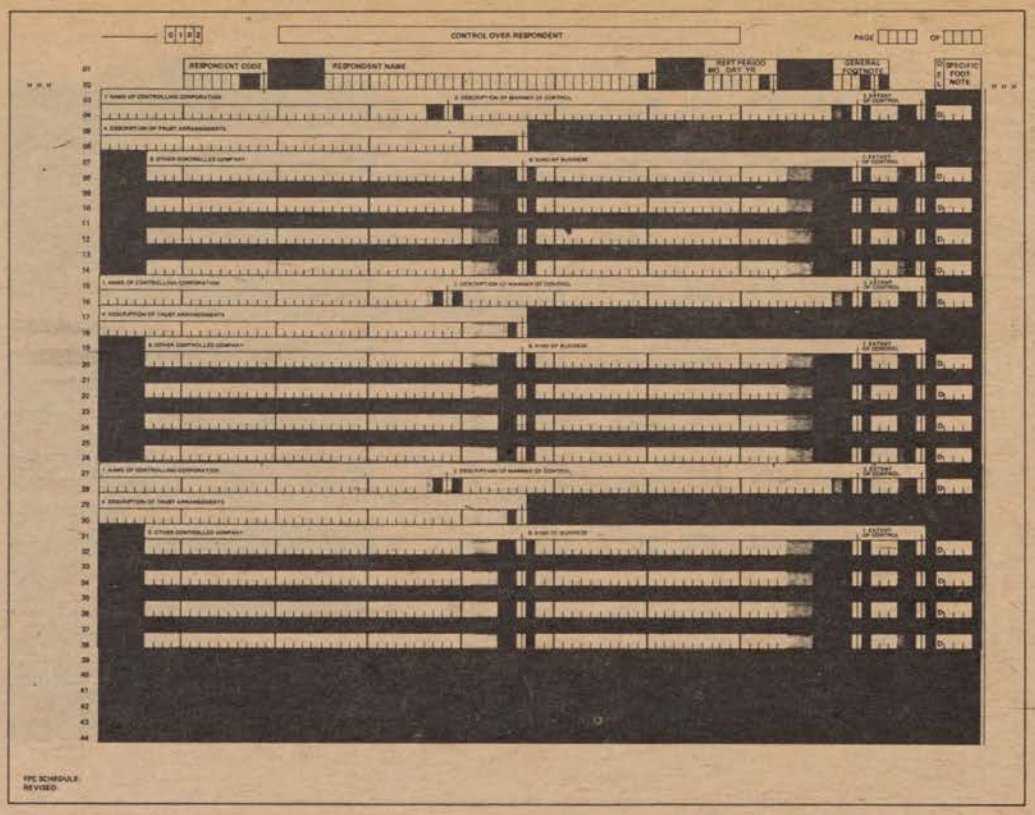
SAMPLE



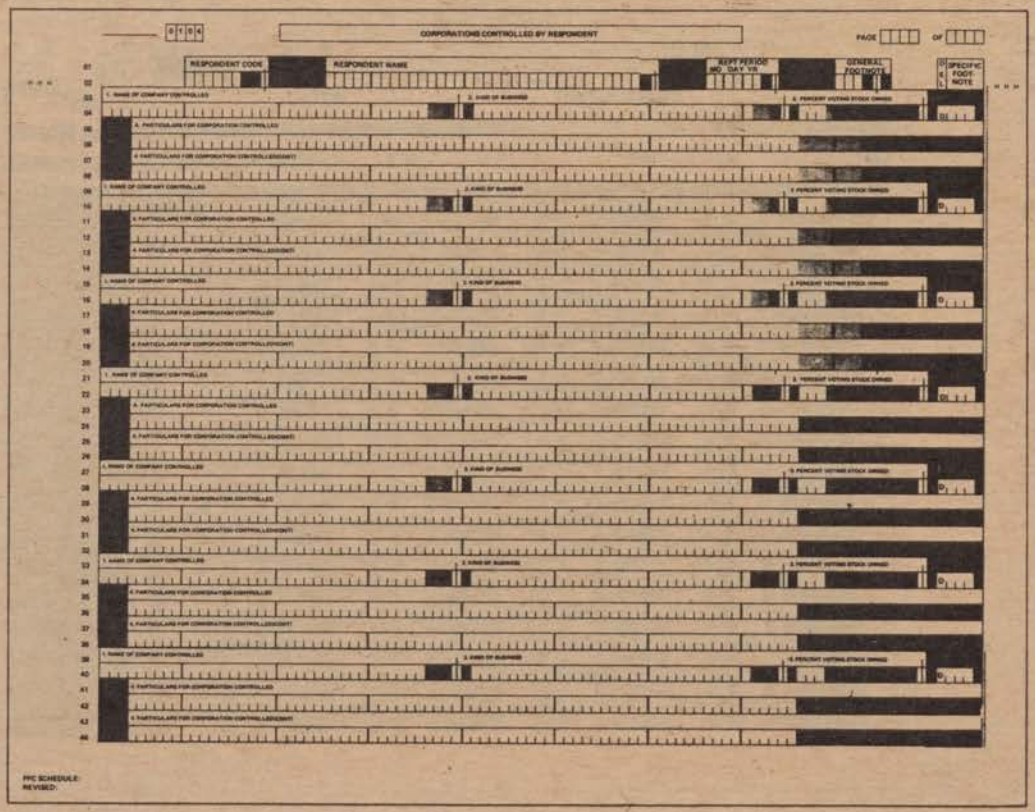
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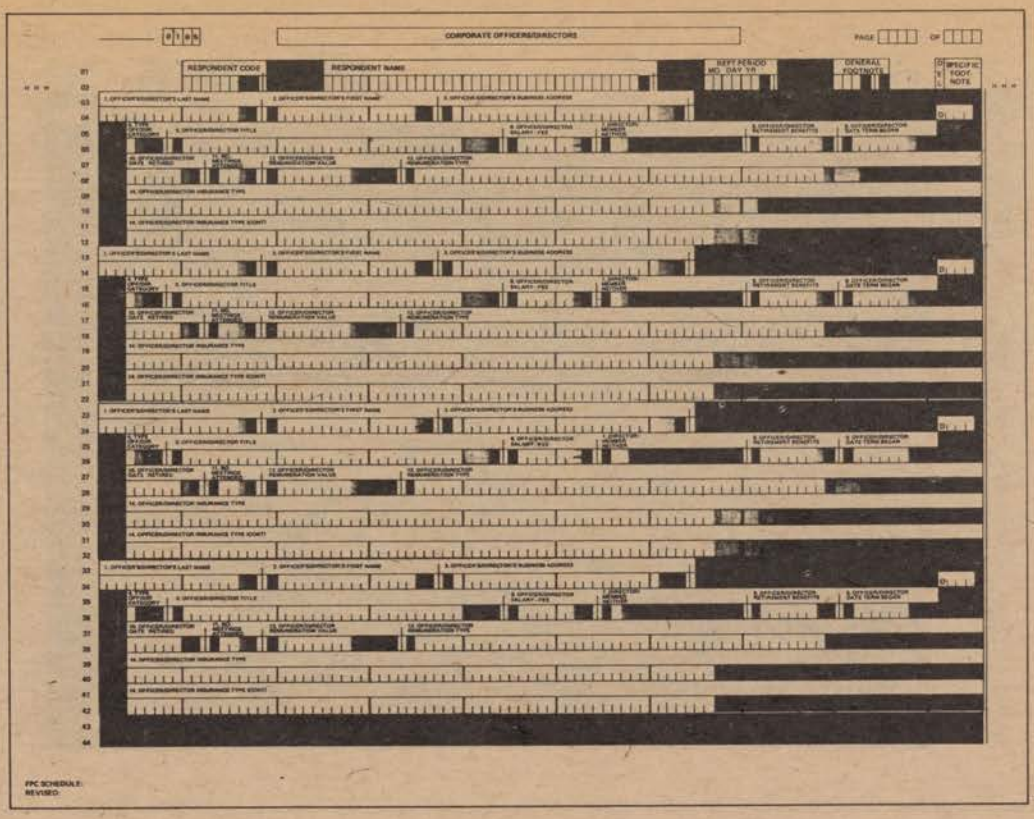
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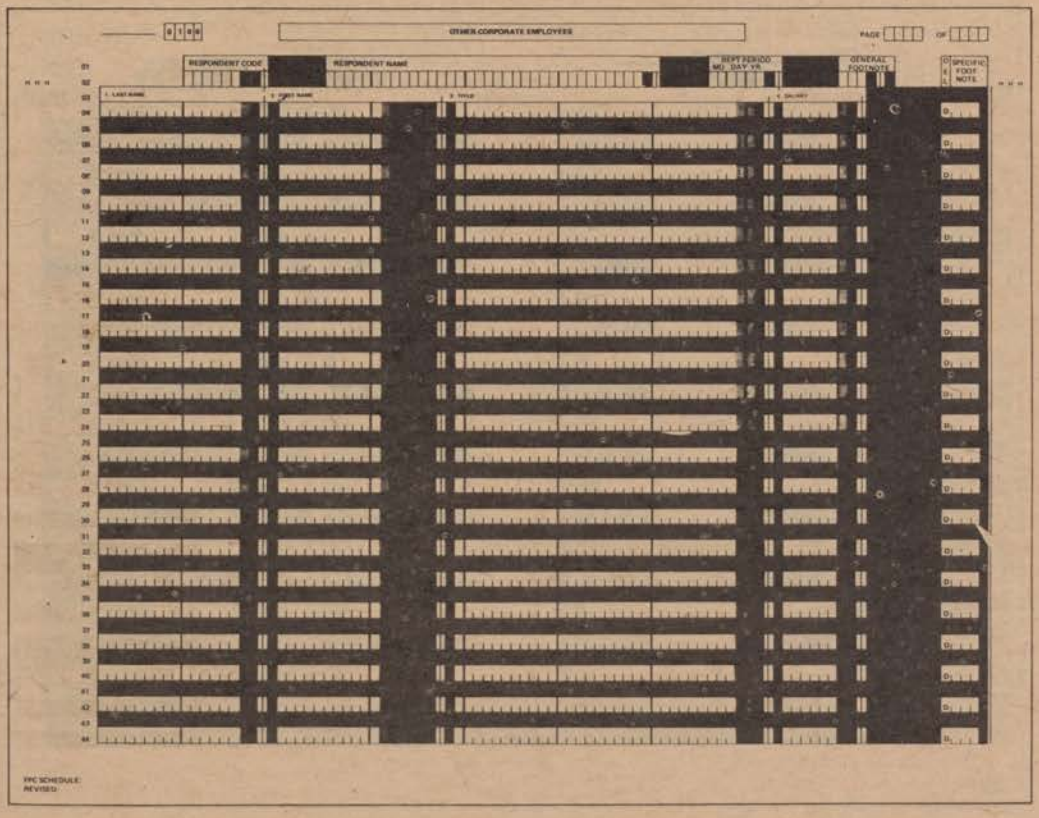
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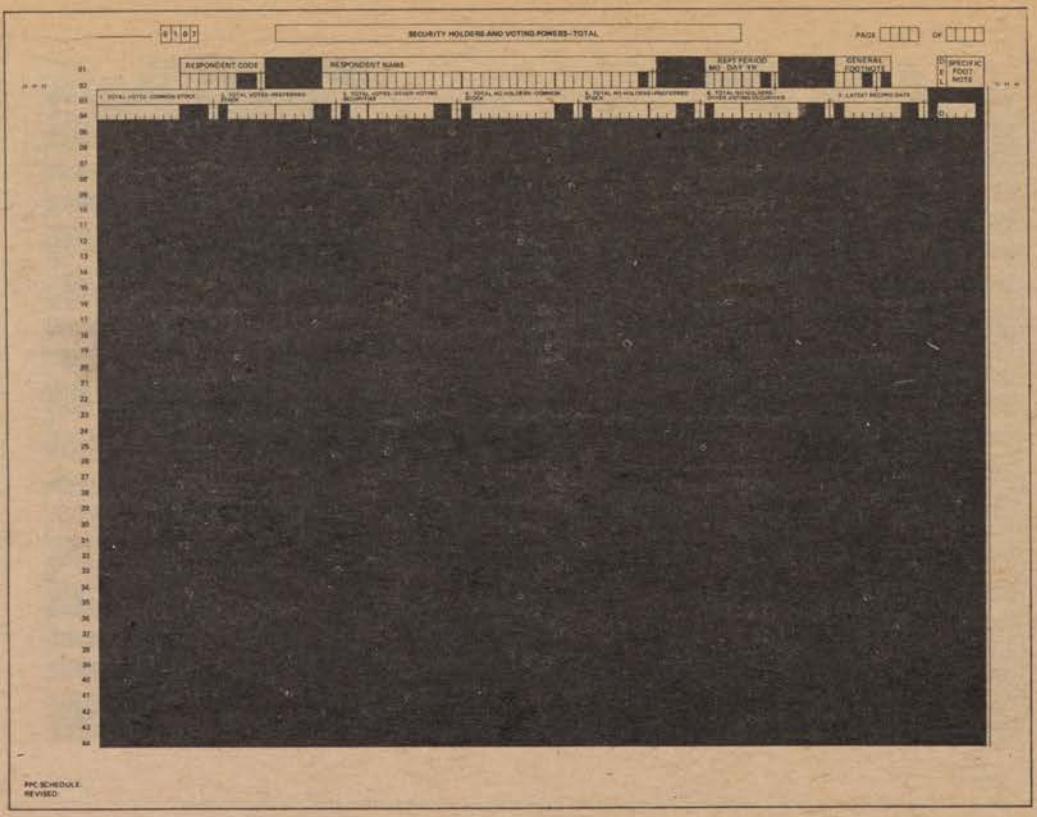


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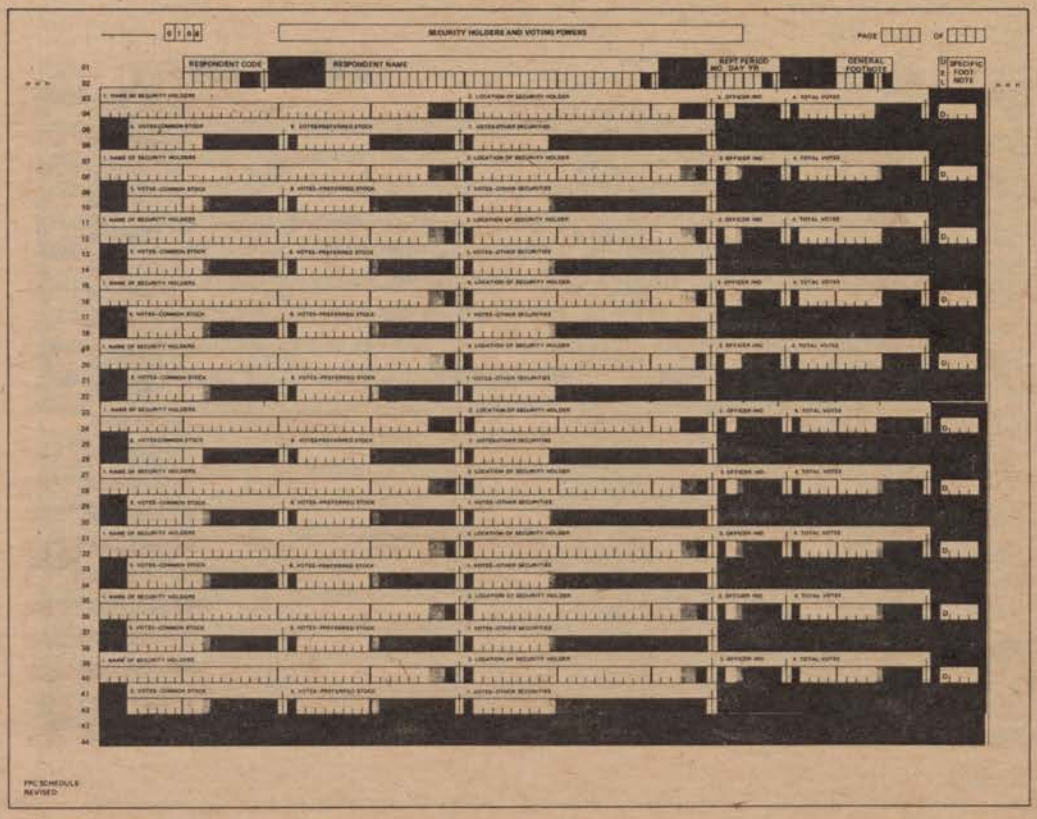


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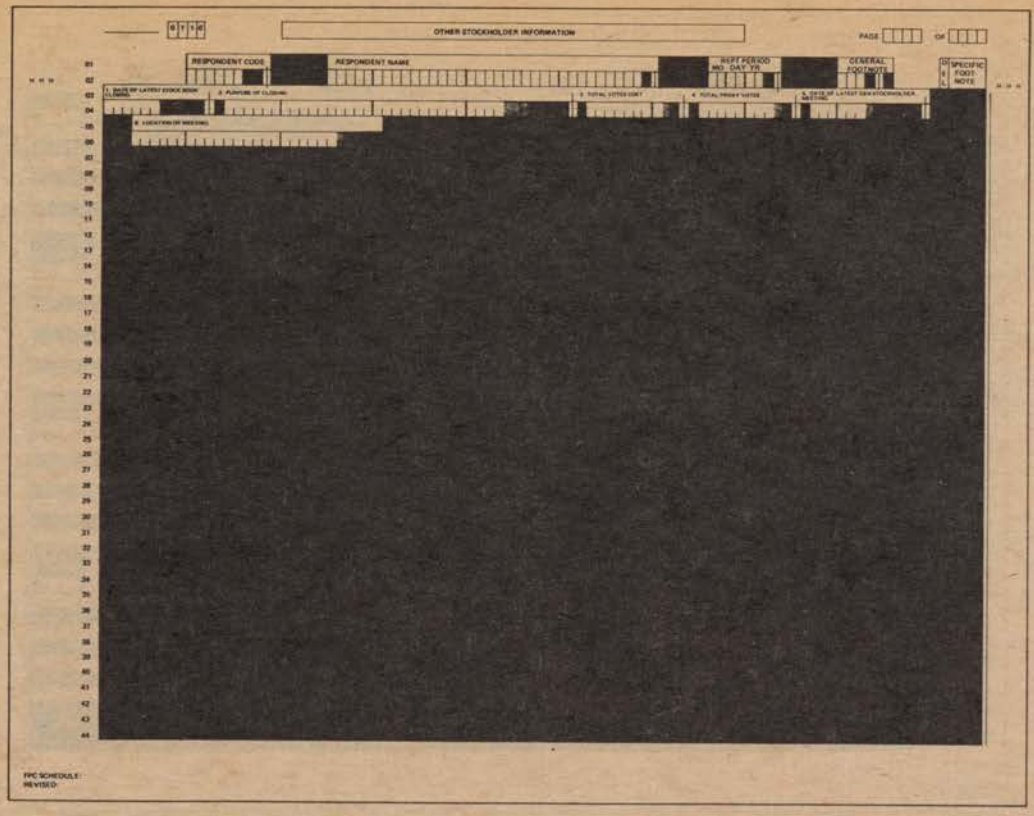



SECURITY HOLDERS AND VOTING POWERS—TOTAL
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OF
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT NOTE
FPC SCHEDULE REVISED:

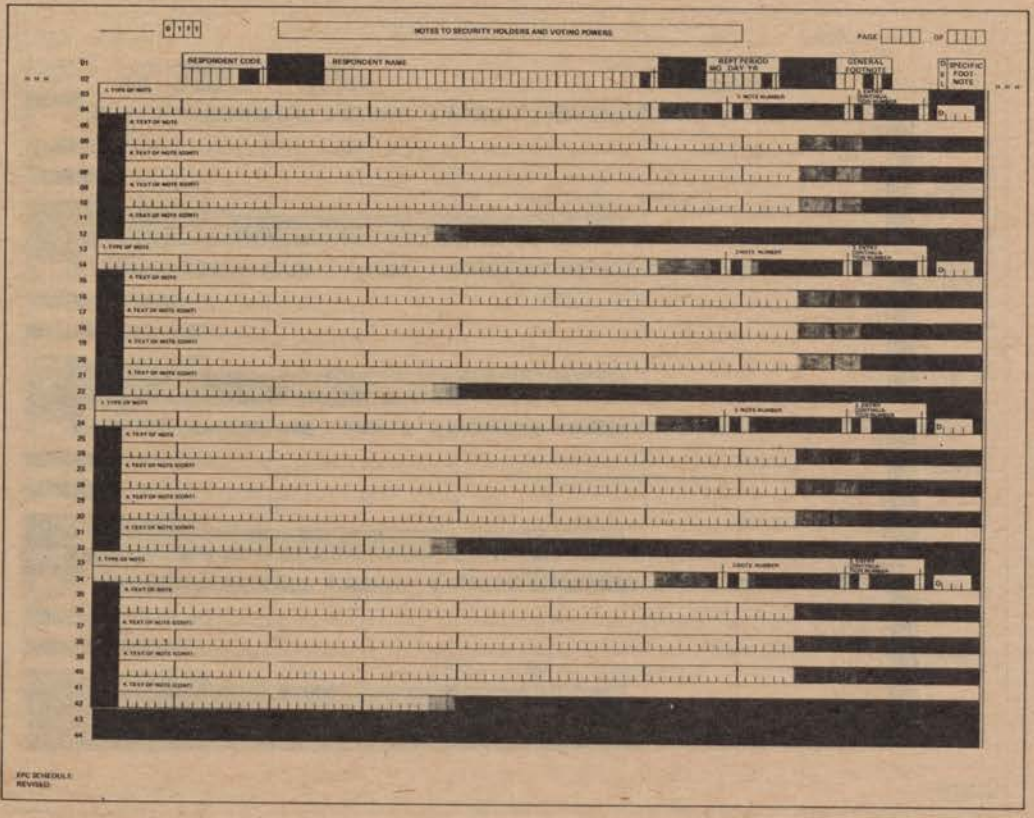
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SECURITY HOLDERS AND VOTING POWERS
PAGE
OF
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT NOTE
FPC SCHEDULE REVISED:

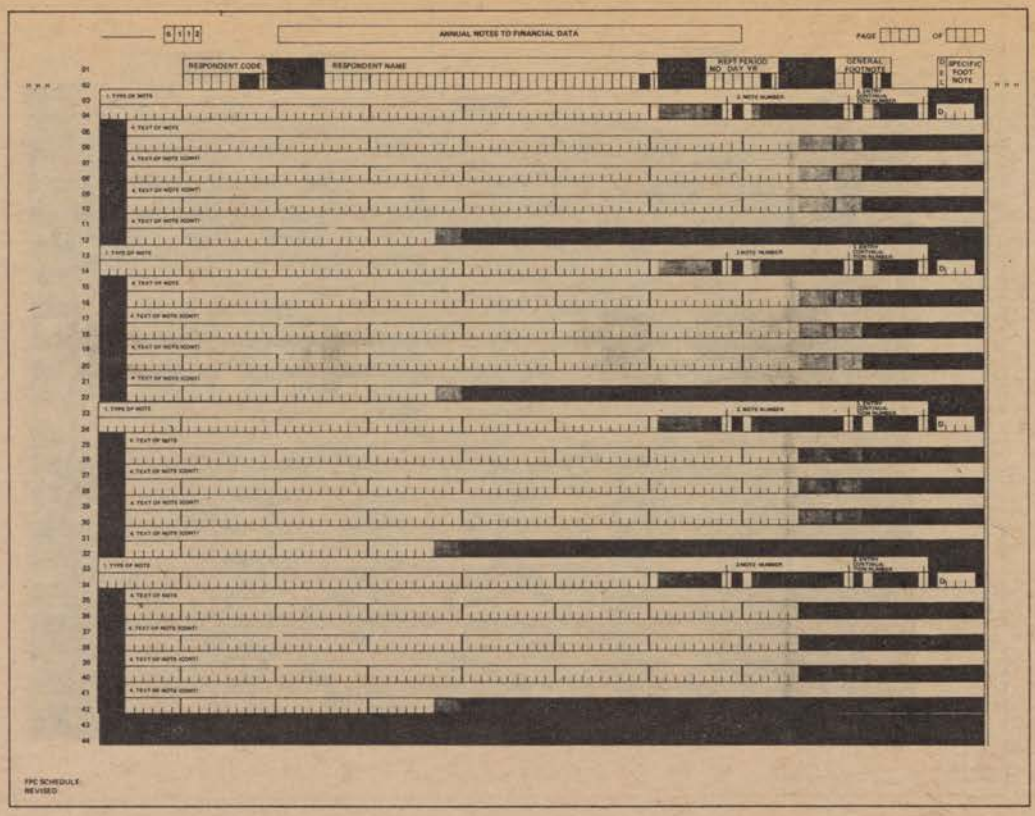
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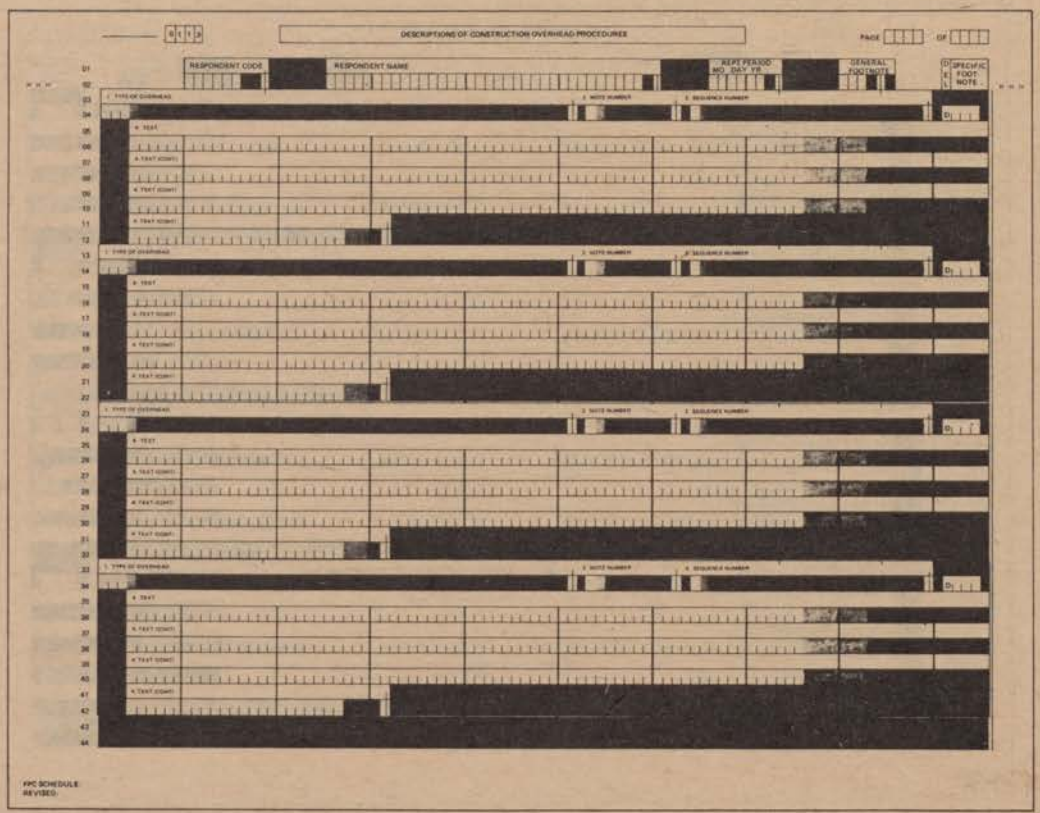
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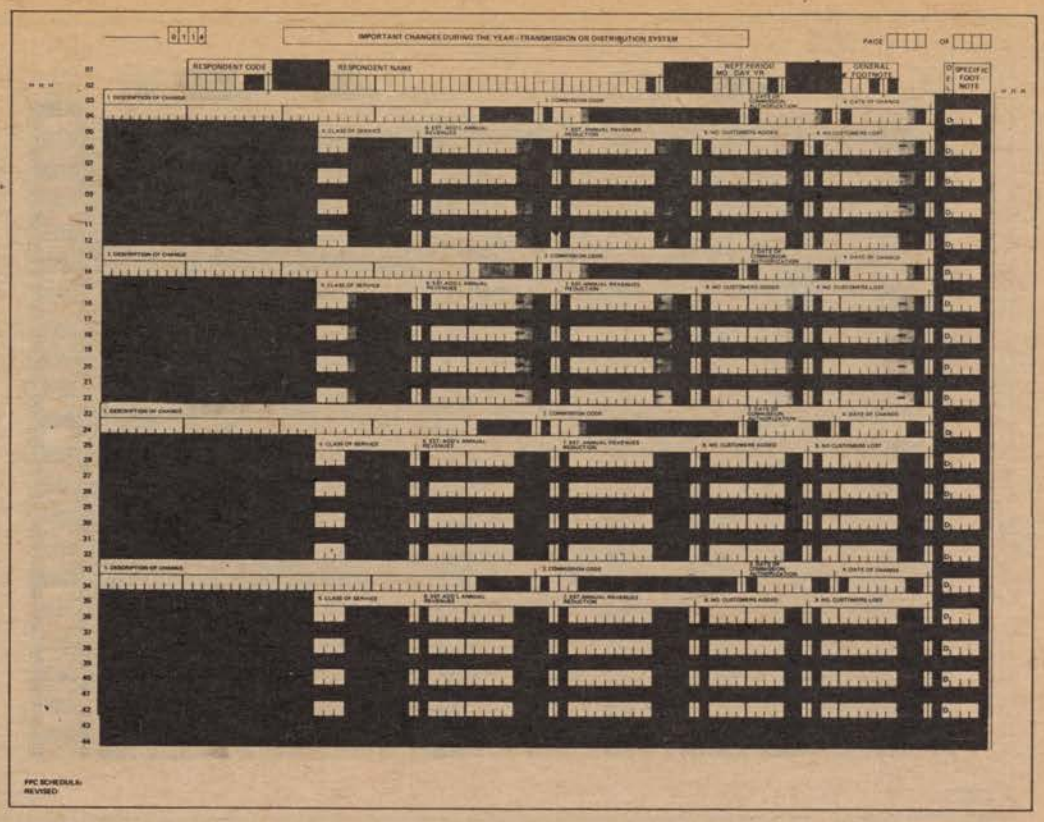


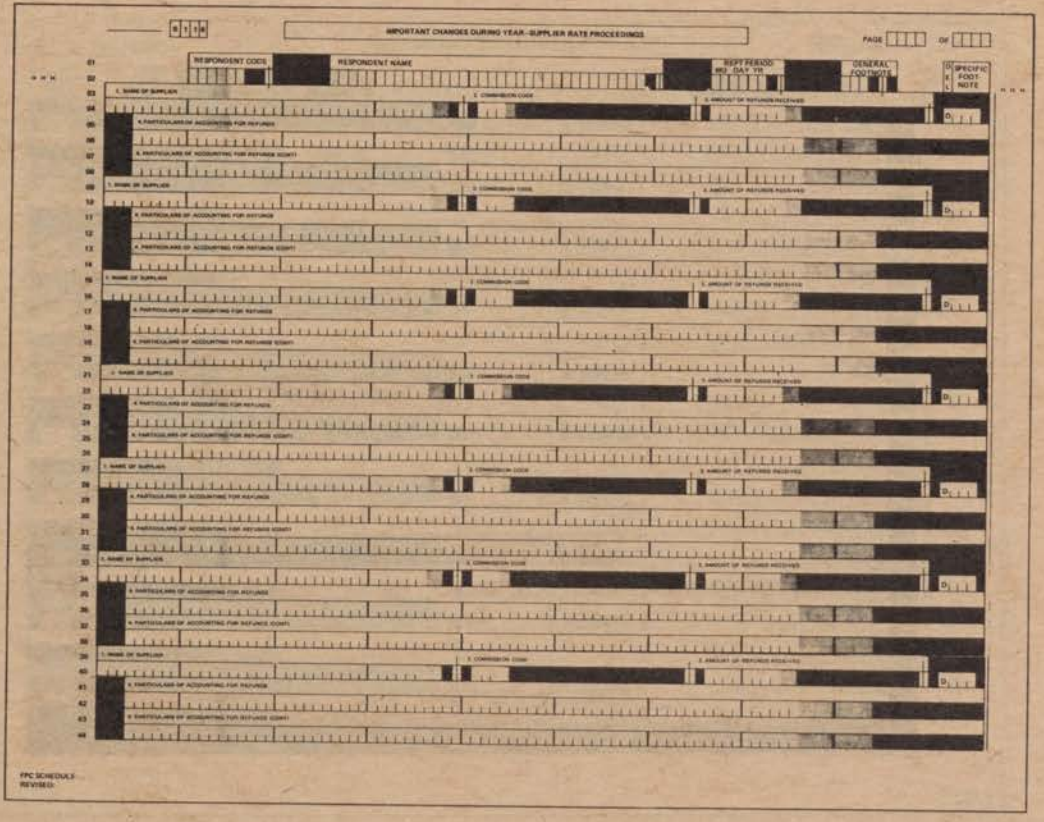
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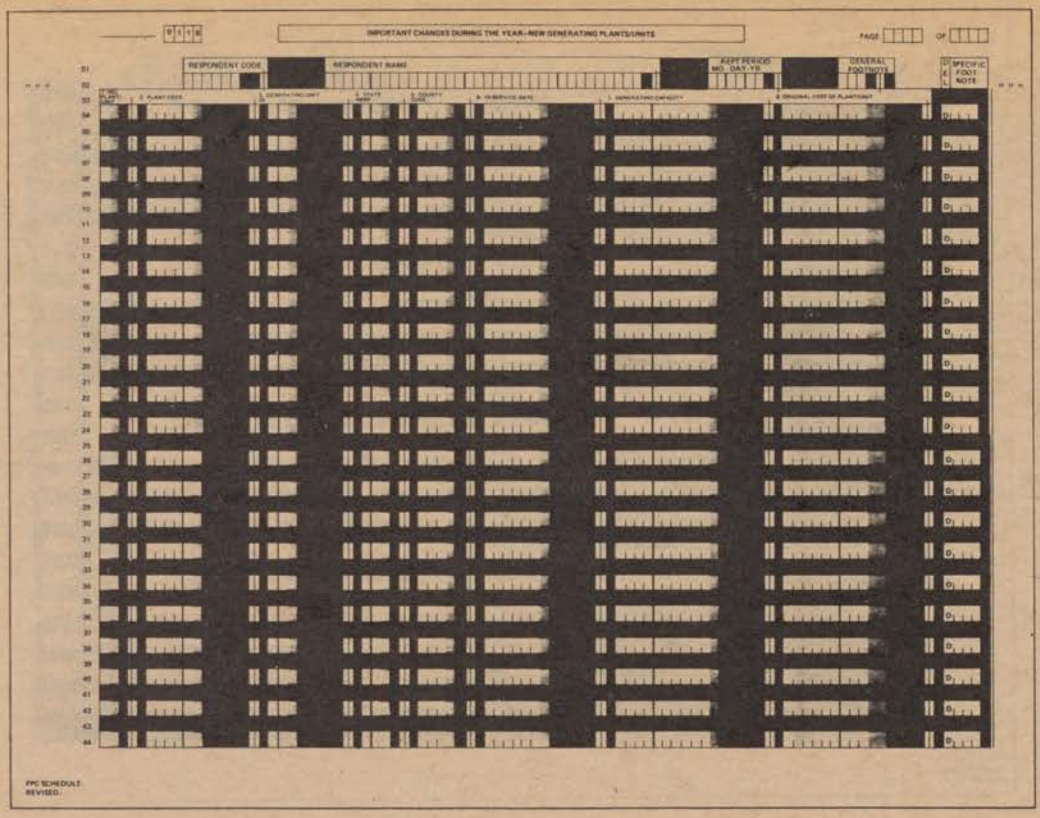


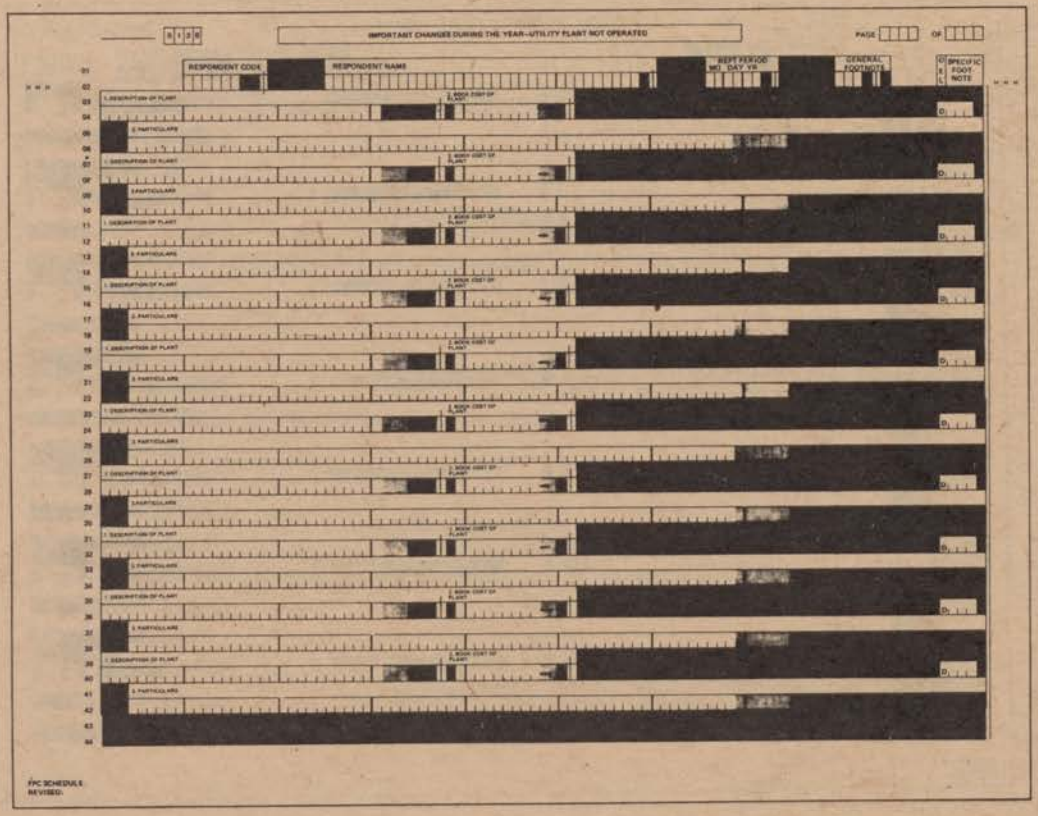
SAMPLE




SAMPLE
IMPORTANT CHANGES DURING THE YEAR - TRANSMISSION OR DISTRIBUTION SYSTEM
PAGE
OF
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT-NOTE
1. DESCRIPTION OF CHANGE
2. COMMISSION CODE
3. DATE OF COMMISSION AUTHORIZATION
4. DATE OF CHANGE
5. CLASS OF SERVICE
6. EST. ADD'L ANNUAL REVENUES
7. EST. ANNUAL REVENUE REDUCTION
8. NO. CUSTOMERS ADDED
9. NO. CUSTOMERS LOST
FPC SCHEDULE REVISED

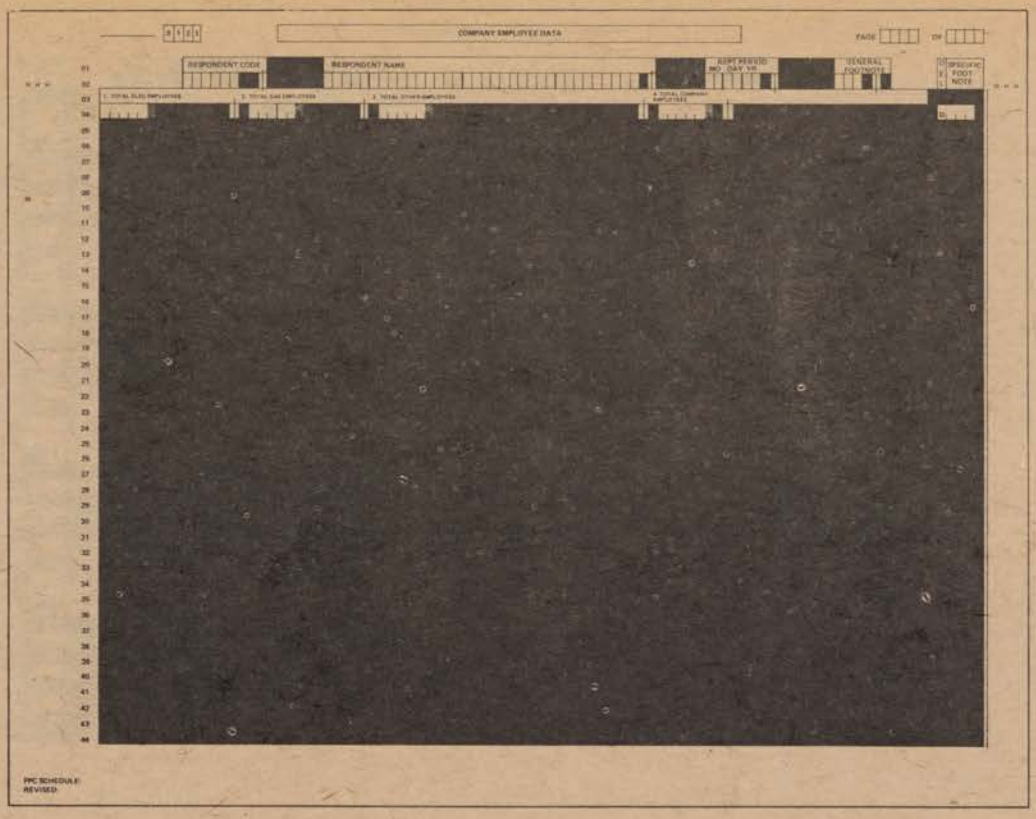

SAMPLE
IMPORTANT CHANGES DURING YEAR--SUPPLIER RATE PROCEEDINGS
PAGE
OF
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT-NOTE
1. NAME OF SUPPLIER
2. COMMISSION CODE
3. AMOUNT OF REFUNDS RECEIVED
4. PARTICULARS OF ACCOUNTING FOR REFUNDS
FPC SCHEDULE REVISED

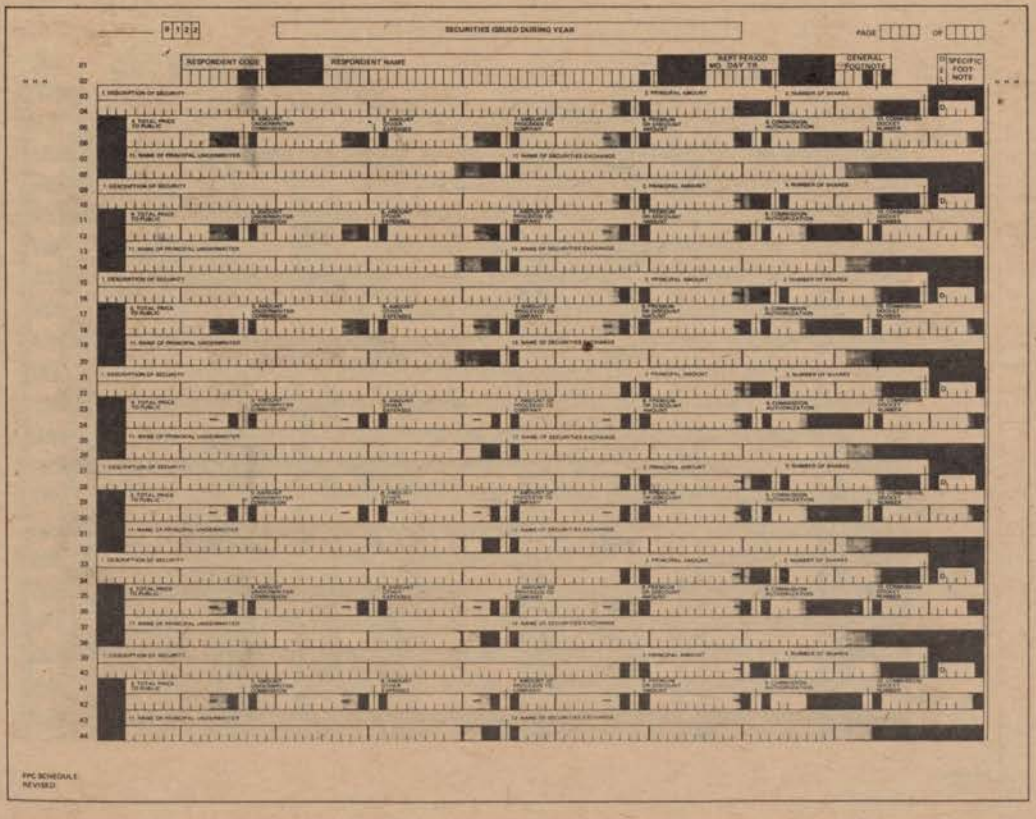




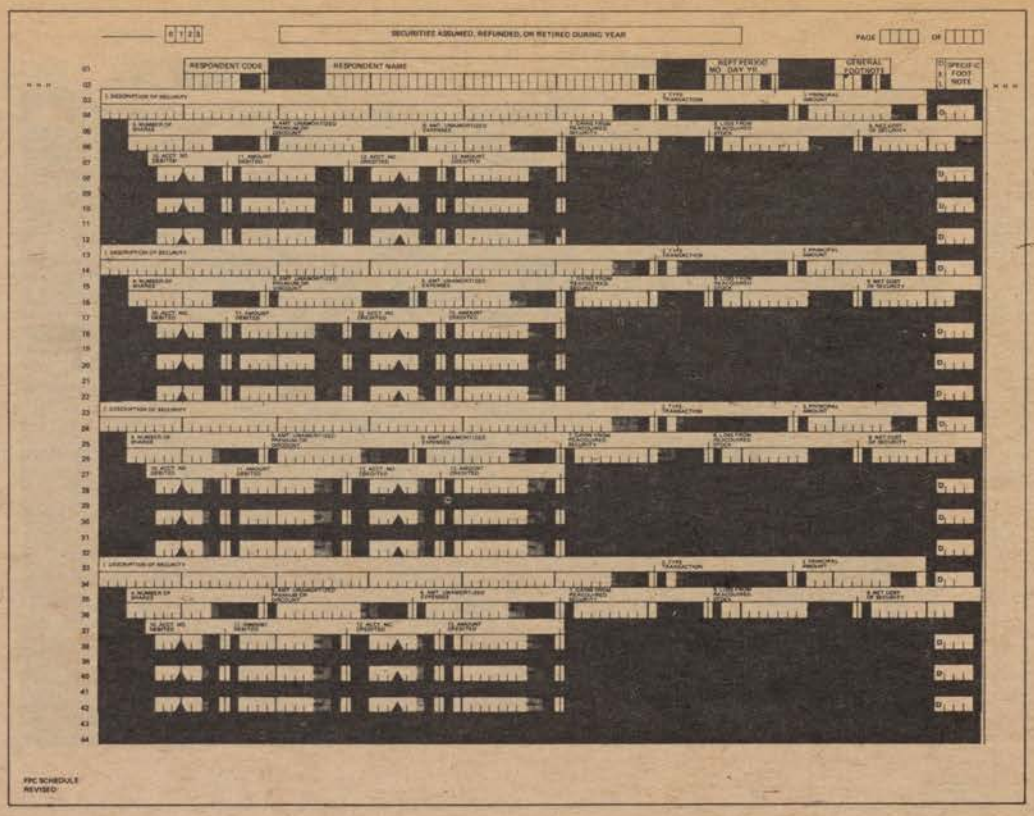
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SAMPLE

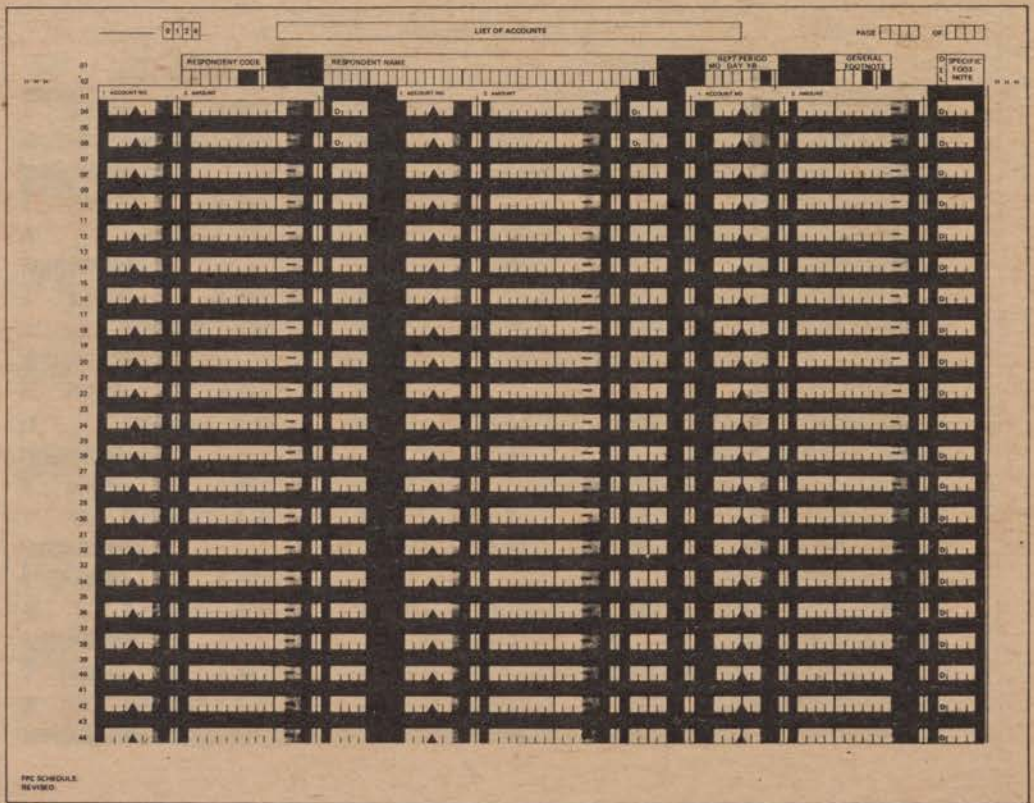

COMPANY EMPLOYEE DATA
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO. DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT-NOTE
PAGE
OF
FPC SCHEDULE REVISED


SECURITIES ISSUED DURING YEAR
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO. DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT-NOTE
PAGE
OF
FPC SCHEDULE REVISED

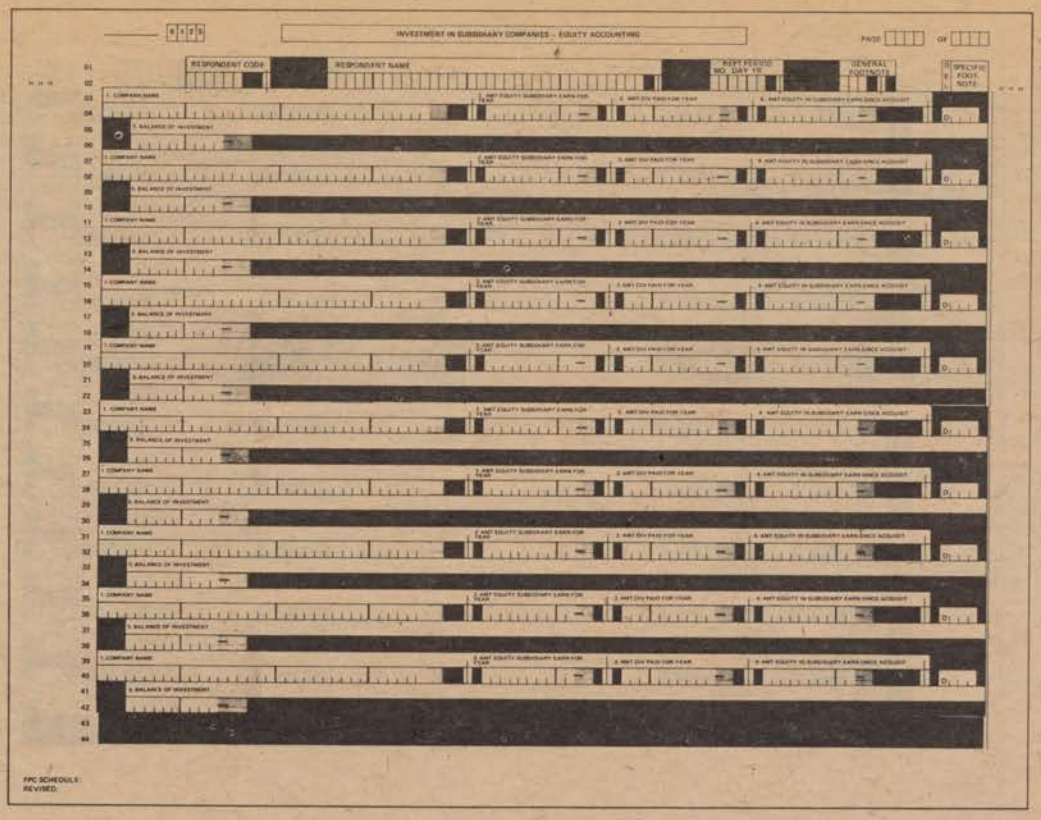
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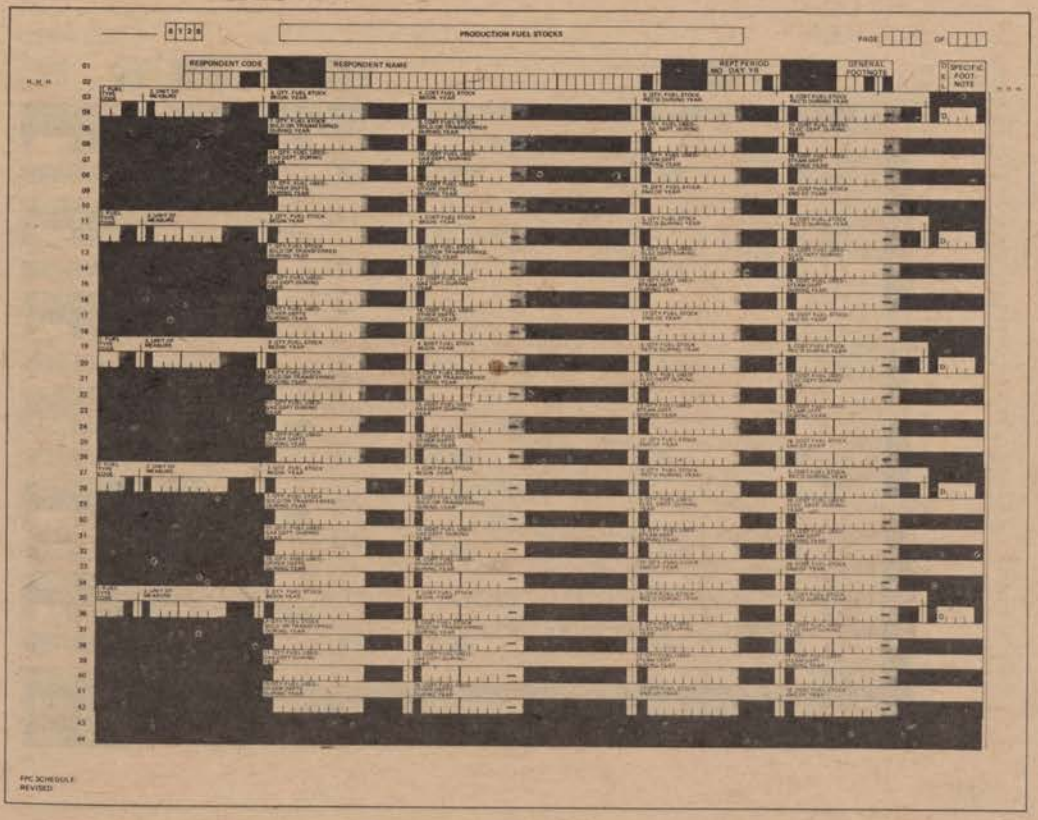
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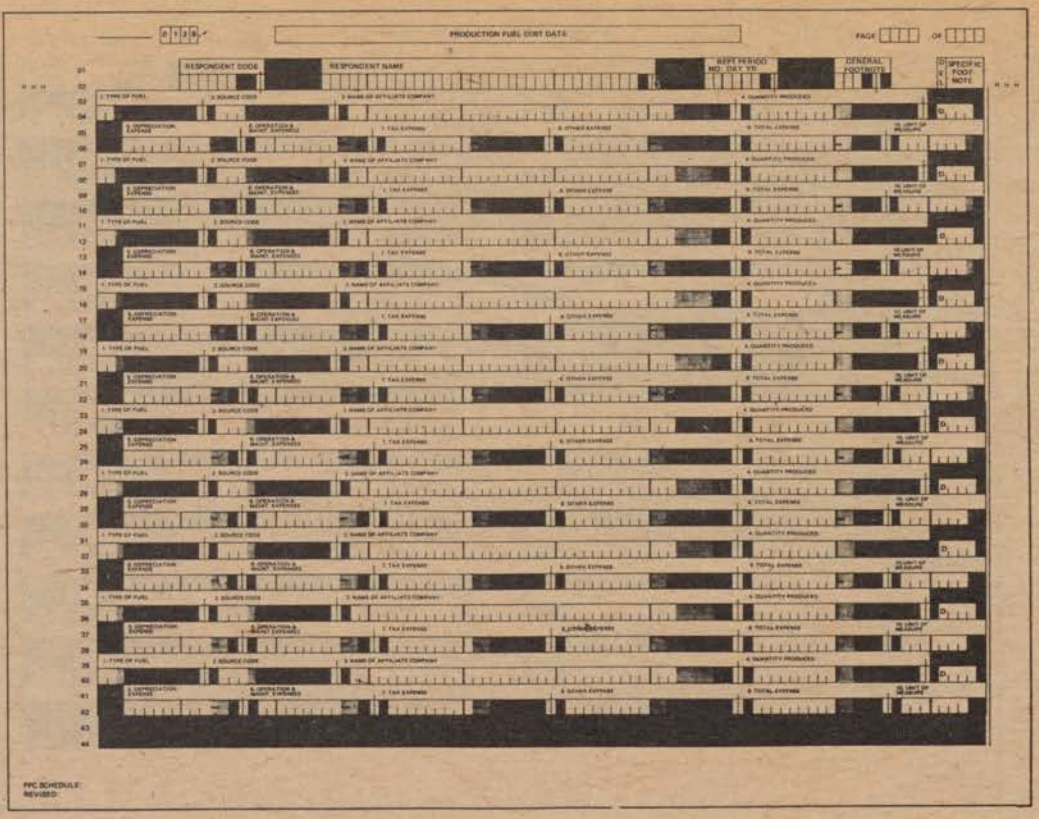
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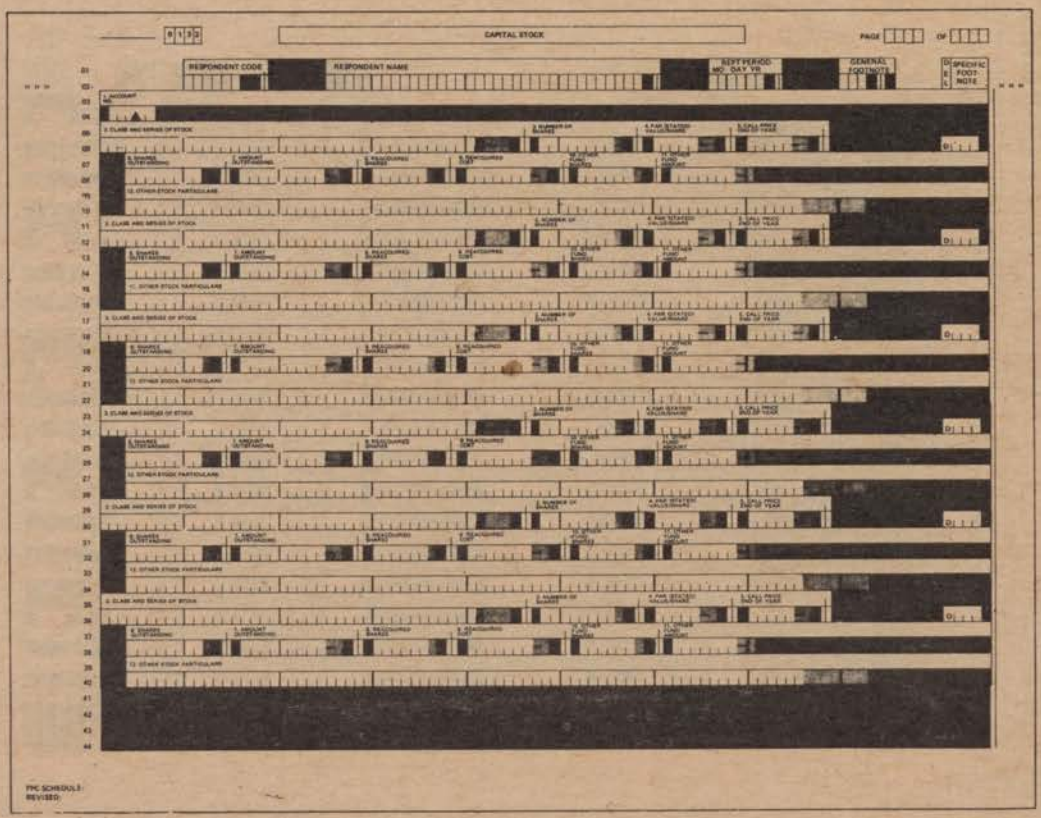
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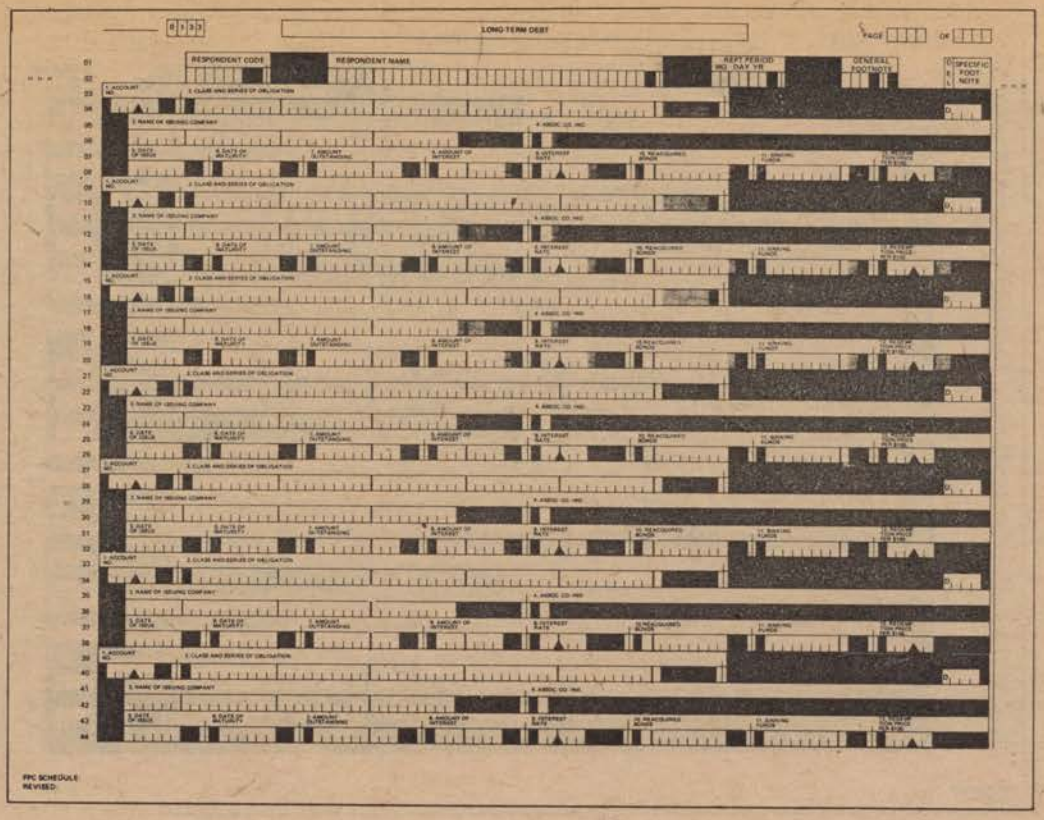


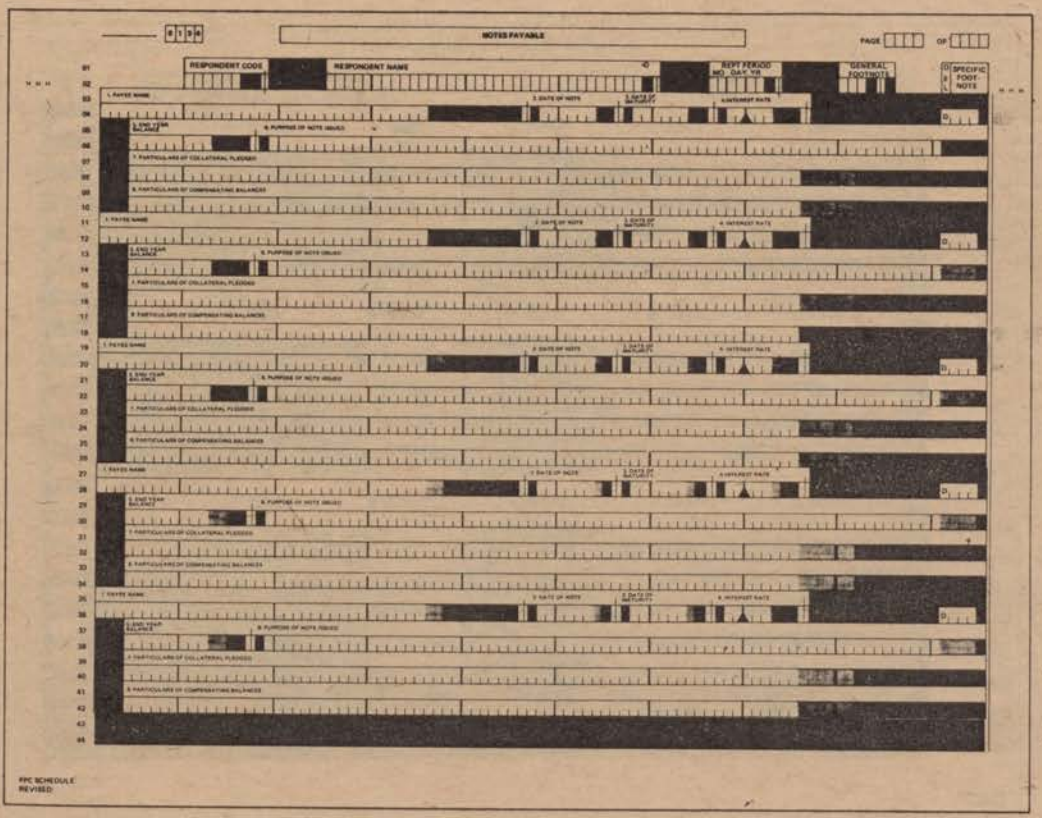
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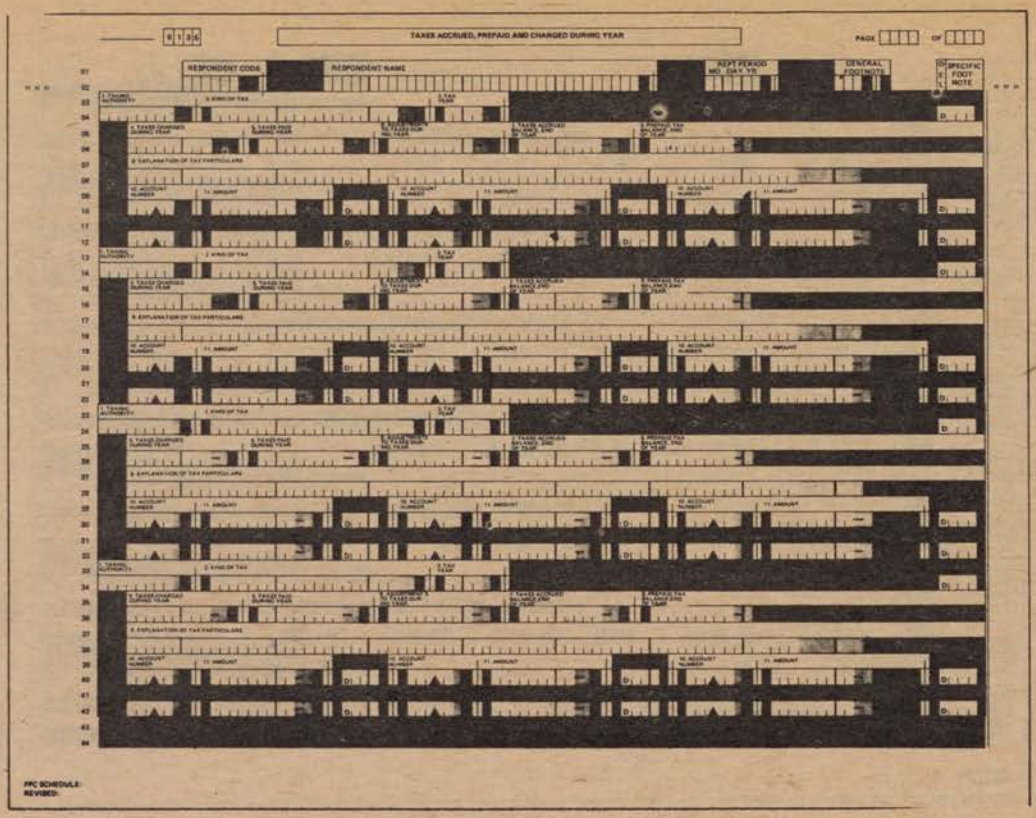
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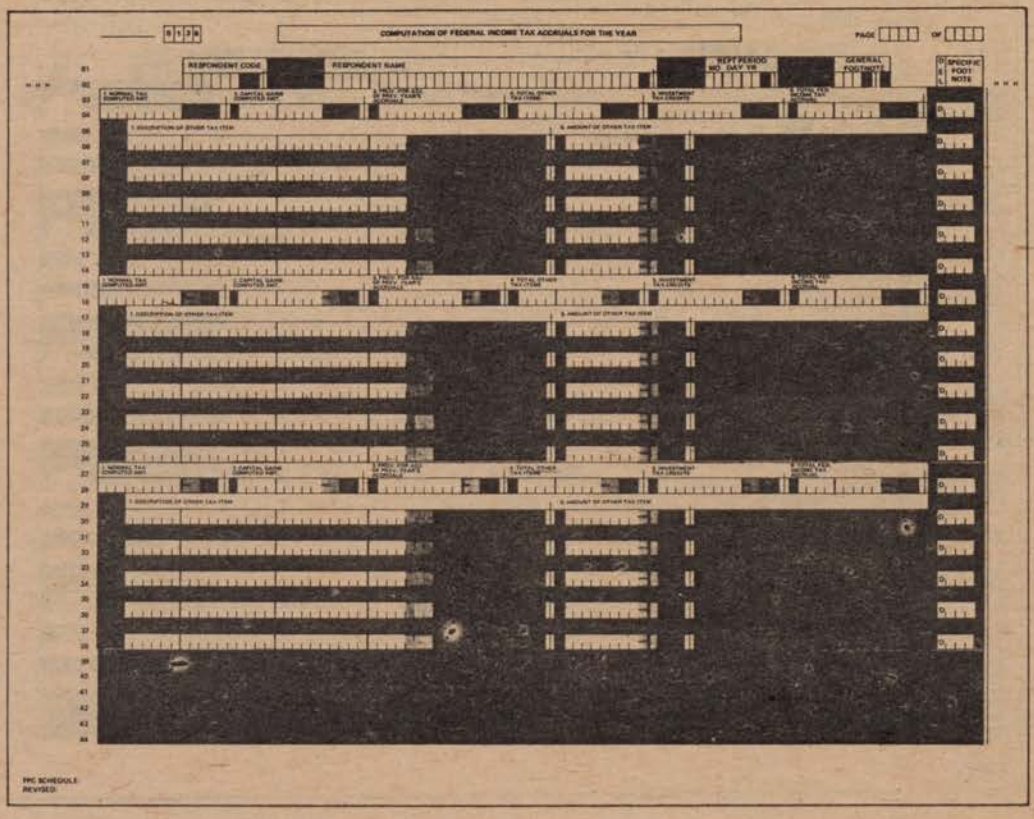



LONG-TERM DEBT
RESPONDENT CODE
RESPONDENT NAME
RPT PERIOD
YR
GENERAL FOOTNOTE
SPECIFIC FOOT NOTE
PAGE
OF
FPC SCHEDULE
REVISED

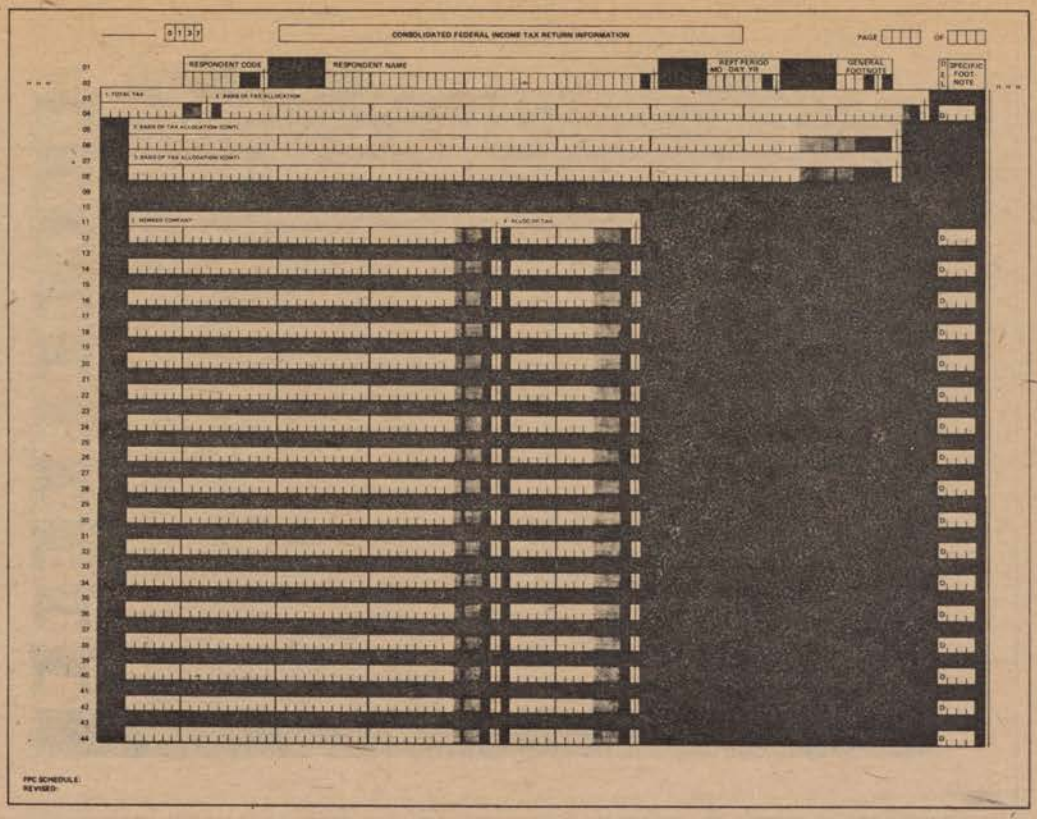

NOTES PAYABLE
RESPONDENT CODE
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RPT PERIOD
YR
GENERAL FOOTNOTE
SPECIFIC FOOT NOTE
PAGE
OF
FPC SCHEDULE
REVISED

SAMPLE

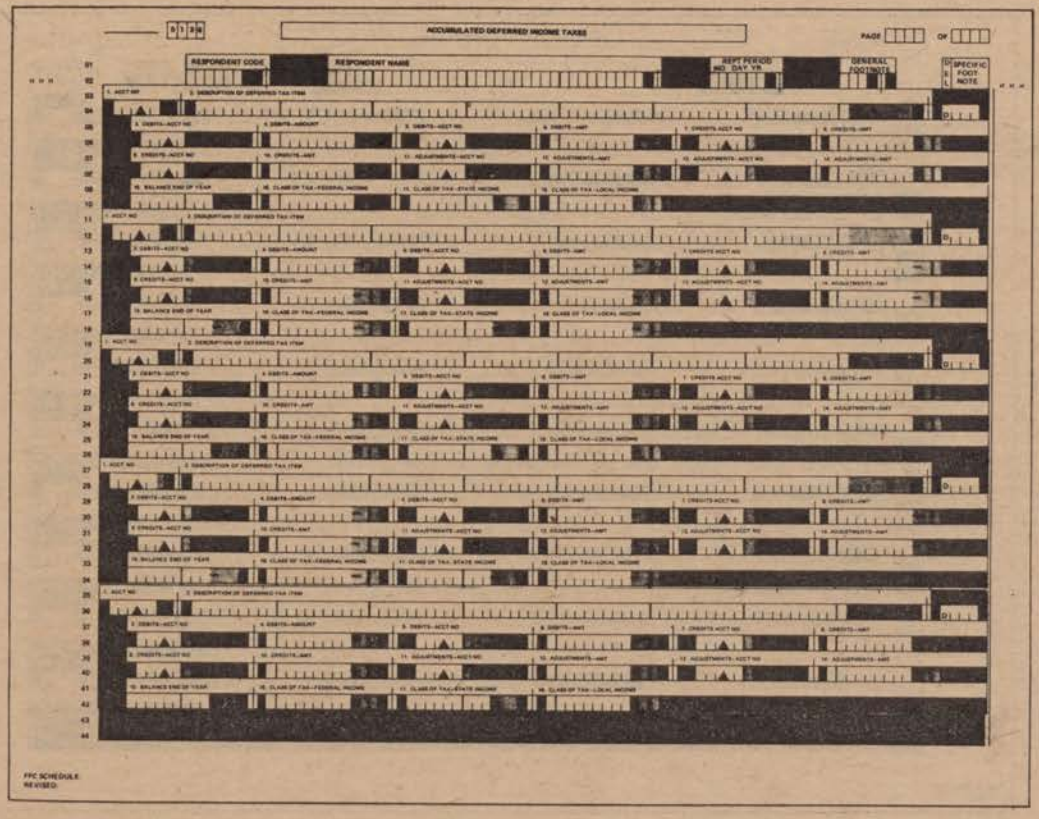

TAXES ACCRUED, PREPAID AND CHARGED DURING YEAR
PAGE
OF
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO. DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT NOTE
SAMPLE
FPC SCHEDULE
REVISED:

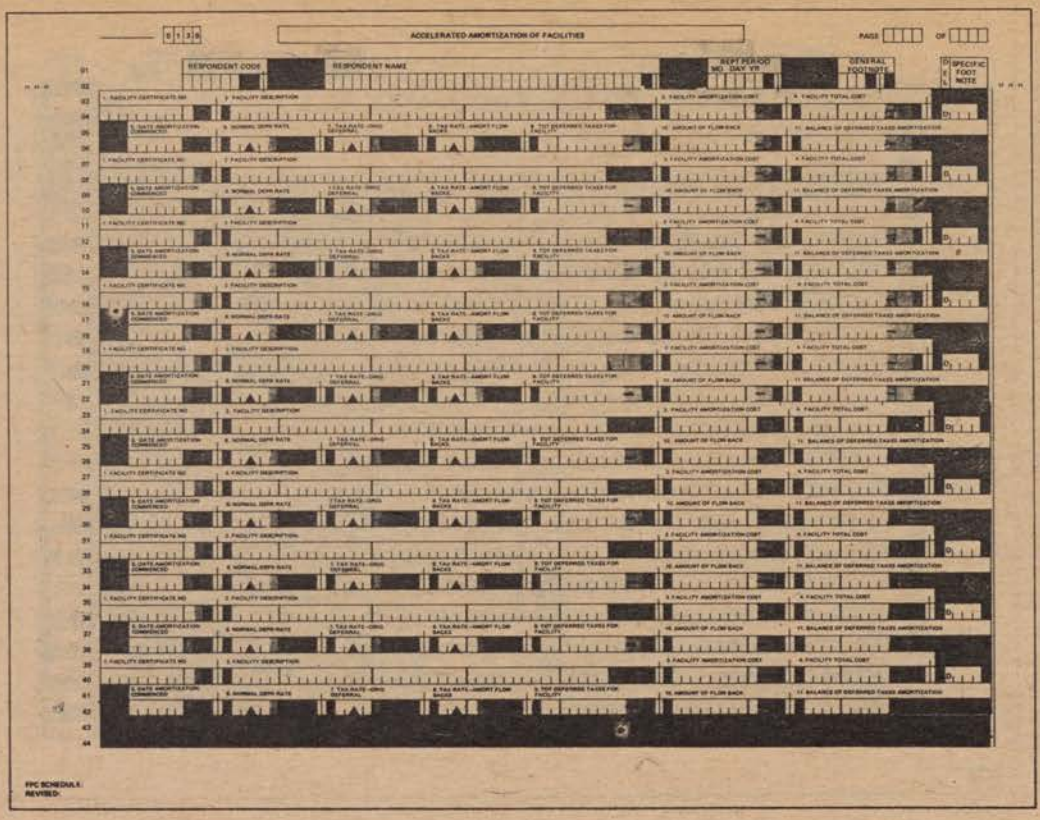

COMPUTATION OF FEDERAL INCOME TAX ACCRUALS FOR THE YEAR
PAGE
OF
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO. DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT NOTE
SAMPLE
FPC SCHEDULE
REVISED:

SAMPLE

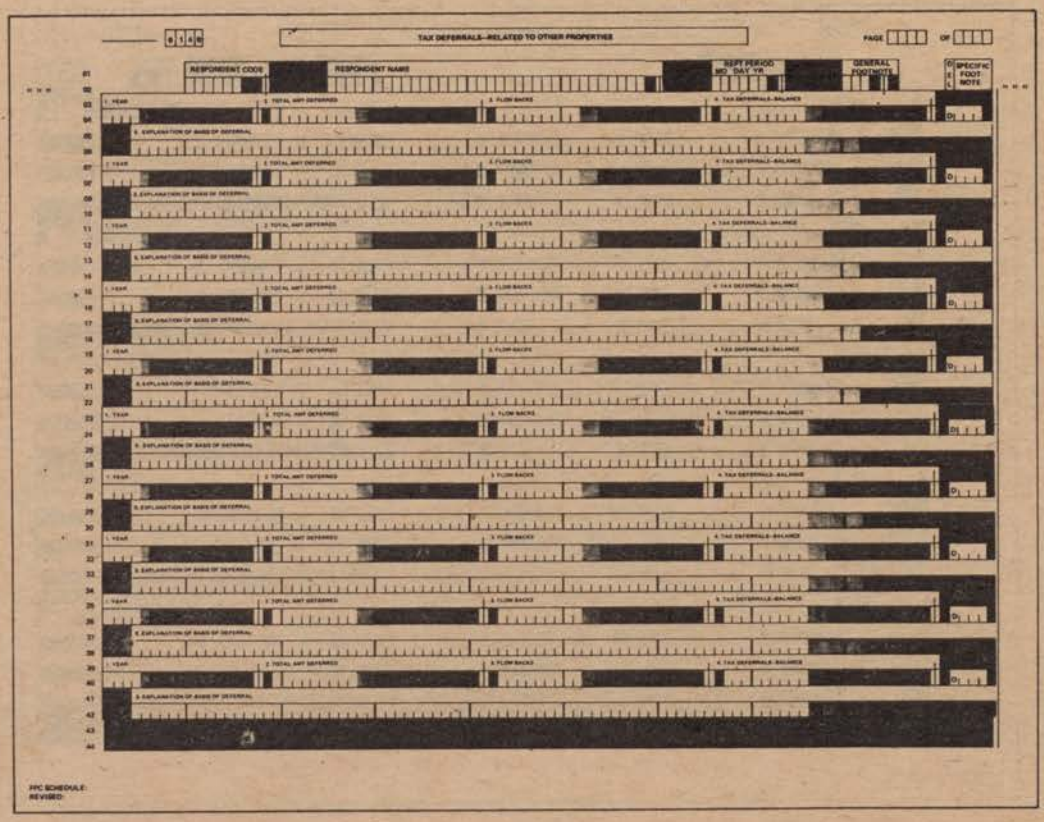


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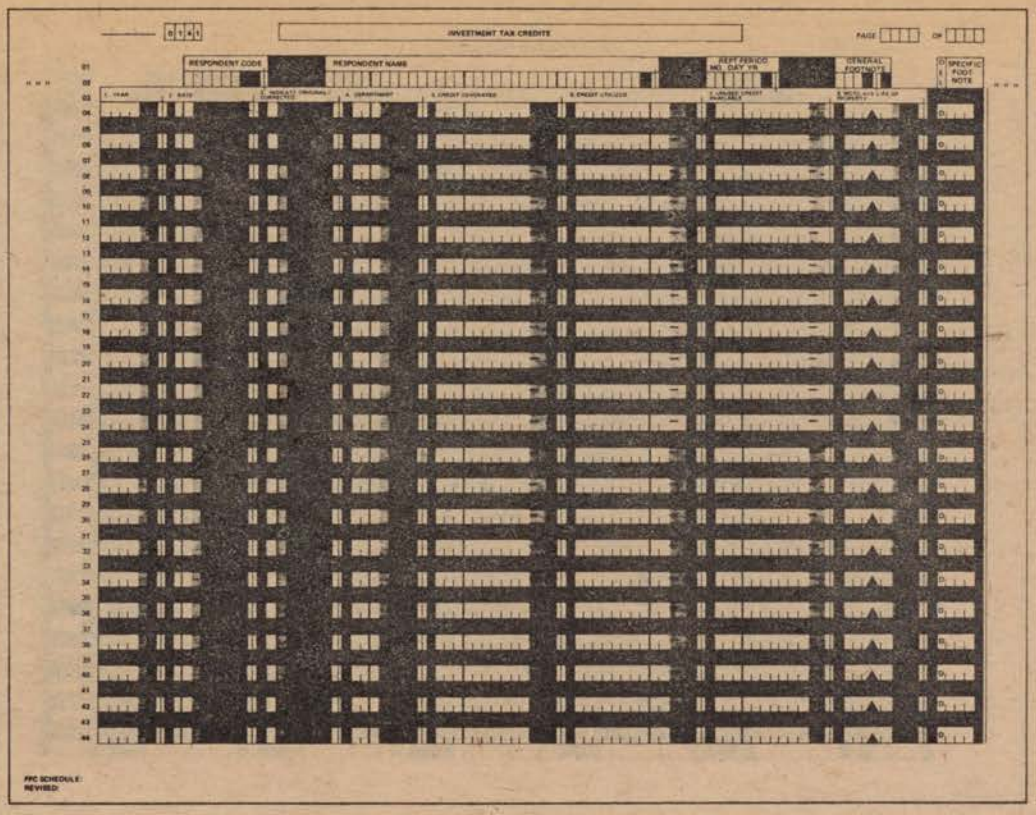


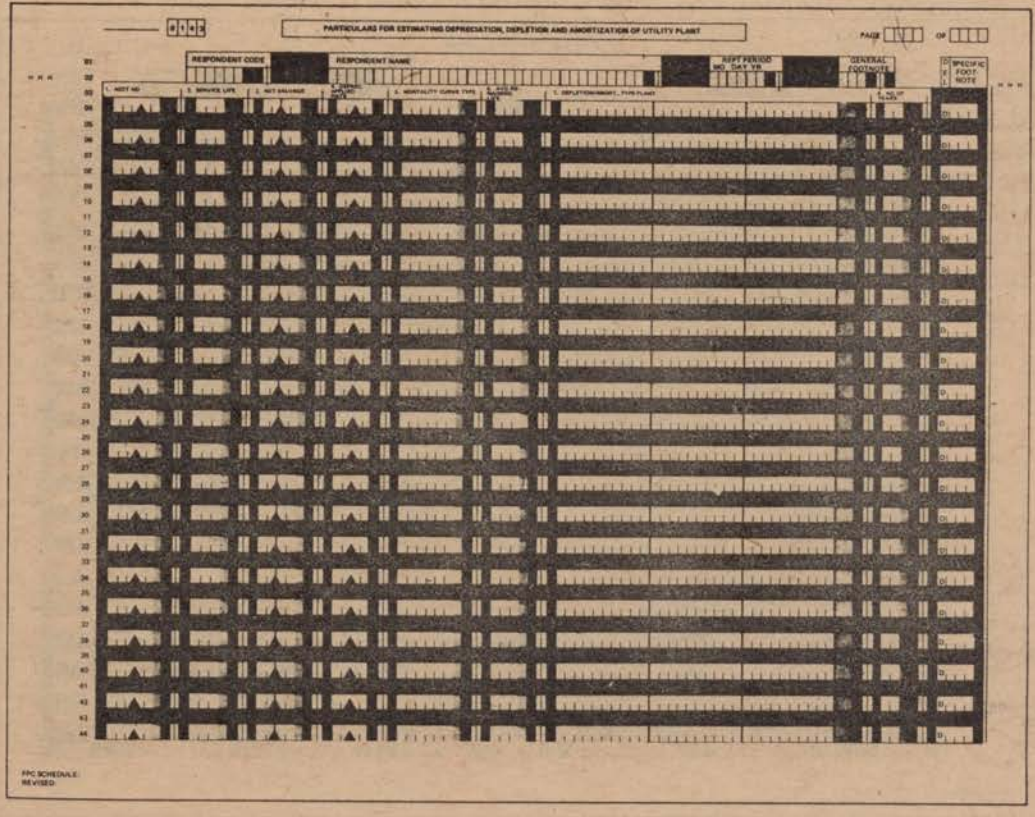


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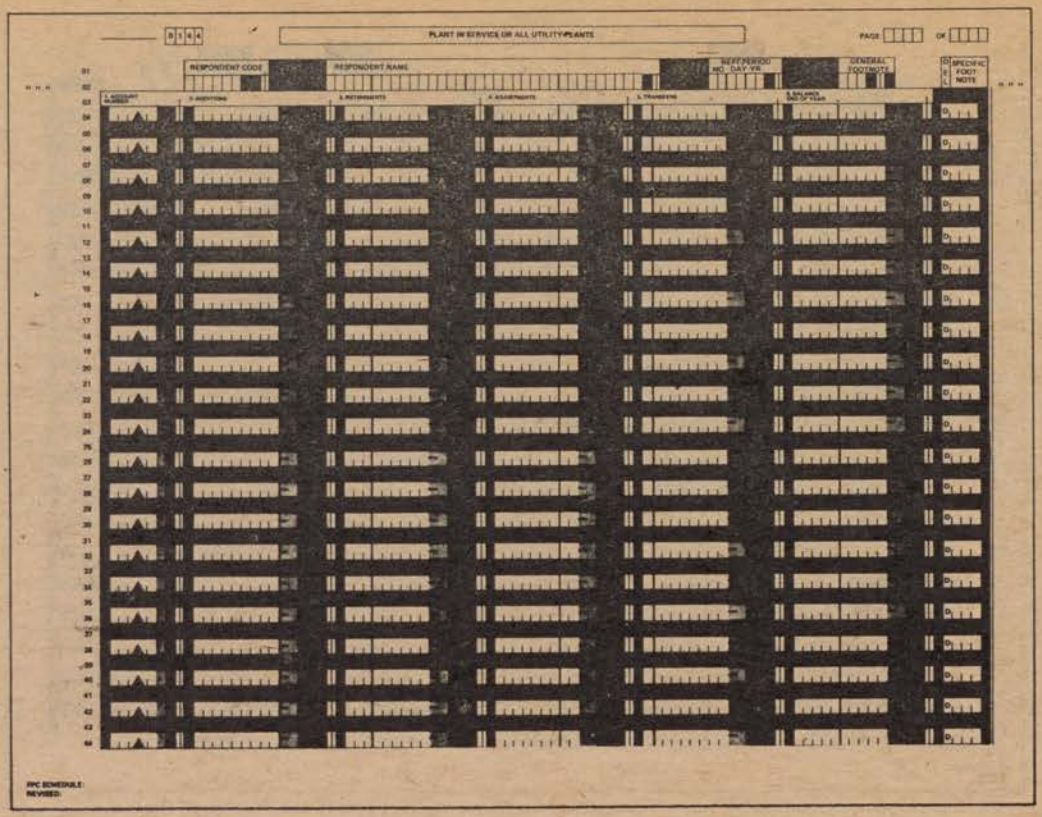


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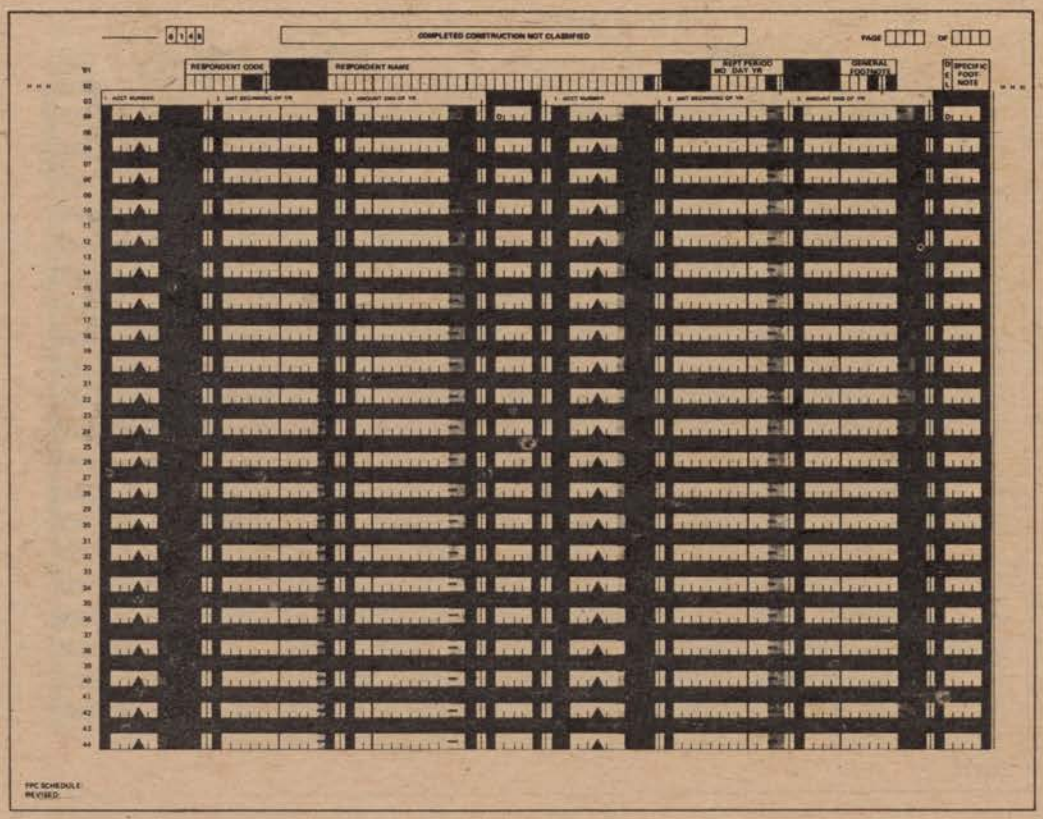

INVESTMENT TAX CREDITS
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD
YR
GENERAL FOOTNOTE
SPECIFIC FOOT-NOTE
SAMPLE
FPC SCHEDULE
REVISED


PARTICULARS FOR ESTIMATING DEPRECIATION, DEPLETION AND AMORTIZATION OF UTILITY PLANT
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD
YR
GENERAL FOOTNOTE
SPECIFIC FOOT-NOTE
SAMPLE
FPC SCHEDULE
REVISED

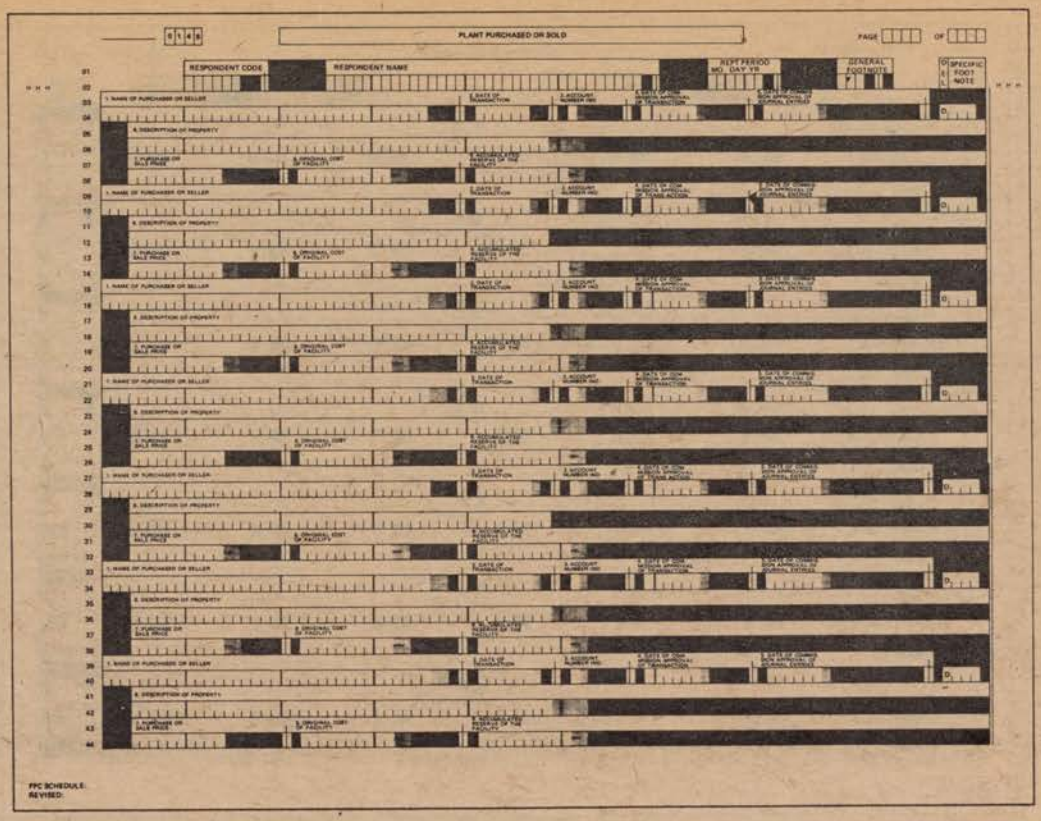
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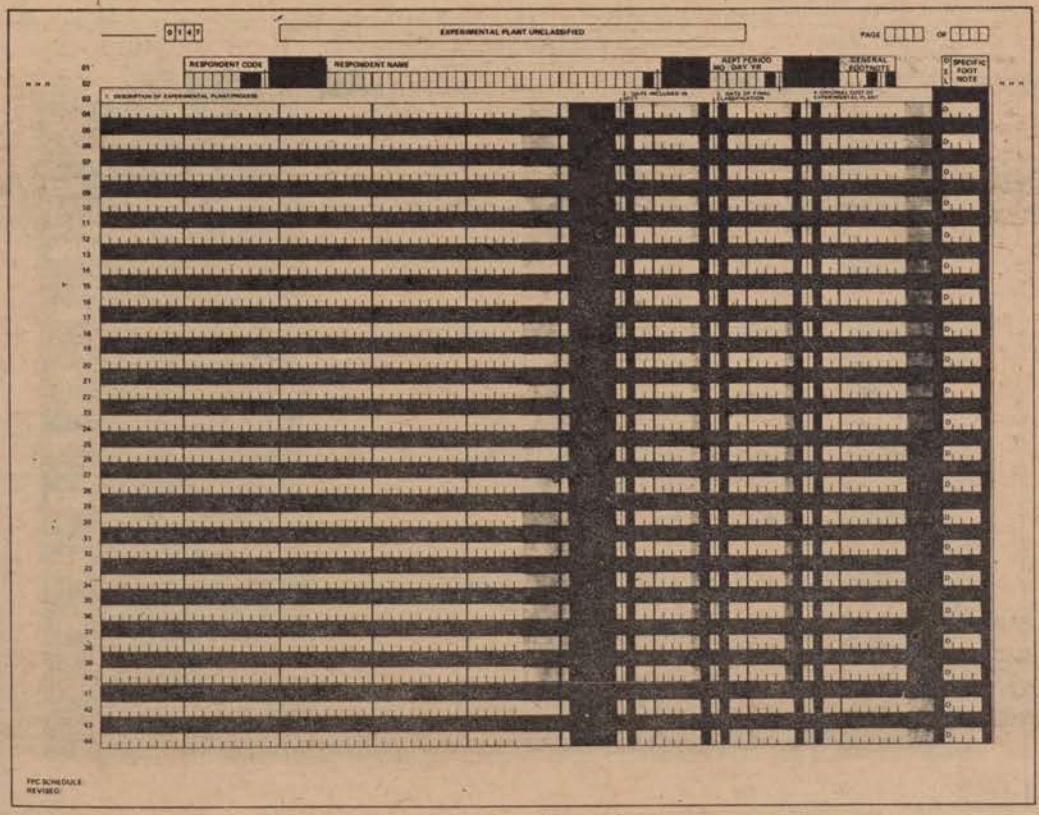
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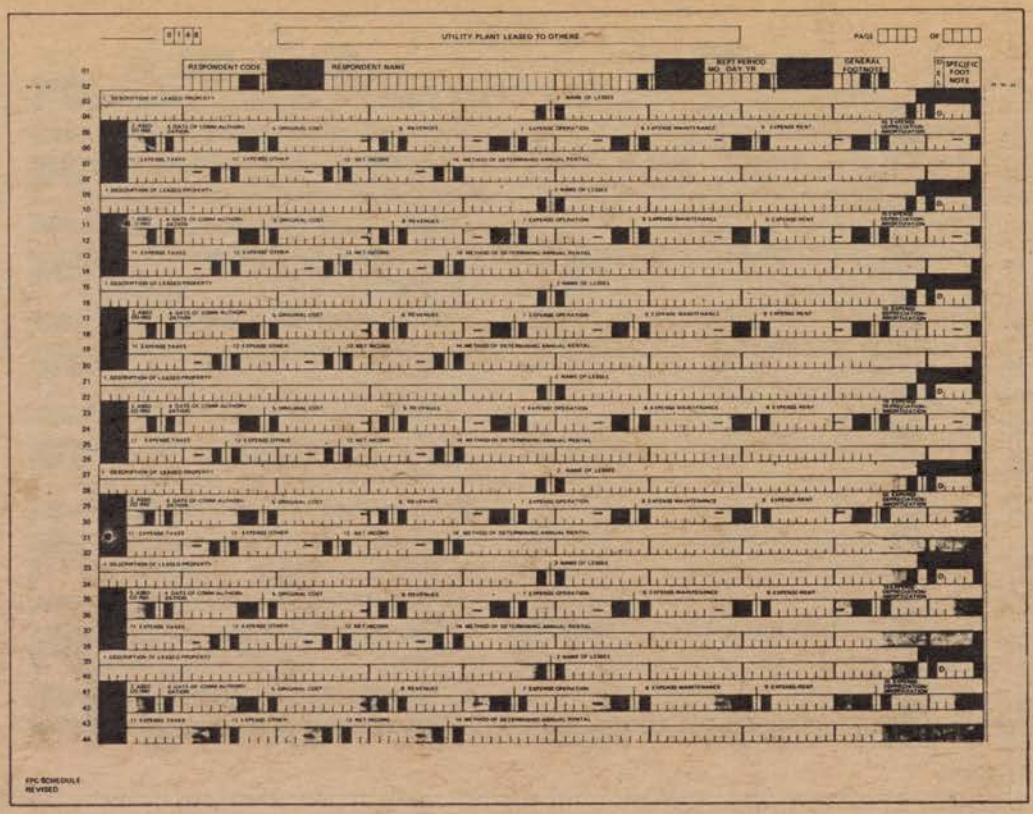


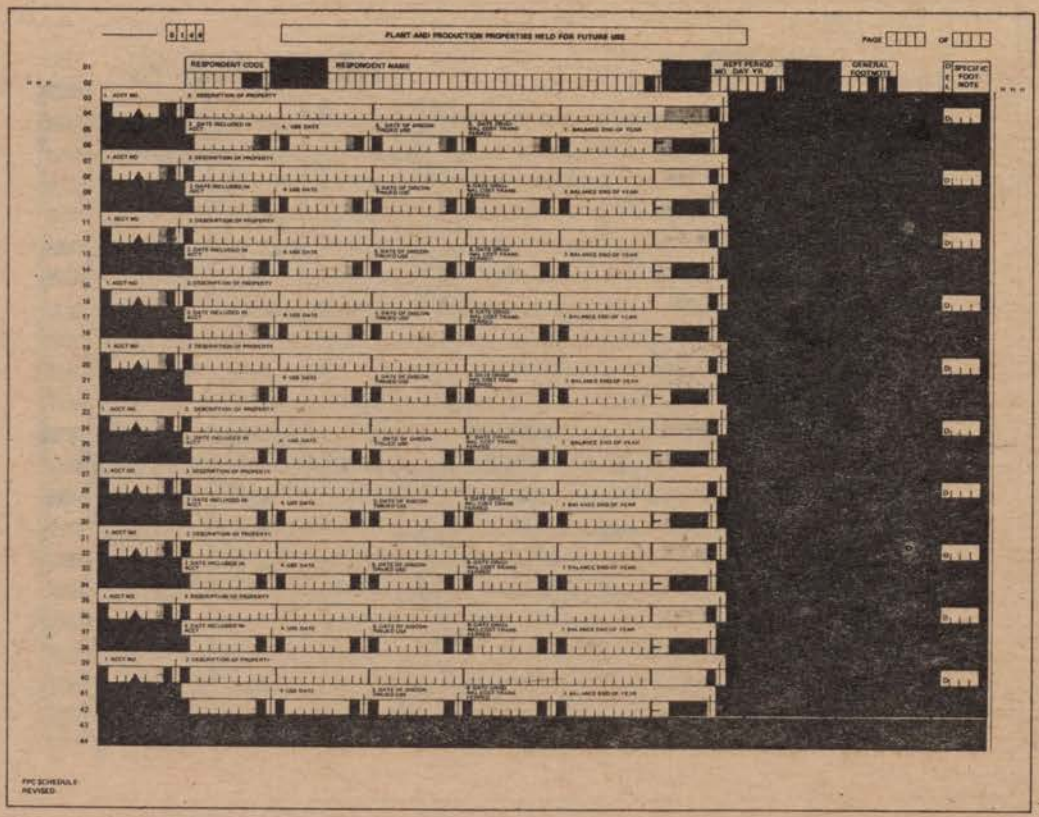
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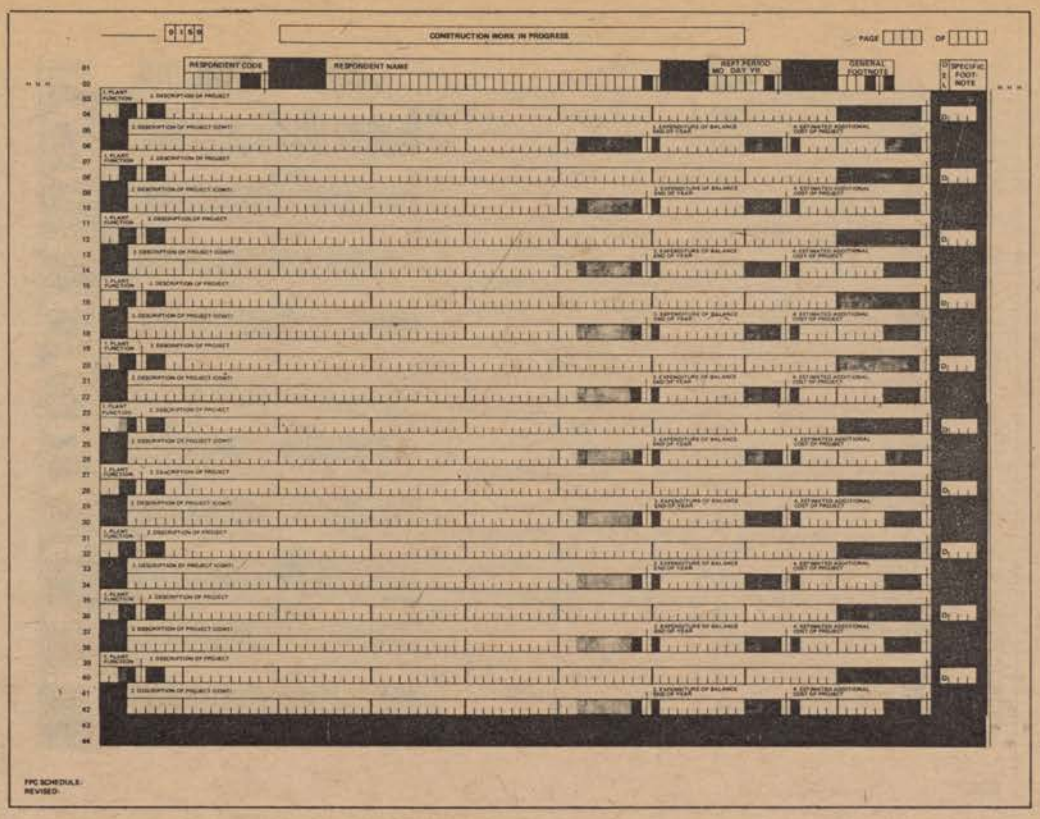


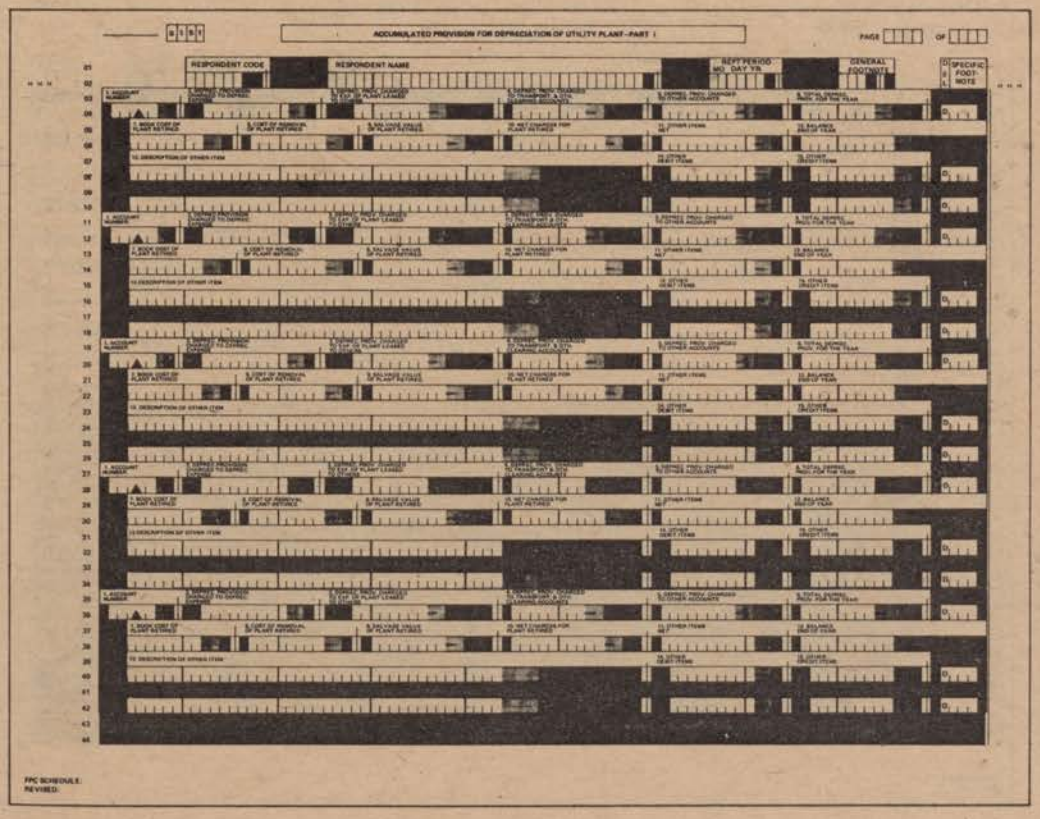




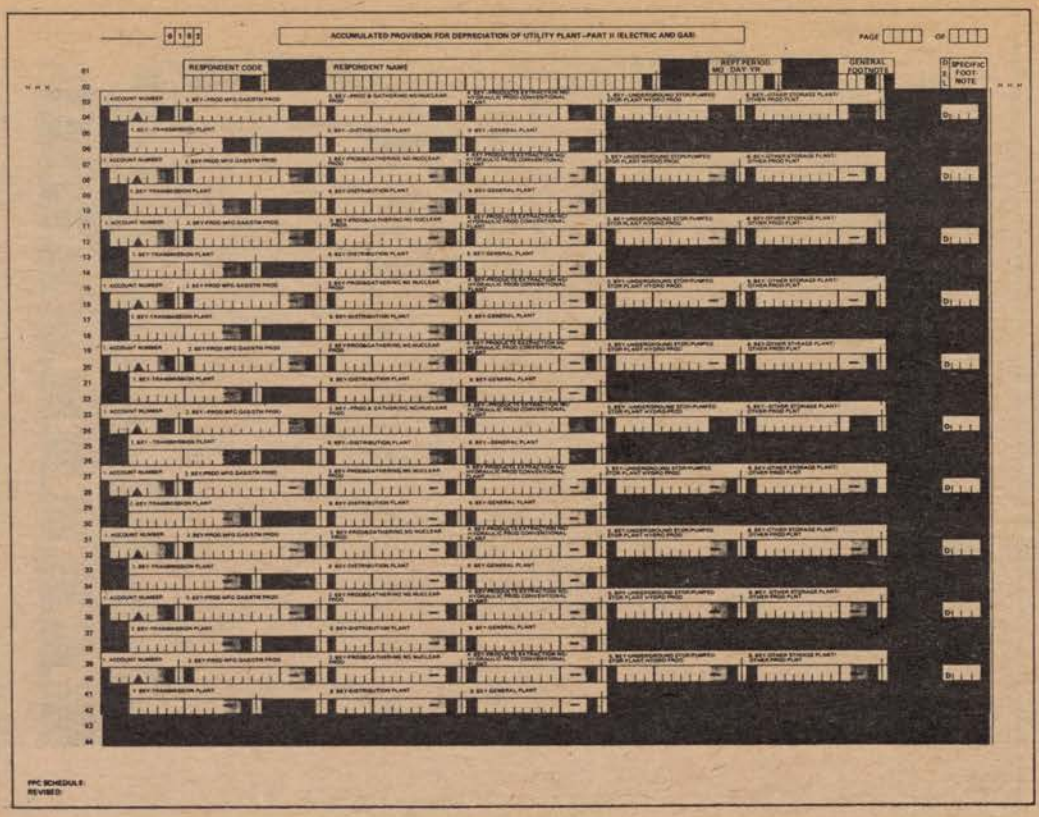
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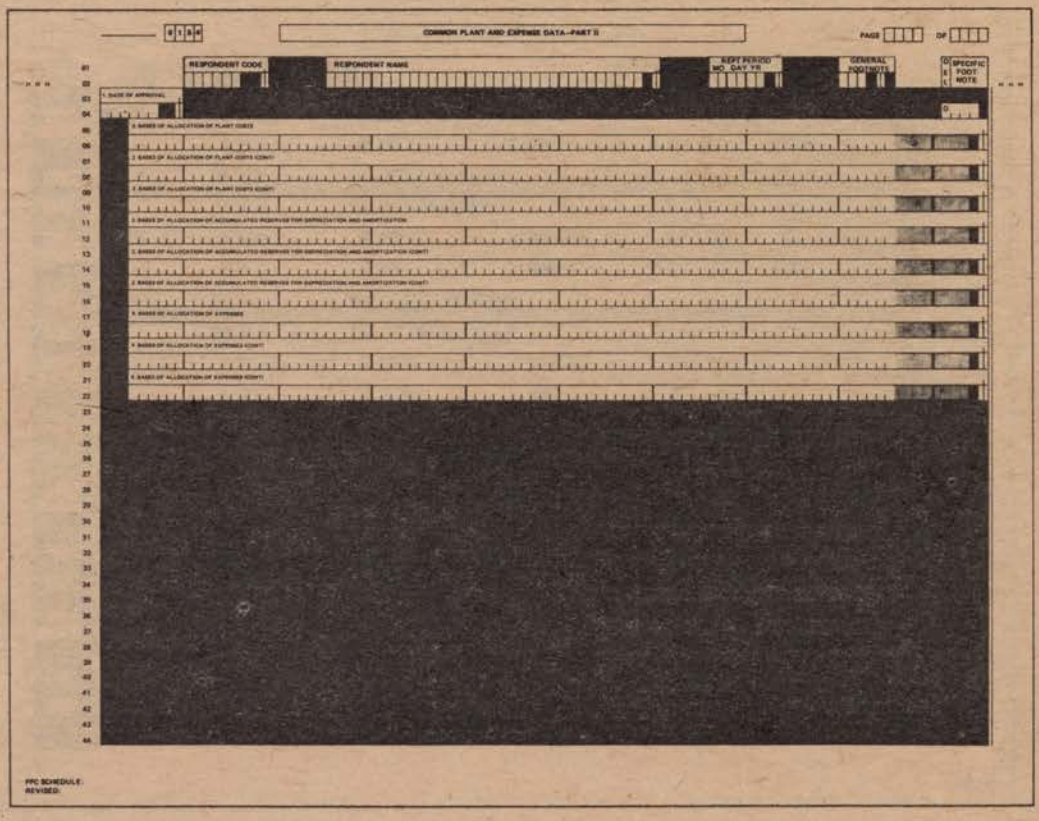

CONSTRUCTION WORK IN PROGRESS
PAGE
OF
RESPONDENT CODE
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MO. DAY YR
GENERAL
FOOTNOTE
SPECIFIC
FOOT-
NOTE
SAMPLE
FPC SCHEDULE
REVISED

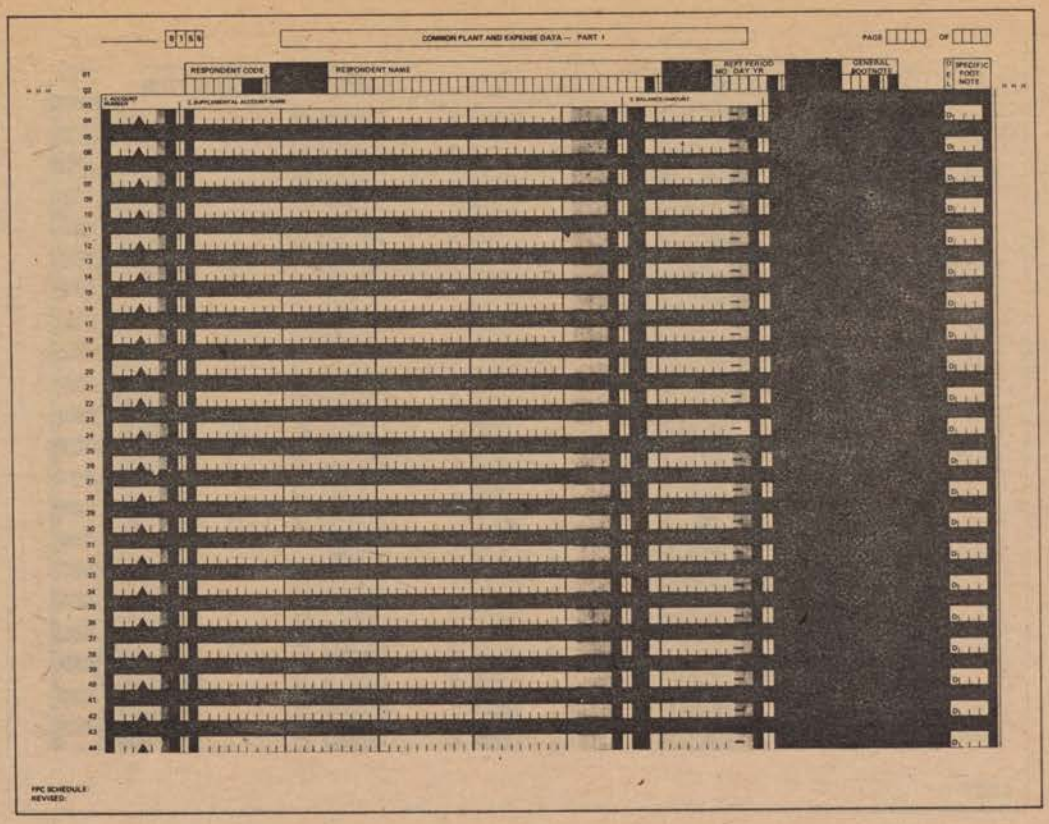

ACCUMULATED PROVISION FOR DEPRECIATION OF UTILITY PLANT - PART I
PAGE
OF
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MO. DAY YR
GENERAL
FOOTNOTE
SPECIFIC
FOOT-
NOTE
SAMPLE
FPC SCHEDULE
REVISED

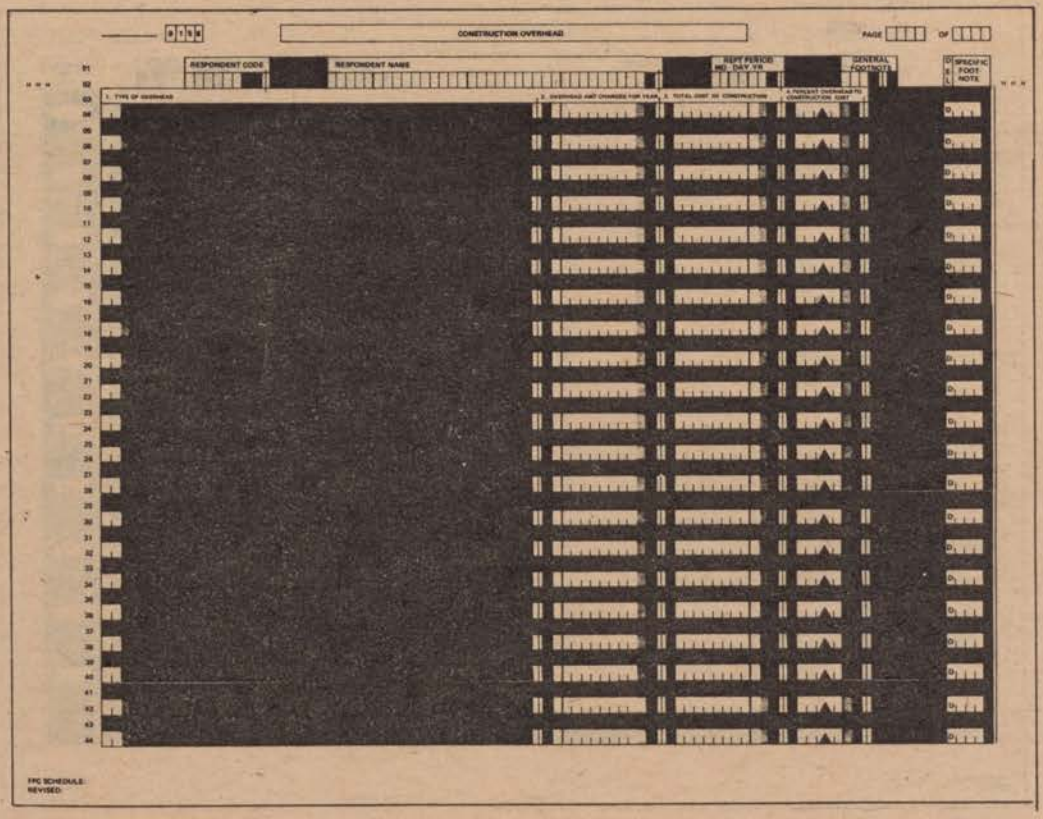
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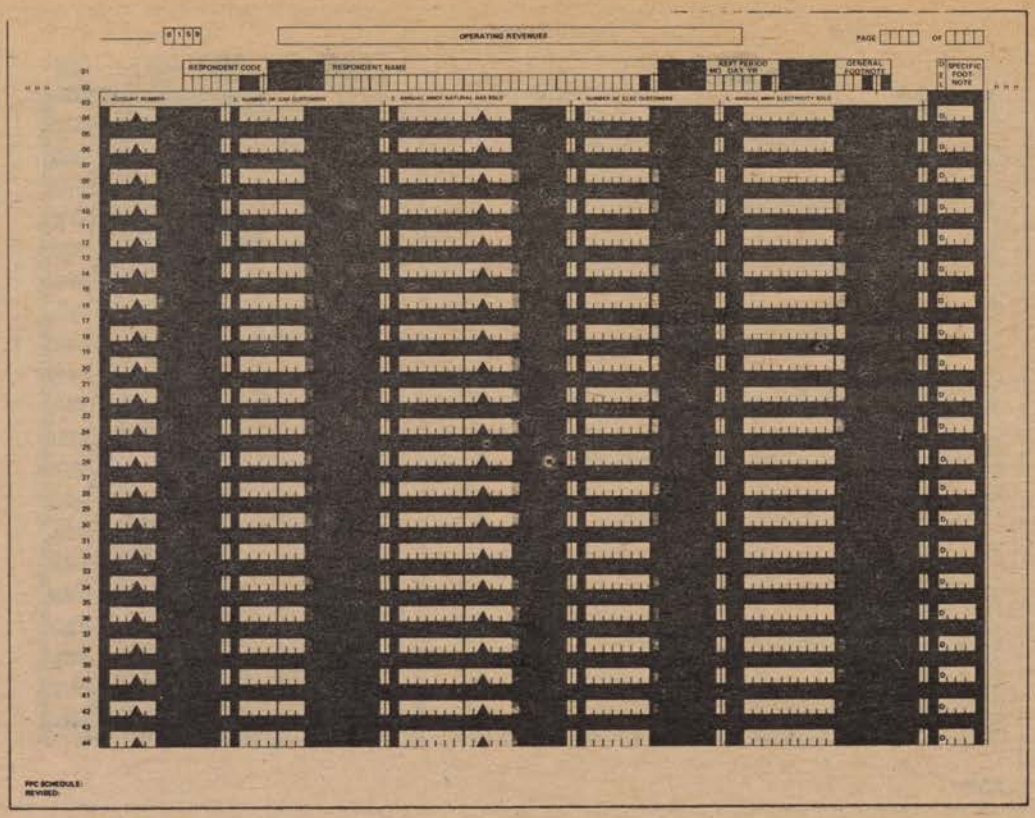
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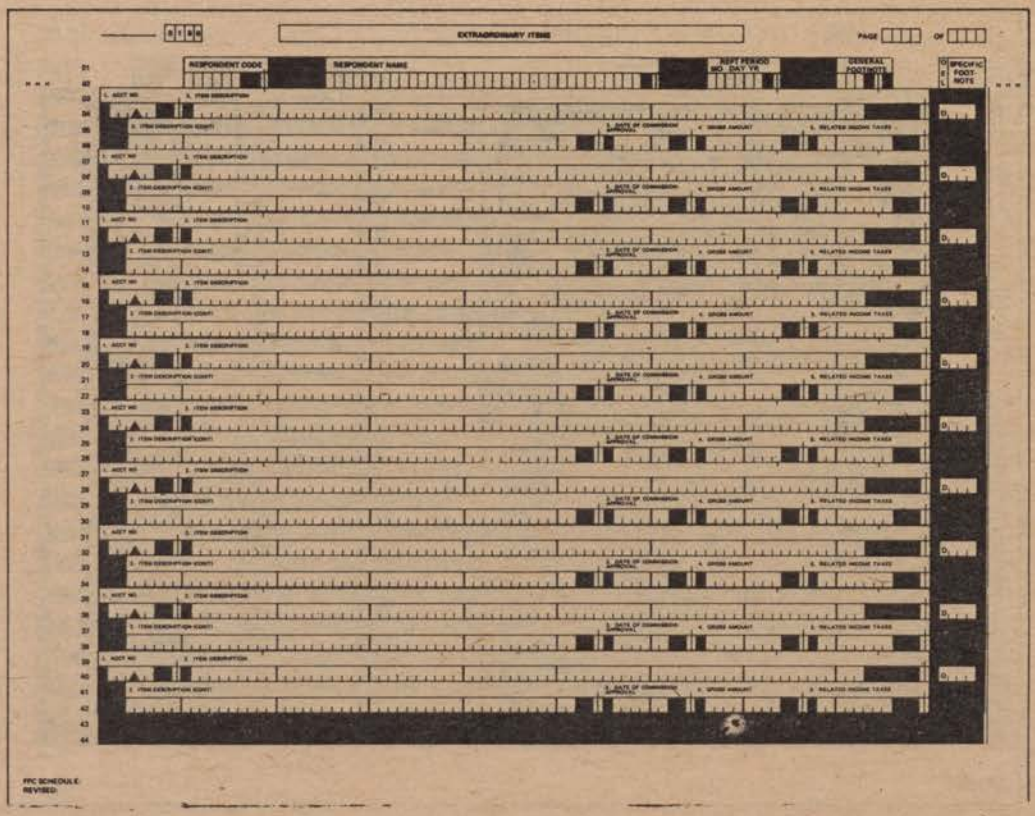

SAMPLE
COMMON PLANT AND EXPENSE DATA — PART I
PAGE
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RESPONDENT NAME
REPT PERIOD MO DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT NOTE
1. ACCOUNT NUMBER
2. SUPPLEMENTAL ACCOUNT NAME
3. BALANCE (AMOUNT)
FPC SCHEDULE
REVISED:

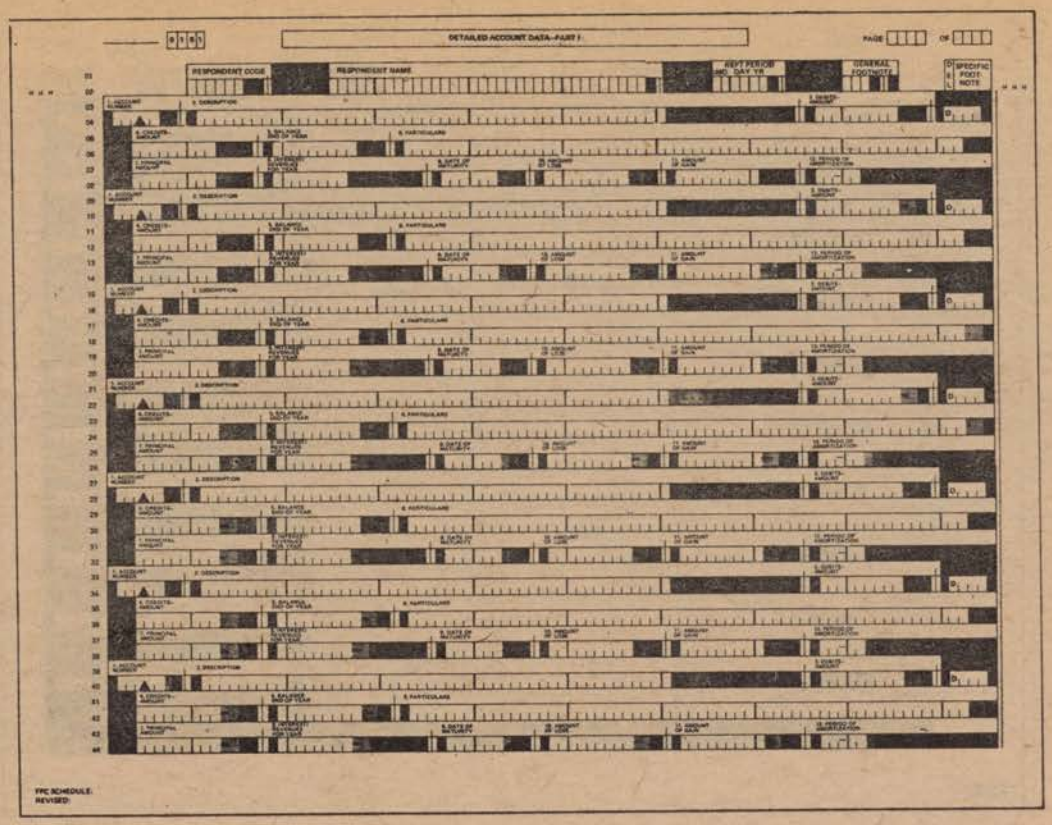

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CONSTRUCTION OVERHEAD
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REPT PERIOD MO DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT NOTE
1. TYPE OF OVERHEAD
2. OVERHEAD AMT CHARGED FOR YEAR
3. TOTAL COST OF CONSTRUCTION
4. PERCENT OVERHEAD TO CONSTRUCTION COST
FPC SCHEDULE
REVISED:

SAMPLE

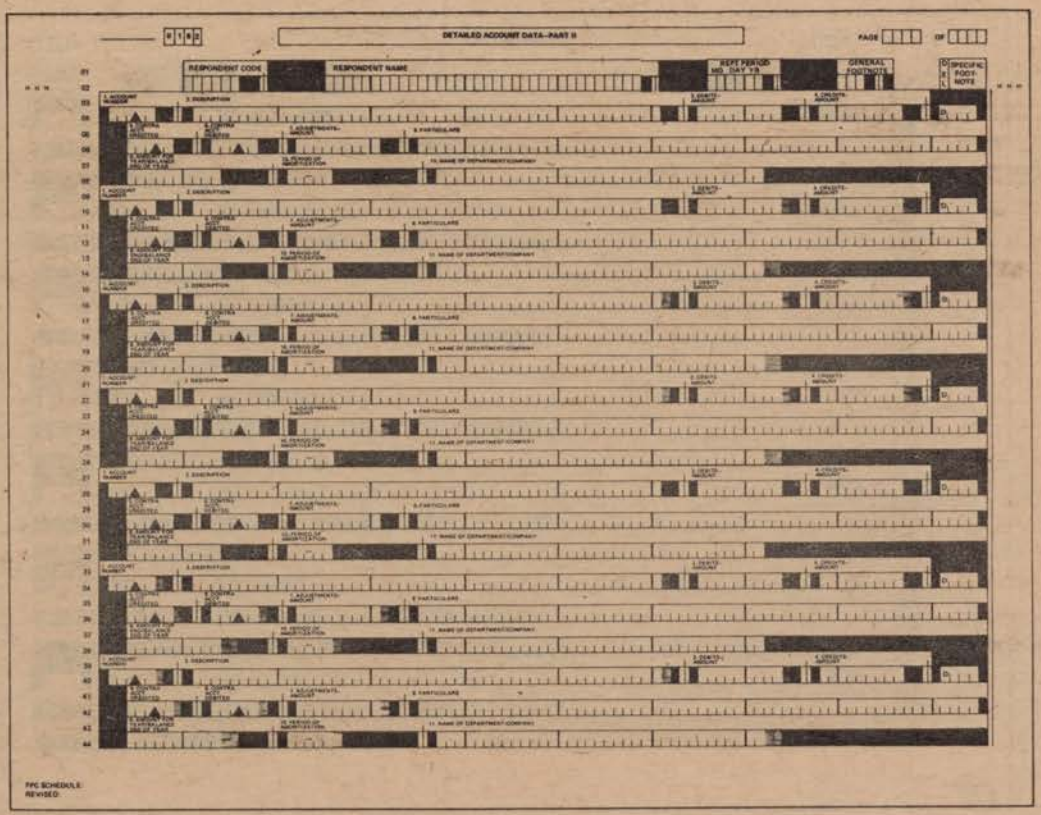


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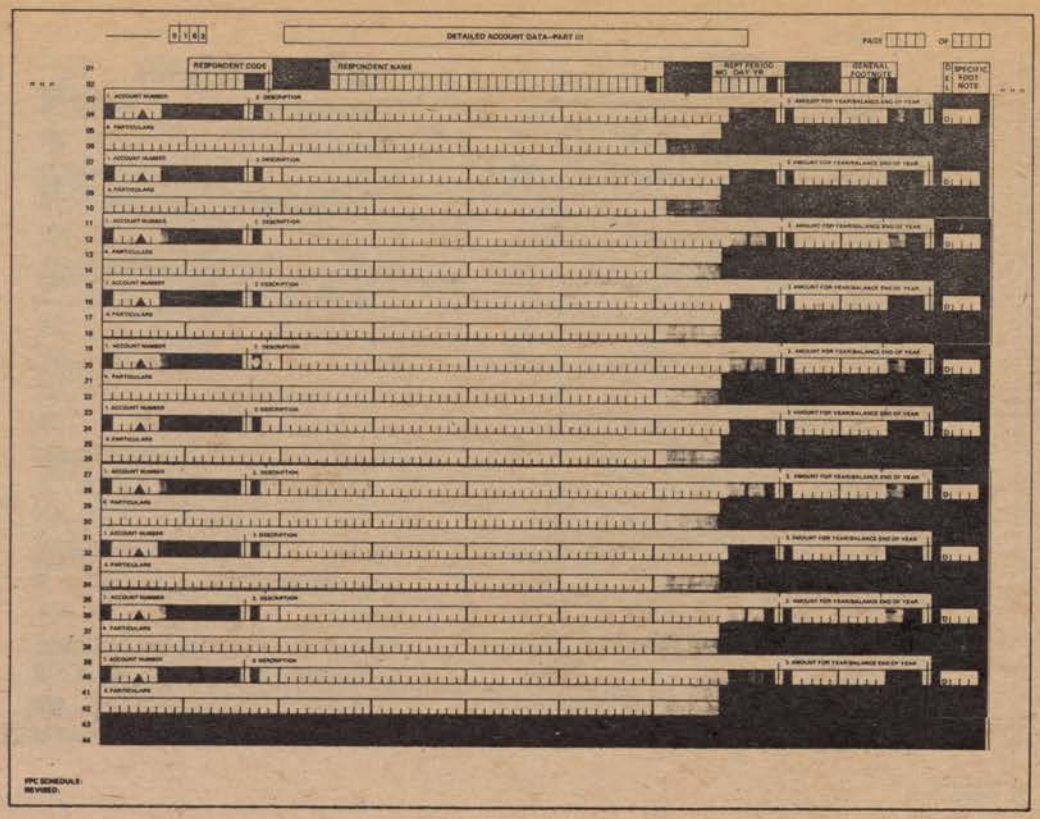


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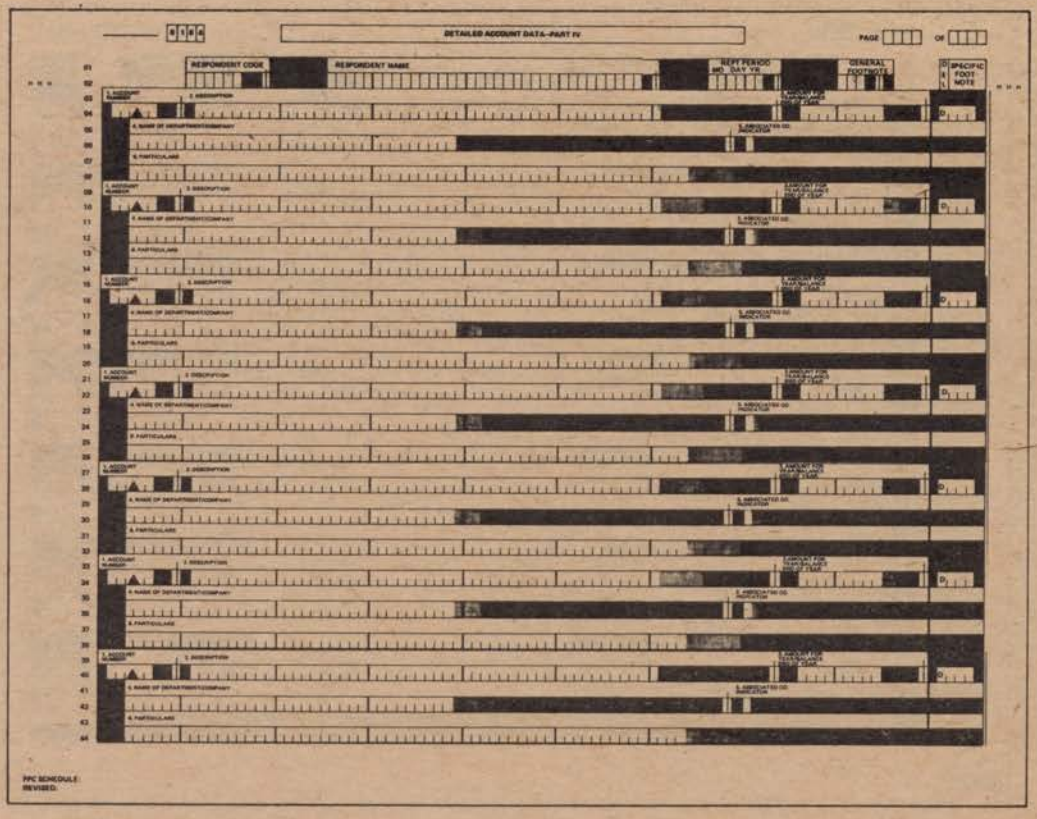


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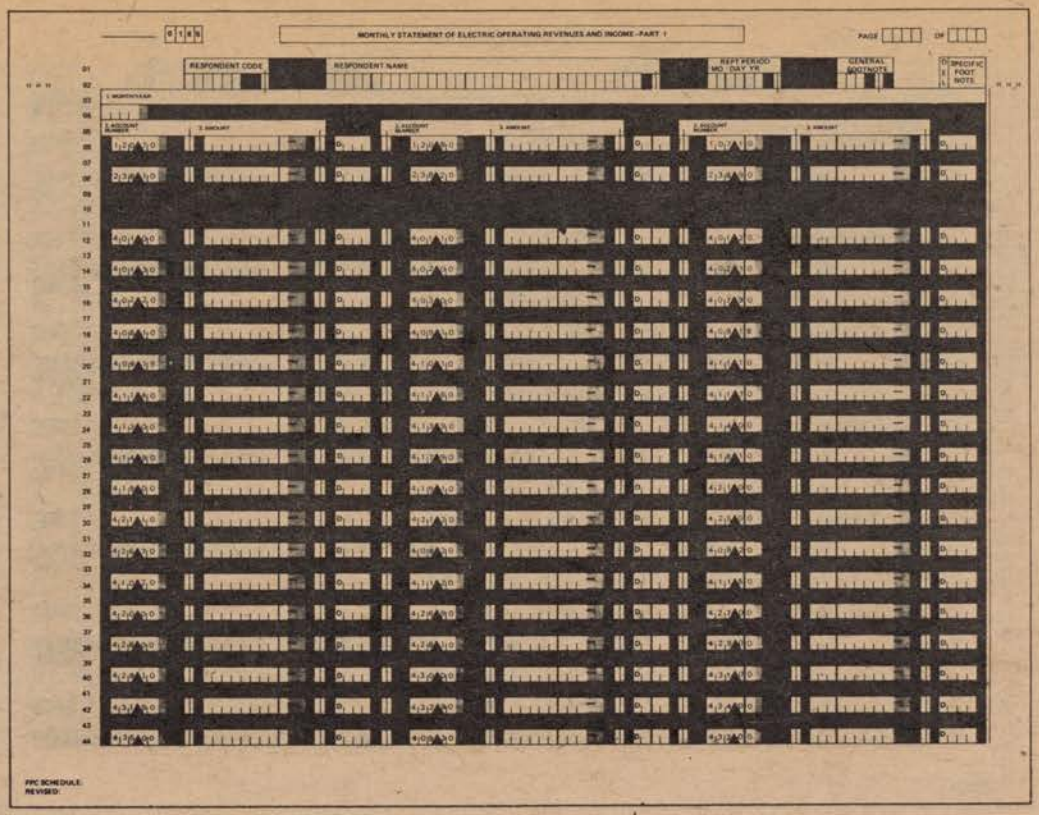
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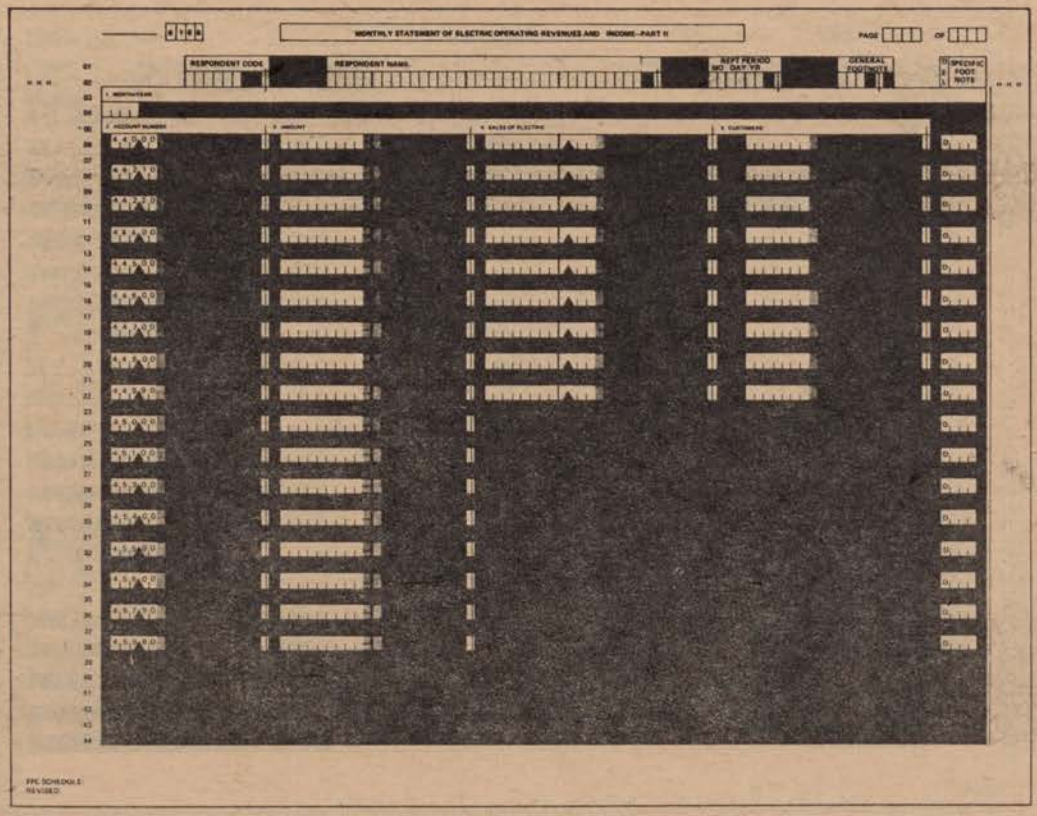
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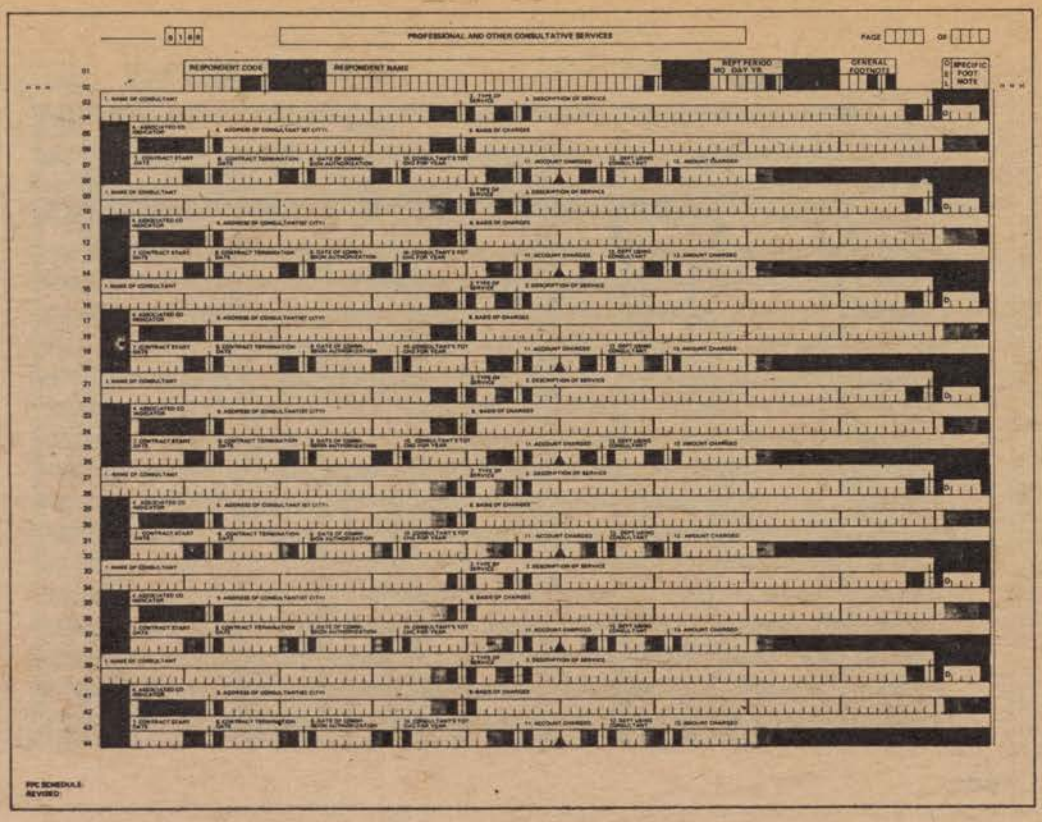
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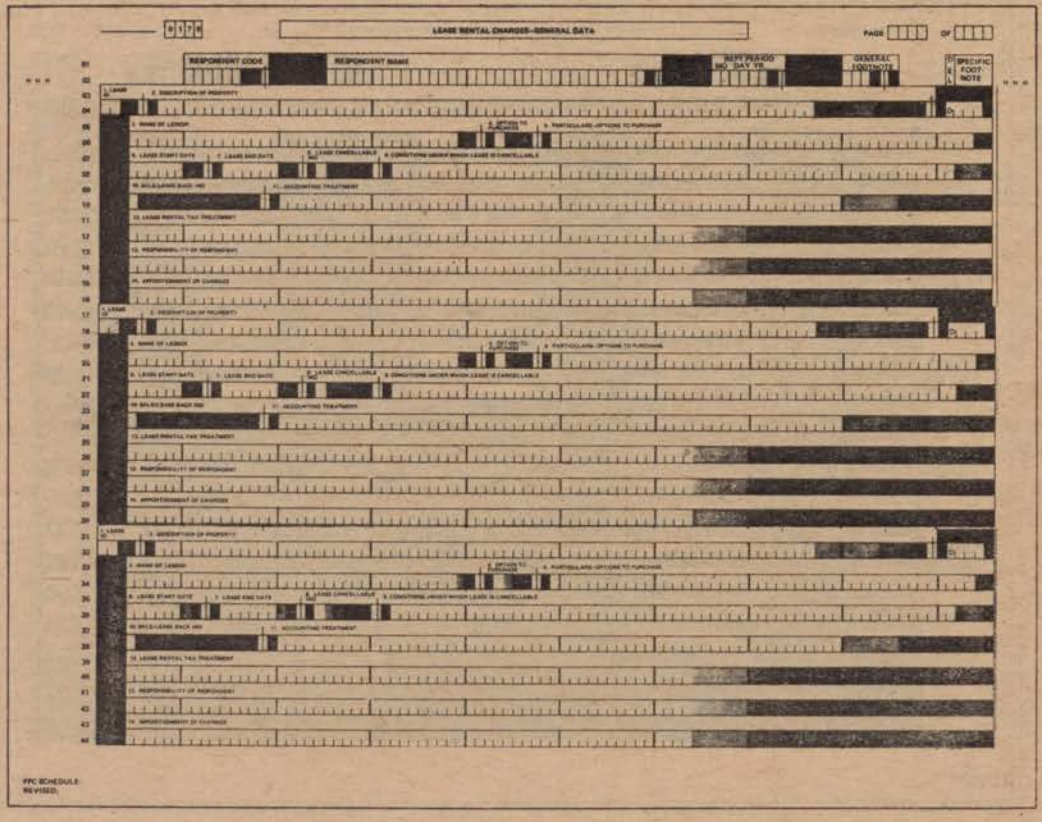
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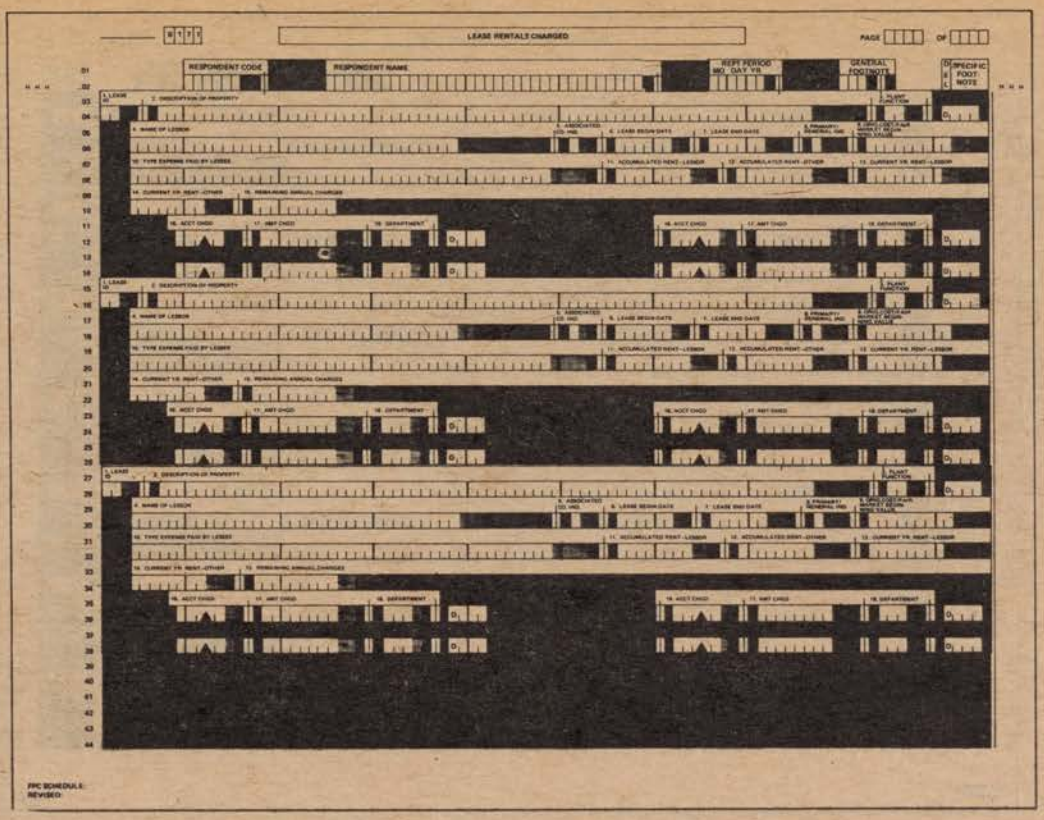


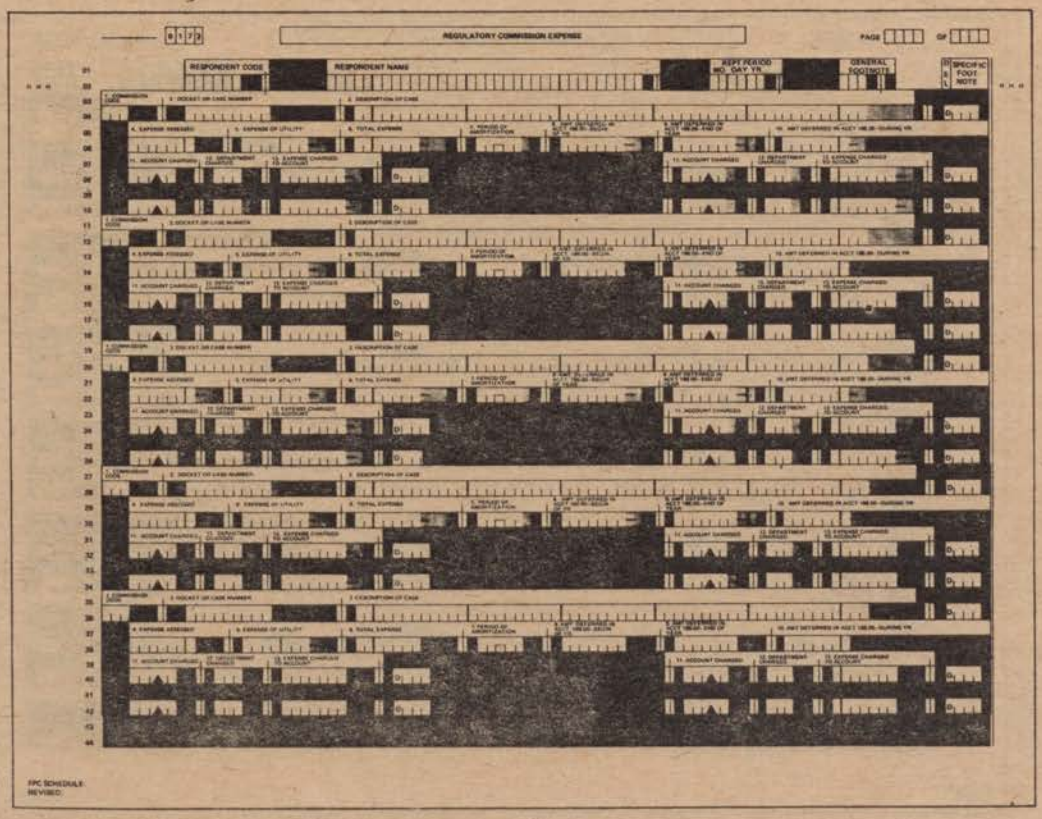
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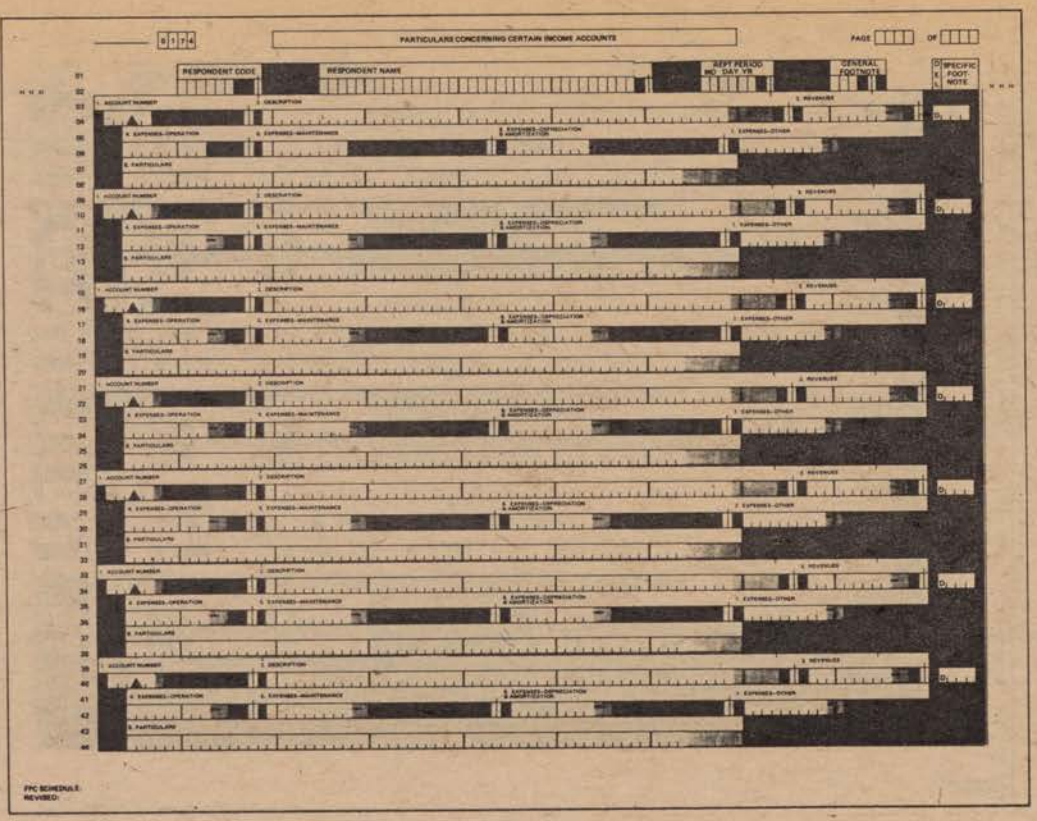
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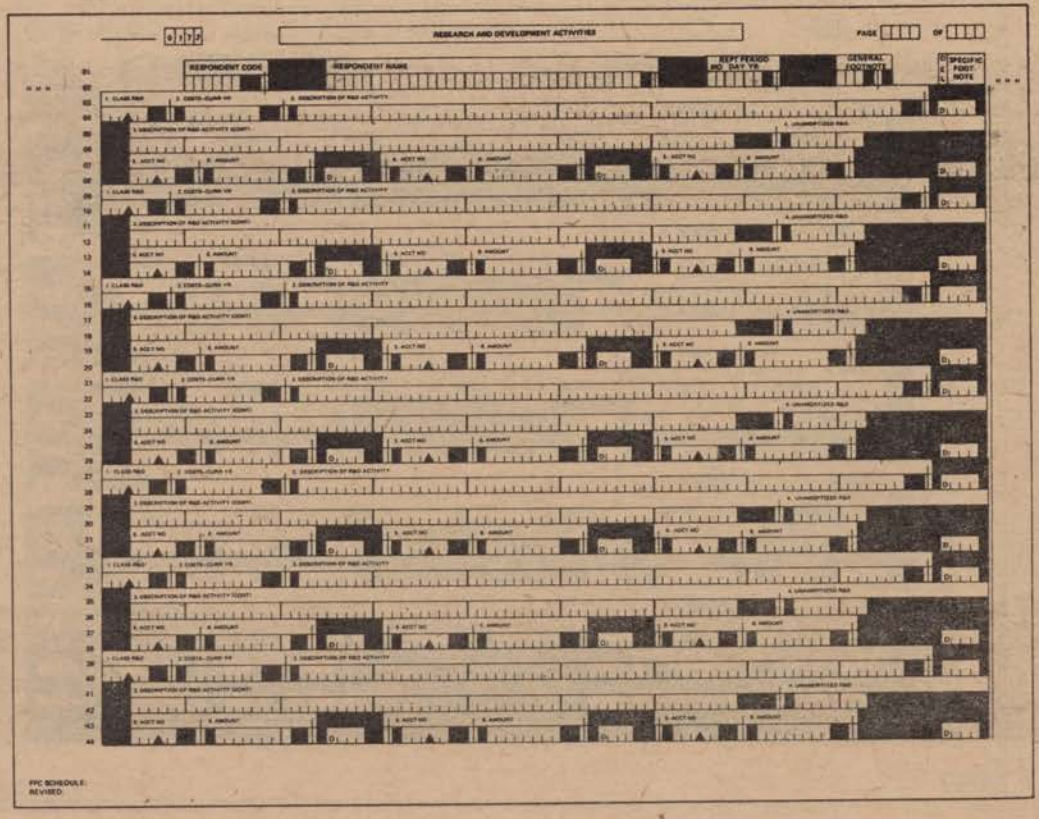

LEASE RENTALS CHARGED
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OF
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RESPONDENT NAME
REPT PERIOD
YR DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT NOTE
SAMPLE
FPC SCHEDULE REVISED:


REGULATORY COMMISSION EXPENSE
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OF
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RESPONDENT NAME
REPT PERIOD
YR DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT NOTE
SAMPLE
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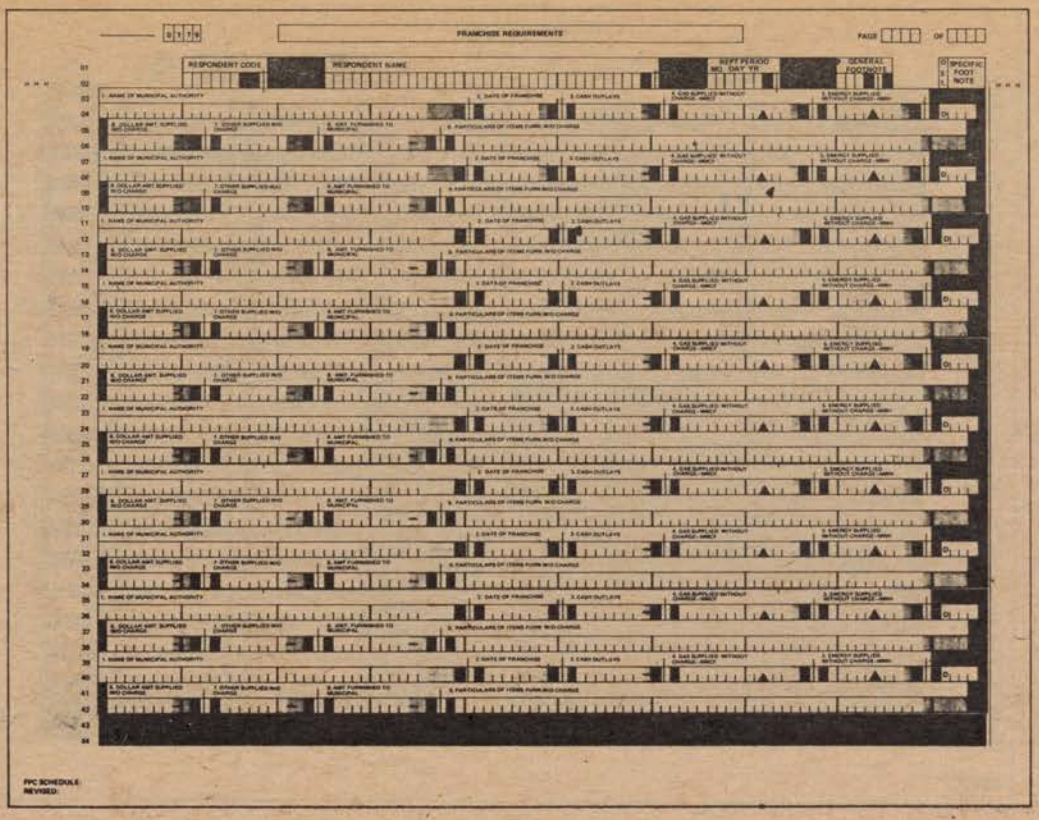
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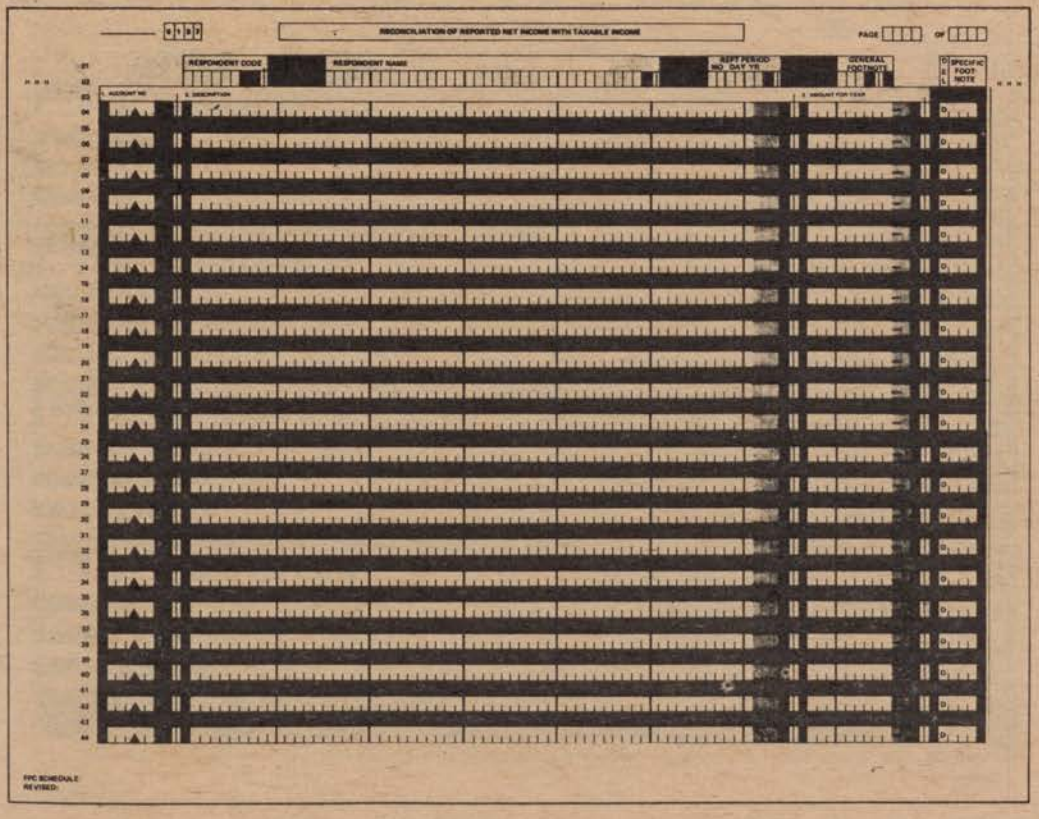
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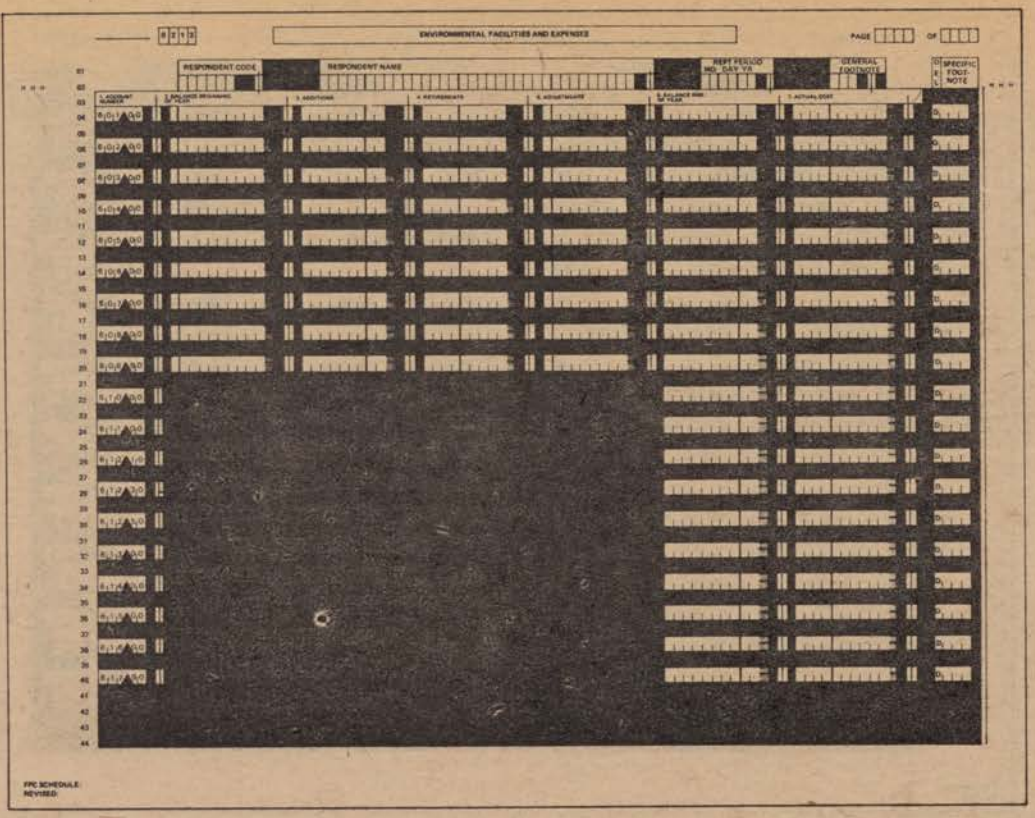


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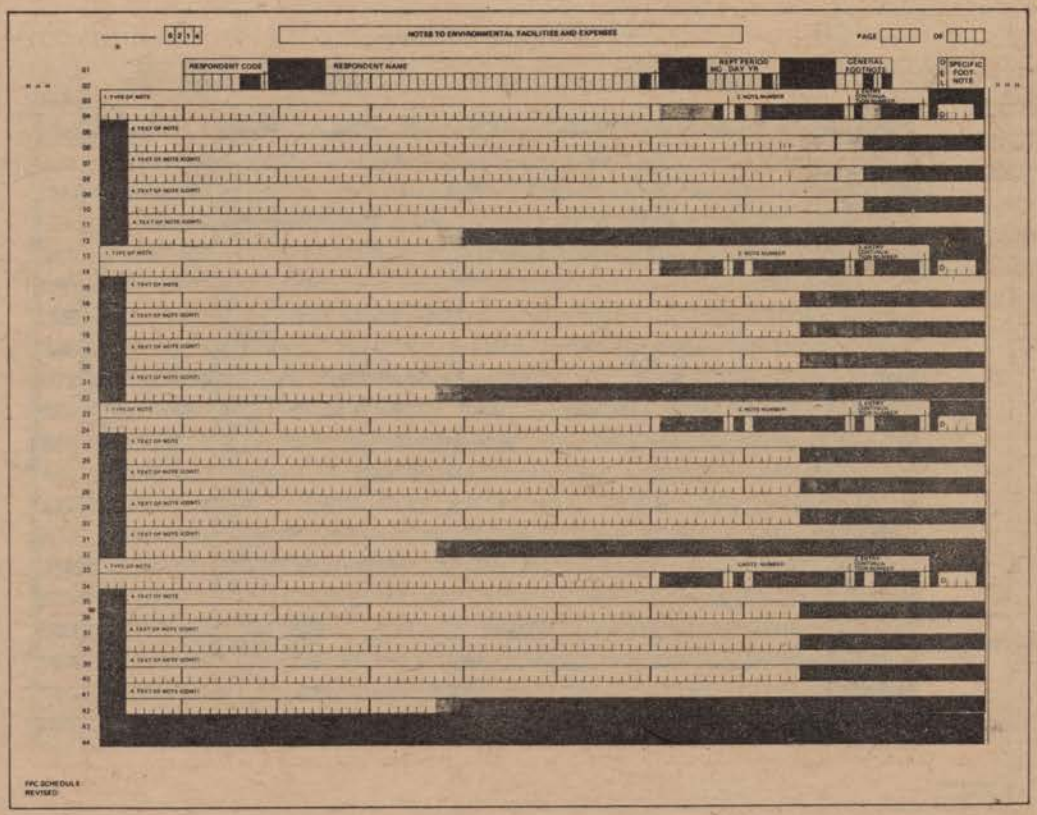


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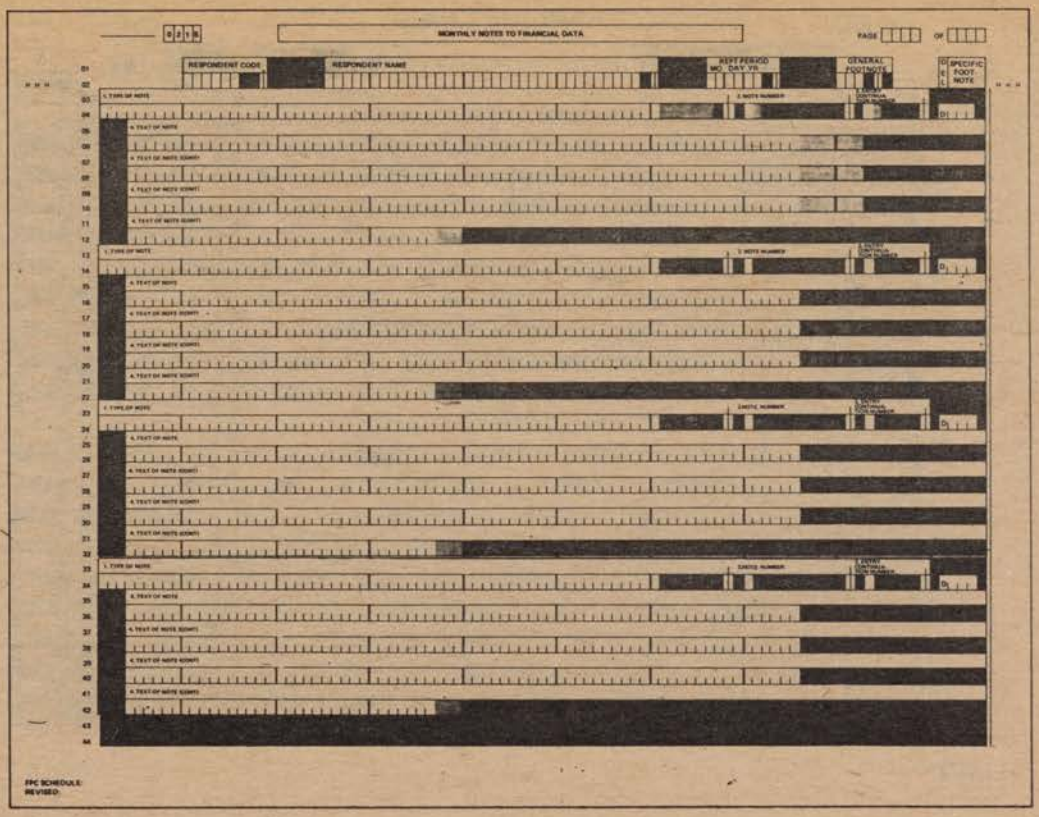


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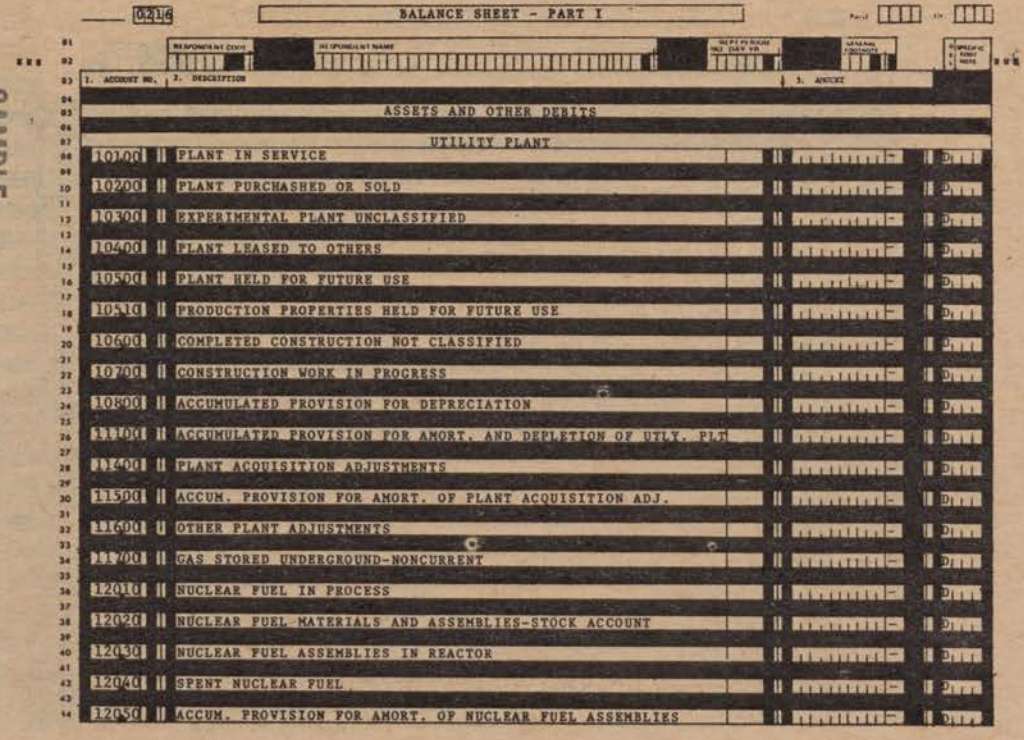


SAMPLE

SAMPLE



SAMPLE



SAMPLE

0217 BALANCE SHEET - PART II

PAGE ___ OF ___

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
12900	NET UTILITY PLANT	
	OTHER PROPERTY AND INVESTMENTS	
12100	NONUTILITY PROPERTY	
12200	ACCUM. PROVISION FOR DEPR. AND AMORT. OF NONUTLY. PROP.	
12300	INVESTMENT IN ASSOCIATED COMPANIES	
12310	INVESTMENT IN SUBSIDIARY COMPANIES	
12400	OTHER INVESTMENTS	
12500	SINKING FUNDS	
12600	DEPRECIATION FUND	
12700	AMORTIZATION FUND-FEDERAL	
12800	OTHER SPECIAL FUNDS	
12990	TOTAL OTHER PROPERTY AND INVESTMENTS	
	CURRENT AND ACCRUED ASSETS	
13100	CASH	
13200	INTEREST SPECIAL DEPOSITS	
13300	DIVIDEND SPECIAL DEPOSITS	
13400	OTHER SPECIAL DEPOSITS	
13500	WORKING FUNDS	
13600	TEMPORARY CASH INVESTMENTS	
14100	NOTES RECEIVABLE	
14200	CUSTOMER ACCOUNTS RECEIVABLE	
14300	OTHER ACCOUNTS RECEIVABLE	
14400	ACCUM. PROVISION FOR UNCOLLECTABLE ACCOUNTS-CREDIT	

FPC SCHEDULE REVISED

SAMPLE

0218 BALANCE SHEET - PART III

PAGE ___ OF ___

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
14500	NOTES RECEIVABLE FROM ASSOCIATED COMPANIES	
14600	ACCOUNTS RECEIVABLE FROM ASSOCIATED COMPANIES	
15100	FUEL STOCK	
15200	FUEL STOCK EXPENSE UNDISTRIBUTED	
15300	RESIDUALS	
15400	PLANT MATERIALS AND OPERATING SUPPLIES	
15500	MERCHANDISE	
15600	OTHER MATERIALS AND SUPPLIES	
15700	NUCLEAR MATERIALS HELD FOR SALE	
16300	STORES EXPENSE UNDISTRIBUTED	
16410	GAS STORED UNDERGROUND-CURRENT	
16420	LIQUEFIED NATURAL GAS STORED	
16500	PREPAYMENTS	
16600	ADVANCES FOR GAS EXPLORATION, DEVELOPMENT AND PROD.	
16700	OTHER ADVANCES FOR GAS	
17100	INTEREST AND DIVIDENDS RECEIVABLE	
17200	RENTS RECEIVABLE	
17300	ACCRUED UTILITY REVENUES	
17400	MISCELLANEOUS CURRENT AND ACCRUED ASSETS	
17990	TOTAL CURRENT AND ACCRUED ASSETS	
18100	UNAMORTIZED DEBT EXPENSE	

FPC SCHEDULE REVISED

SAMPLE

0219 BALANCE SHEET - PART IV

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
18200	EXTRAORDINARY PROPERTY LOSSES	
18310	PRELIMINARY SURVEY AND INVESTIGATION CHARGES	
18320	OTHER PRELIMINARY SURVEY AND INVESTIGATION CHARGES	
18400	CLEARING ACCOUNTS	
18500	TEMPORARY FACILITIES	
18600	MISCELLANEOUS DEFERRED DEBITS	
18700	DEFERRED LOSSES FROM DISPOSITION OF UTILITY PLANT	
18800	RESEARCH AND DEVELOPMENT EXPENDITURES	
18900	UNAMORTIZED LOSS ON REACQUIRED DEBT	
19000	ACCUMULATED DEFERRED INCOME TAXES	
19100	UNRECOVERED PURCHASE GAS COSTS	
19890	TOTAL DEFERRED DEBITS	
19990	TOTAL ASSETS AND OTHER DEBITS	

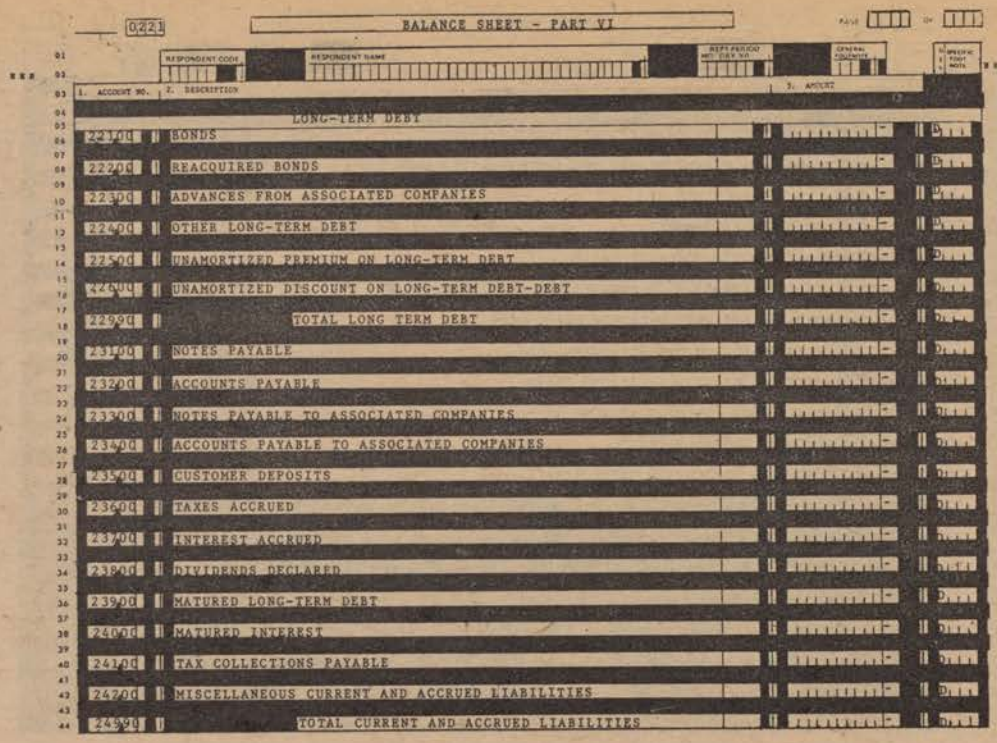
FPC SCHEDULE: REVISED

SAMPLE

0220 BALANCE SHEET - PART V

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
	LIABILITIES AND OTHER CREDITS	
	PROPRIETARY CAPITAL	
20100	COMMON STOCK ISSUED	
20200	COMMON STOCK SUBSCRIBED	
20300	COMMON STOCK LIABILITY FOR CONVERSION	
20400	PREFERRED STOCK ISSUED	
20500	PREFERRED STOCK SUBSCRIBED	
20600	PREFERRED STOCK LIABILITY FOR CONVERSION	
20700	PREMIUM ON CAPITAL STOCK	
20800	DONATIONS RECEIVED FROM STOCKHOLDERS	
20900	REDUCTION IN PART OR STATED VALUE OF CAPITAL STOCK	
21000	GAIN OR RESALE OR CANCELLATION OF REACQUIRED CAP. STOCK	
21100	MISCELLANEOUS PAID-IN CAPITAL	
21200	INSTALLMENTS RECEIVED ON CAPITAL STOCK	
21300	DISCOUNT ON CAPITAL STOCK	
21400	CAPITAL STOCK EXPENSE	
21500	APPROPRIATED RETAINED EARNINGS	
21600	UNAPPROPRIATED RETAINED EARNINGS	
21610	UNAPPROPRIATED UNDISTRIBUTED SUBSIDIARY EARNINGS	
21700	REACQUIRED CAPITAL STOCK	
21990	TOTAL PROPRIETARY CAPITAL	

FPC SCHEDULE: REVISED

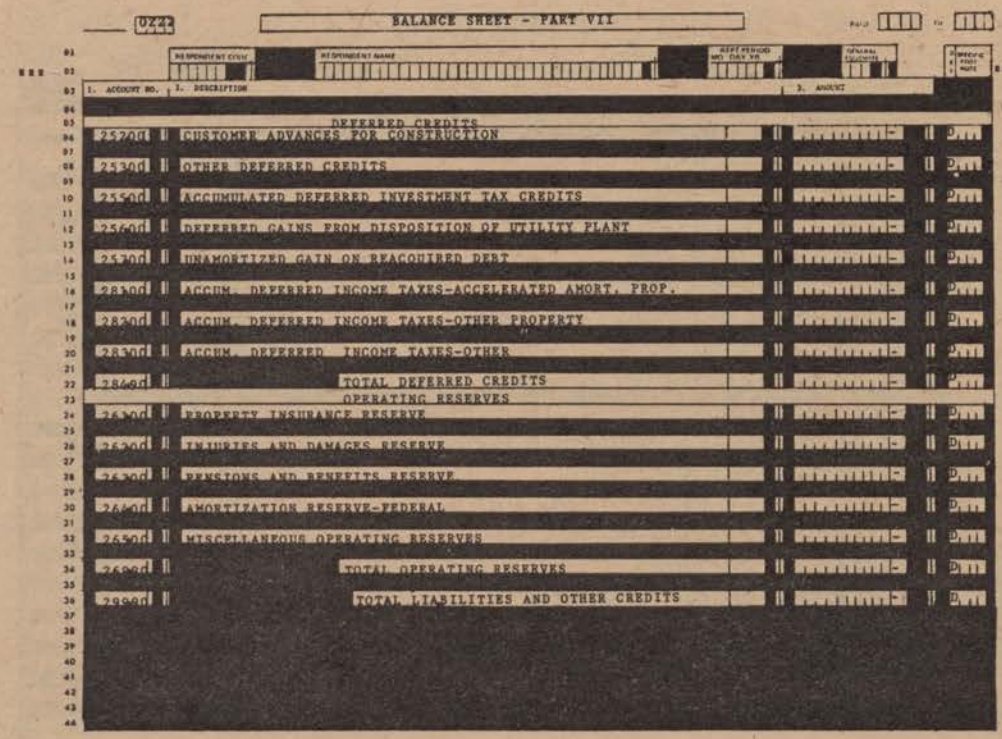


0221 BALANCE SHEET - PART VI

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
	LONG-TERM DEBT	
22100	BONDS	
22200	REACQUIRED BONDS	
22300	ADVANCES FROM ASSOCIATED COMPANIES	
22400	OTHER LONG-TERM DEBT	
22500	UNAMORTIZED PREMIUM ON LONG-TERM DEBT	
22600	UNAMORTIZED DISCOUNT ON LONG-TERM DEBT-DEBT	
22990	TOTAL LONG TERM DEBT	
23100	NOTES PAYABLE	
23200	ACCOUNTS PAYABLE	
23300	NOTES PAYABLE TO ASSOCIATED COMPANIES	
23400	ACCOUNTS PAYABLE TO ASSOCIATED COMPANIES	
23500	CUSTOMER DEPOSITS	
23600	TAXES ACCRUED	
23700	INTEREST ACCRUED	
23800	DIVIDENDS DECLARED	
23900	MATURED LONG-TERM DEBT	
24000	MATURED INTEREST	
24100	TAX COLLECTIONS PAYABLE	
24200	MISCELLANEOUS CURRENT AND ACCRUED LIABILITIES	
24990	TOTAL CURRENT AND ACCRUED LIABILITIES	

FPC SCHEDULE: REVISED

SAMPLE



0222 BALANCE SHEET - PART VII

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
	DEFERRED CREDITS	
25200	CUSTOMER ADVANCES FOR CONSTRUCTION	
25300	OTHER DEFERRED CREDITS	
25500	ACCUMULATED DEFERRED INVESTMENT TAX CREDITS	
25600	DEFERRED GAINS FROM DISPOSITION OF UTILITY PLANT	
25700	UNAMORTIZED GAIN ON REACQUIRED DEBT	
28100	ACCUM. DEFERRED INCOME TAXES-ACCELERATED AMORT. PROP.	
28200	ACCUM. DEFERRED INCOME TAXES-OTHER PROPERTY	
28500	ACCUM. DEFERRED INCOME TAXES-OTHER	
28490	TOTAL DEFERRED CREDITS	
	OPERATING RESERVES	
26300	PROPERTY INSURANCE RESERVE	
26200	INJURIES AND DAMAGES RESERVE	
26300	PENSIONS AND BENEFITS RESERVE	
26400	AMORTIZATION RESERVE-FEDERAL	
26500	MISCELLANEOUS OPERATING RESERVES	
26900	TOTAL OPERATING RESERVES	
29900	TOTAL LIABILITIES AND OTHER CREDITS	

FPC SCHEDULE: REVISED

SAMPLE

0223 STATEMENT OF INCOME FOR THE YEAR - PART I

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
	TOTAL UTILITY OPERATING INCOME	
	OPERATING REVENUES:	
40000	OPERATING REVENUES	
41200	REVENUES FROM PLANT LEASED TO OTHERS	
	OPERATING EXPENSES:	
40100	OPERATING EXPENSE	
40200	MAINTENANCE EXPENSE	
40300	DEPRECIATION EXPENSE	
40400	AMORTIZATION OF LIMITED-TERM PLANT	
40410	AMORT AND DEPLETION OF NATURAL GAS LAND AND LAND RIGHTS	
40420	AMORT OF UNDERGROUND STORAGE LAND AND LAND RIGHTS	
40430	AMORTIZATION OF OTHER LIMITED-TERM GAS PLANT	
40500	AMORTIZATION OF OTHER PLANT	
40600	AMORTIZATION OF PLANT ACQUISITION ADJUSTMENTS	
40710	AMORTIZATION OF PROPERTY LOSSES	
40720	AMORTIZATION OF CONVERSION EXPENSES	
40810	TAXES OTHER THAN INCOME TAXES-UTILITY OPERATING INCOME	
40910	INCOME TAXES-UTILITY OPERATING INCOME	
41010	PROV FOR DEFERRED INC TAXES-UTILITY OPERATING INCOME	
41110	PROV FOR DEF INC TAXES-CREDIT UTILITY OPERATING INCOME	
41140	INVESTMENT TAX CREDIT ADJ-UTILITY OPERATIONS	
41160	GAINS FROM DISPOSITION OF UTILITY PLANT	

FPC SCHEDULE: REVISED

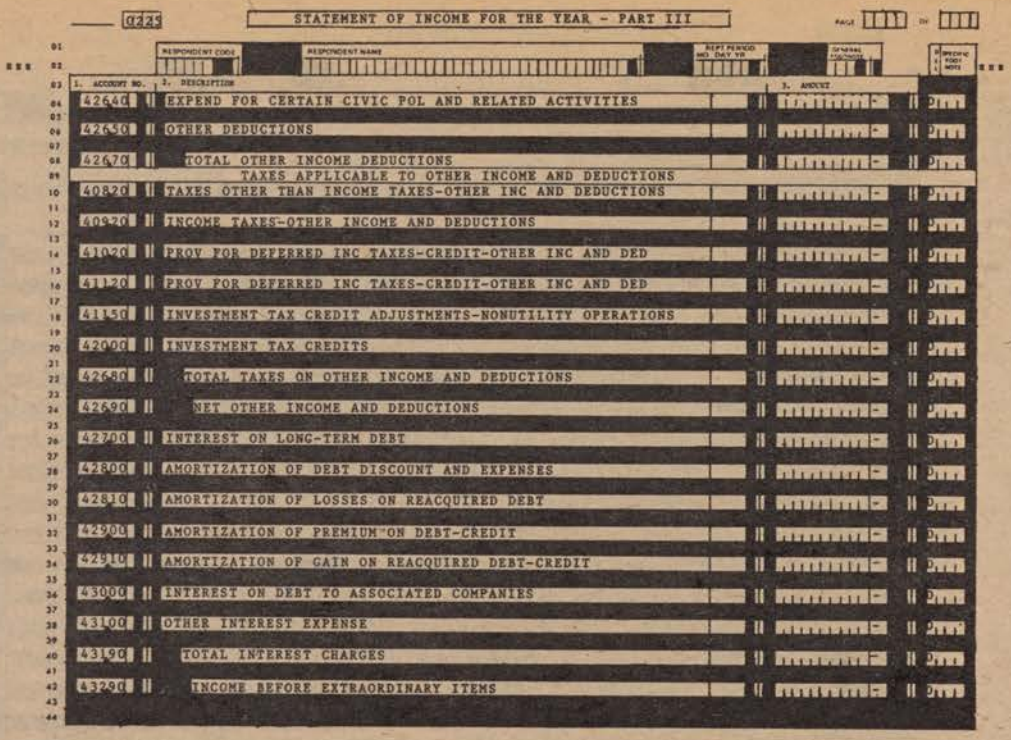
SAMPLE

0224 STATEMENT OF INCOME FOR THE YEAR - PART II

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
41100	LOSSES FROM DISPOSITION OF UTILITY PLANT	
41300	EXPENSES OF PLANT LEASED TO OTHERS	
41390	TOTAL UTILITY OPERATING EXPENSES	
41490	NET UTILITY OPERATING INCOME	
	OTHER INCOME AND DEDUCTIONS	
	OTHER INCOME:	
41500	REV FROM MERCHANDISING JOBBING AND CONTRACT WORK	
41600	COSTS AND EXPENSES OF MERCH JOBBING AND CONTRACT WK	
41700	REVENUES FROM NONUTILITY OPERATIONS	
41710	EXPENSES OF NONUTILITY OPERATIONS	
41800	NONOPERATING RENTAL INCOME	
41810	EQUITY IN EARNINGS OF SUBSIDIARY COMPANIES	
41900	INTEREST AND DIVIDEND INCOME	
41910	ALLOWANCE FOR FUNDS USED DURING CONSTRUCTION	
42100	MISCELLANEOUS NONOPERATING INCOME	
42110	GAINS ON DISPOSITION OF PROPERTY	
42190	TOTAL OTHER INCOME	
	OTHER INCOME DEDUCTIONS	
42120	LOSSES ON DISPOSITION OF PROPERTY	
42300	MISCELLANEOUS AMORTIZATION	
42610	DONATIONS	
42620	LIFE INSURANCE	
42630	PENALTIES	

FPC SCHEDULE: REVISED

SAMPLE

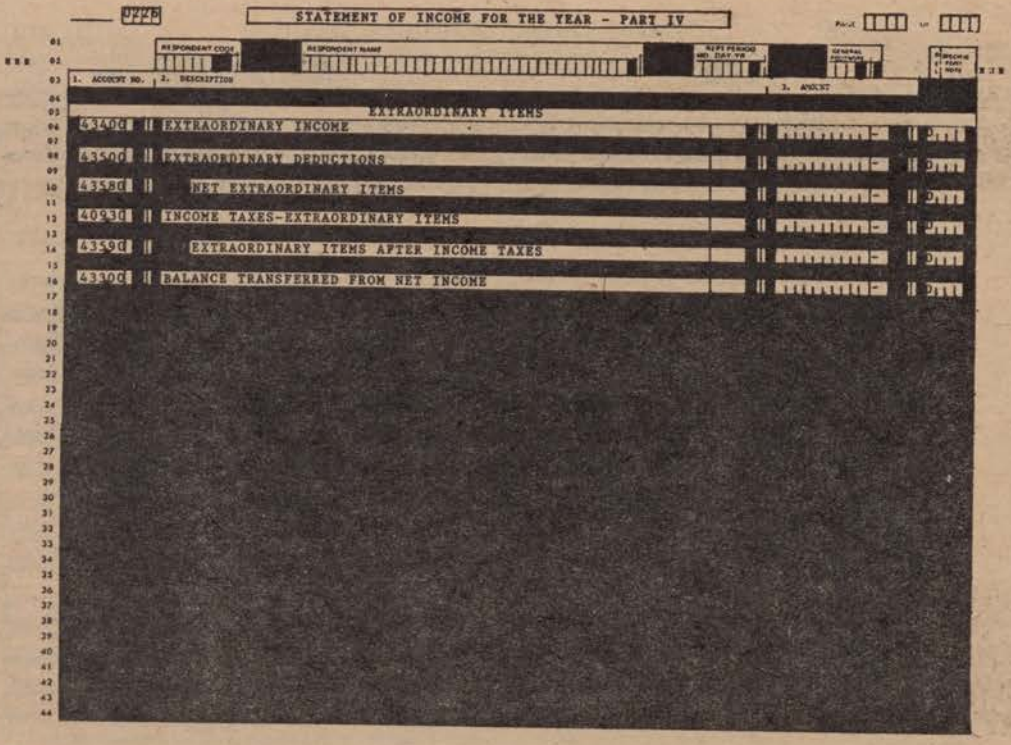


Q225 STATEMENT OF INCOME FOR THE YEAR - PART III

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
42640	EXPEND FOR CERTAIN CIVIC POL AND RELATED ACTIVITIES	
42650	OTHER DEDUCTIONS	
42670	TOTAL OTHER INCOME DEDUCTIONS	
	TAXES APPLICABLE TO OTHER INCOME AND DEDUCTIONS	
40820	TAXES OTHER THAN INCOME TAXES-OTHER INC AND DEDUCTIONS	
40920	INCOME TAXES-OTHER INCOME AND DEDUCTIONS	
41020	PROV FOR DEFERRED INC TAXES-CREDIT-OTHER INC AND DED	
41120	PROV FOR DEFERRED INC TAXES-CREDIT-OTHER INC AND DED	
41150	INVESTMENT TAX CREDIT ADJUSTMENTS-NONUTILITY OPERATIONS	
42000	INVESTMENT TAX CREDITS	
42680	TOTAL TAXES ON OTHER INCOME AND DEDUCTIONS	
42690	NET OTHER INCOME AND DEDUCTIONS	
42700	INTEREST ON LONG-TERM DEBT	
42800	AMORTIZATION OF DEBT DISCOUNT AND EXPENSES	
42810	AMORTIZATION OF LOSSES ON REACQUIRED DEBT	
42900	AMORTIZATION OF PREMIUM ON DEBT-CREDIT	
42910	AMORTIZATION OF GAIN ON REACQUIRED DEBT-CREDIT	
43000	INTEREST ON DEBT TO ASSOCIATED COMPANIES	
43100	OTHER INTEREST EXPENSE	
43190	TOTAL INTEREST CHARGES	
43290	INCOME BEFORE EXTRAORDINARY ITEMS	

FPC SCHEDULE REVISED

SAMPLE



Q226 STATEMENT OF INCOME FOR THE YEAR - PART IV

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
	EXTRAORDINARY ITEMS	
43400	EXTRAORDINARY INCOME	
43500	EXTRAORDINARY DEDUCTIONS	
43580	NET EXTRAORDINARY ITEMS	
40930	INCOME TAXES-EXTRAORDINARY ITEMS	
43590	EXTRAORDINARY ITEMS AFTER INCOME TAXES	
43300	BALANCE TRANSFERRED FROM NET INCOME	

FPC SCHEDULE REVISED

SAMPLE

02/27 STATEMENT OF INCOME FOR THE YEAR - PART V

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
	UTILITY OPERATING INCOME-ELECTRIC/GAS DEPARTMENT	
	OPERATING REVENUES:	
40001	OPERATING REVENUES	
	OPERATING EXPENSES:	
40101	OPERATING EXPENSES	
40901	MAINTENANCE EXPENSE	
40301	DEPRECIATION EXPENSE	
40401	AMORTIZATION OF LIMITED-TERM PLANT	
40411	AMORT AND DEPLETION OF NATURAL GAS LAND AND LAND RIGHTS	
40421	AMORT OF UNDERGROUND STORAGE LAND AND LAND RIGHTS	
40431	AMORTIZATION OF OTHER LIMITED-TERM GAS PLANT	
40501	AMORTIZATION OF OTHER PLANT	
40601	AMORTIZATION OF PLANT ACQUISITION ADJUSTMENTS	
40711	AMORTIZATION OF PROPERTY LOSSES	
40721	AMORTIZATION OF CONVERSION EXPENSES	
40811	TAXES OTHER THAN INCOME TAXES-UTILITY OPERATING INCOME	
40911	INCOME TAXES-UTILITY OPERATING INCOME	
41011	PROV FOR DEFERRED INC TAXES-UTILITY OPERATING INCOME	
41111	PROV FOR DEF INC TAXES-CREDIT-UTILITY OPERATING INCOME	
41141	INVESTMENT TAX CREDIT ADJ-UTILITY OPERATIONS	
41161	GAINS FROM DISPOSITION OF UTILITY PLANT	
41171	LOSSES FROM DISPOSITION OF UTILITY PLANT	

FPC SCHEDULE: REVISED

SAMPLE

0228 STATEMENT OF INCOME FOR THE YEAR - PART VI

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
51391	TOTAL UTILITY OPERATING EXPENSES	
51491	NET UTILITY OPERATING INCOME	

FPC SCHEDULE: REVISED

SAMPLE

Q229 STATEMENT OF INCOME FOR THE YEAR - PART VII

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
	UTILITY OPERATING INCOME-ELECTRIC/GAS DEPARTMENT	
	OPERATING REVENUES:	
40002	OPERATING REVENUES	
	OPERATING EXPENSES:	
40102	OPERATING EXPENSES	
40202	MAINTENANCE EXPENSE	
40302	DEPRECIATION EXPENSE	
40402	AMORTIZATION OF LIMITED-TERM PLANT	
40412	AMORT AND DEPLETION OF NATURAL GAS LAND AND LAND RIGHTS	
40422	AMORT OF UNDERGROUND STORAGE LAND AND LAND RIGHTS	
40432	AMORTIZATION OF OTHER LIMITED-TERM GAS PLANT	
40502	AMORTIZATION OF OTHER PLANT	
40602	AMORTIZATION OF PLANT ACQUISITION ADJUSTMENTS	
40712	AMORTIZATION OF PROPERTY LOSSES	
40722	AMORTIZATION OF CONVERSION EXPENSES	
40812	TAXES OTHER THAN INCOME TAXES-UTILITY OPERATING INCOME	
40912	INCOME TAXES-UTILITY OPERATING INCOME	
41012	PROV FOR DEFERRED INC TAXES-UTILITY OPERATING INCOME	
41112	PROV FOR DEF INC TAXES-CREDIT-UTILITY OPERATING INCOME	
41162	INVESTMENT TAX CREDIT ADJ-UTILITY OPERATIONS	
41172	GAINS FROM DISPOSITION OF UTILITY PLANT	
41182	LOSSES FROM DISPOSITION OF UTILITY PLANT	

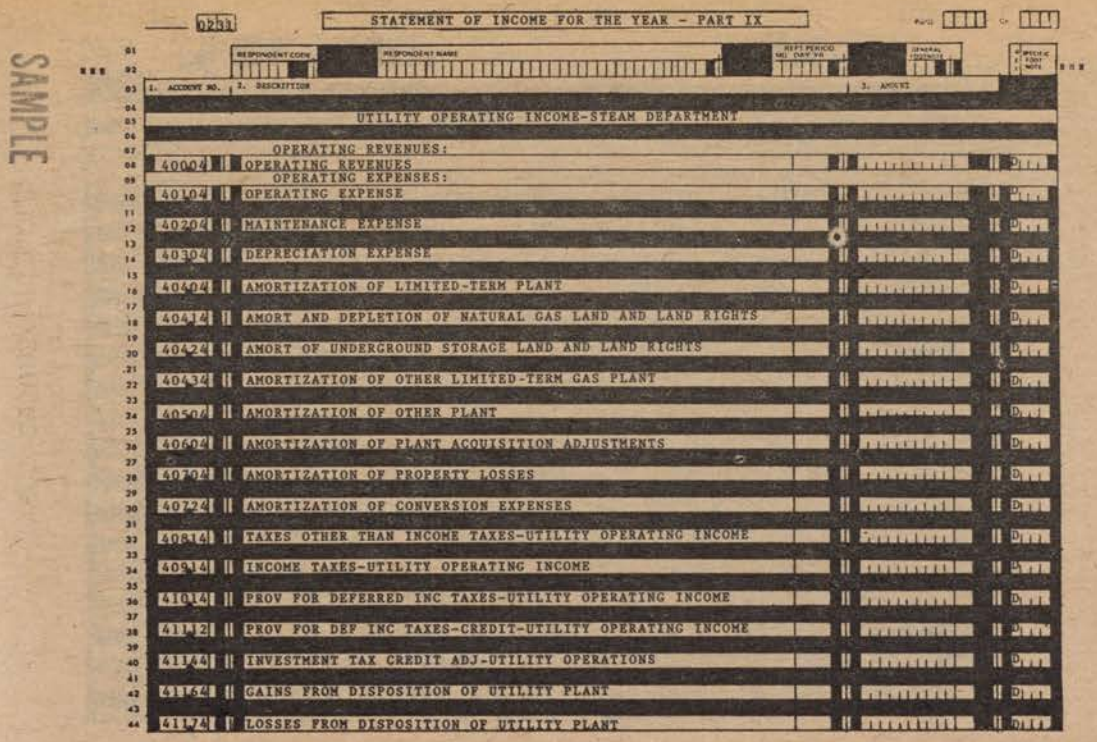
FPC SCHEDULE: REVISED

SAMPLE

Q230 STATEMENT OF INCOME FOR THE YEAR - PART VIII

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
41302	TOTAL UTILITY OPERATING EXPENSES	
41402	NET UTILITY OPERATING INCOME	

FPC SCHEDULE: REVISED

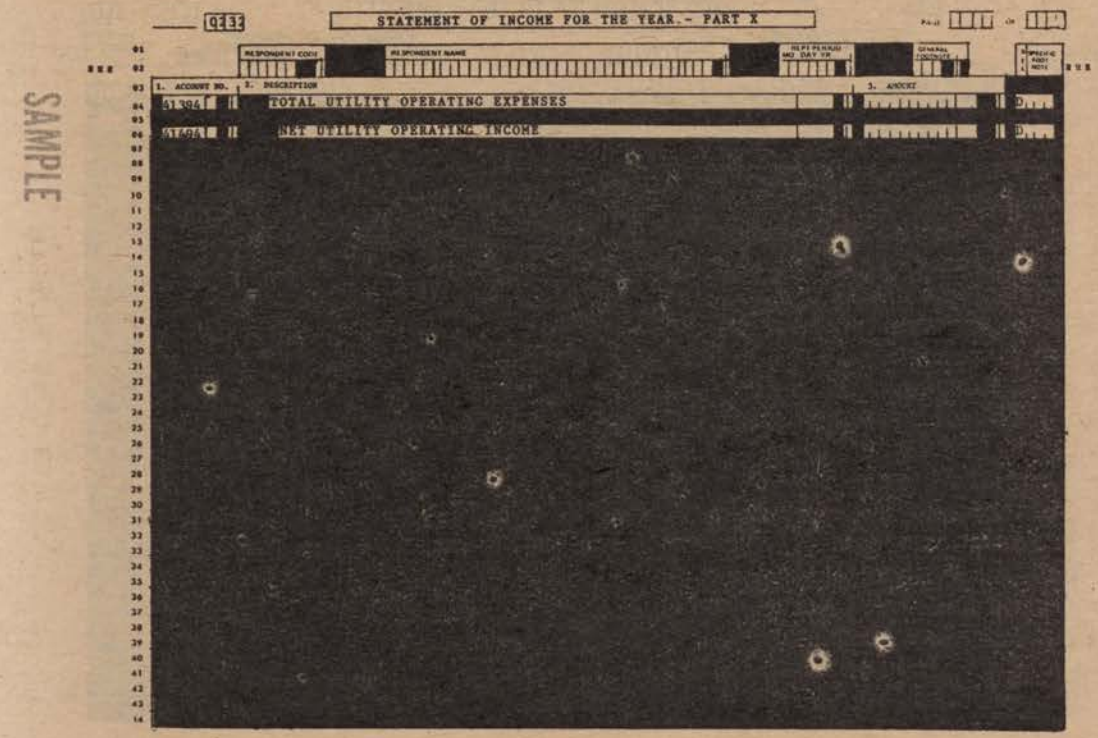


SAMPLE

Q23J STATEMENT OF INCOME FOR THE YEAR - PART IX

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
	UTILITY OPERATING INCOME-STEAM DEPARTMENT	
	OPERATING REVENUES:	
40004	OPERATING REVENUES	
	OPERATING EXPENSES:	
40104	OPERATING EXPENSE	
40204	MAINTENANCE EXPENSE	
40304	DEPRECIATION EXPENSE	
40404	AMORTIZATION OF LIMITED-TERM PLANT	
40414	AMORT AND DEPLETION OF NATURAL GAS LAND AND LAND RIGHTS	
40424	AMORT OF UNDERGROUND STORAGE LAND AND LAND RIGHTS	
40434	AMORTIZATION OF OTHER LIMITED-TERM GAS PLANT	
40504	AMORTIZATION OF OTHER PLANT	
40604	AMORTIZATION OF PLANT ACQUISITION ADJUSTMENTS	
40704	AMORTIZATION OF PROPERTY LOSSES	
40724	AMORTIZATION OF CONVERSION EXPENSES	
40814	TAXES OTHER THAN INCOME TAXES-UTILITY OPERATING INCOME	
40914	INCOME TAXES-UTILITY OPERATING INCOME	
41014	PROV FOR DEFERRED INC TAXES-UTILITY OPERATING INCOME	
41112	PROV FOR DEF INC TAXES-CREDIT-UTILITY OPERATING INCOME	
41144	INVESTMENT TAX CREDIT ADJ-UTILITY OPERATIONS	
41164	GAINS FROM DISPOSITION OF UTILITY PLANT	
41174	LOSSES FROM DISPOSITION OF UTILITY PLANT	

FPC SCHEDULE REVISED



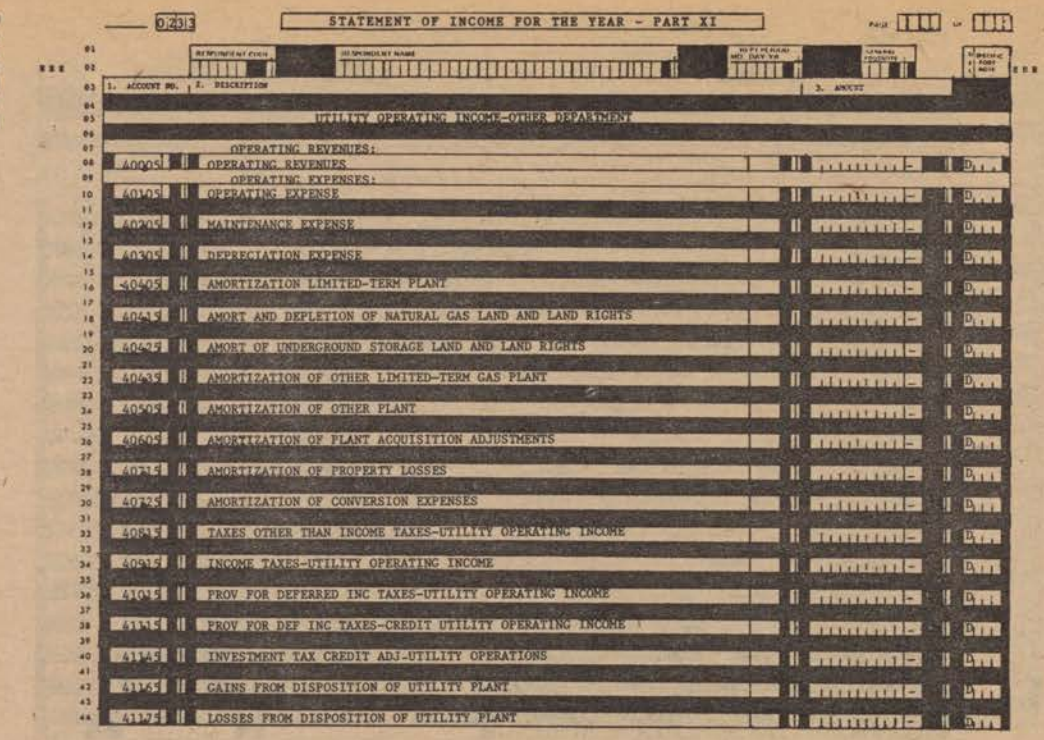
SAMPLE

Q23E STATEMENT OF INCOME FOR THE YEAR - PART X

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
41394	TOTAL UTILITY OPERATING EXPENSES	
41404	NET UTILITY OPERATING INCOME	

FPC SCHEDULE REVISED

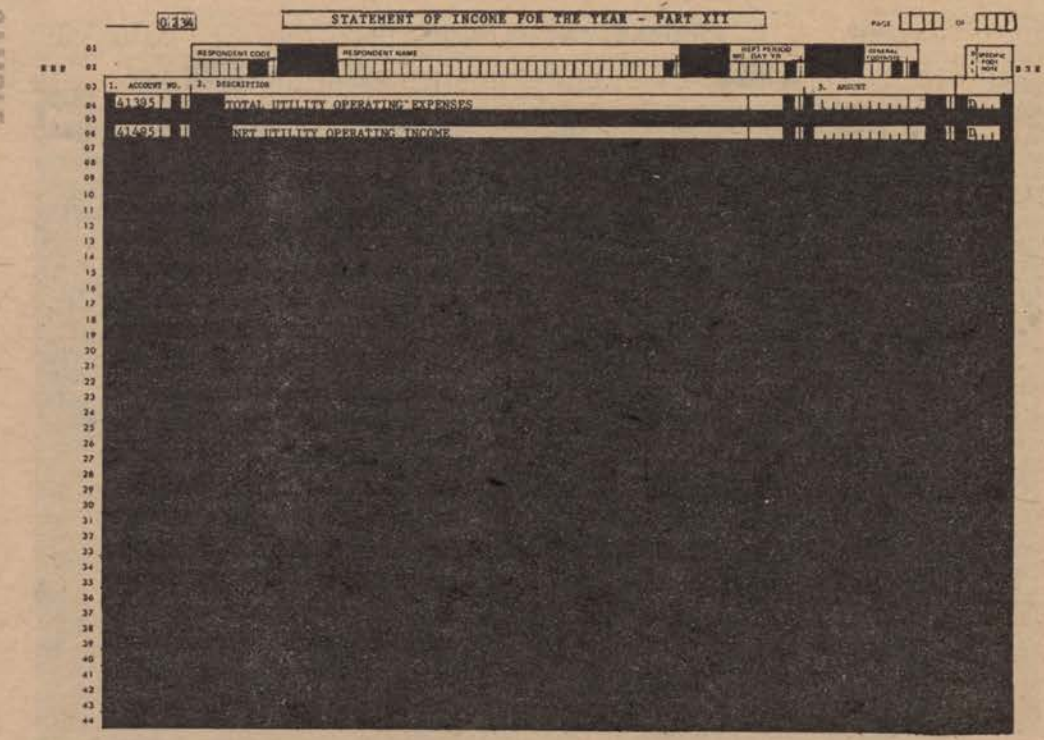
SAMPLE



STATEMENT OF INCOME FOR THE YEAR - PART XI

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
	UTILITY OPERATING INCOME-OTHER DEPARTMENT	
	OPERATING REVENUES:	
40005	OPERATING REVENUES	
	OPERATING EXPENSES:	
40105	OPERATING EXPENSE	
40205	MAINTENANCE EXPENSE	
40305	DEPRECIATION EXPENSE	
40505	AMORTIZATION LIMITED-TERM PLANT	
40615	AMORT AND DEPLETION OF NATURAL GAS LAND AND LAND RIGHTS	
40625	AMORT OF UNDERGROUND STORAGE LAND AND LAND RIGHTS	
40635	AMORTIZATION OF OTHER LIMITED-TERM GAS PLANT	
40705	AMORTIZATION OF OTHER PLANT	
40605	AMORTIZATION OF PLANT ACQUISITION ADJUSTMENTS	
40715	AMORTIZATION OF PROPERTY LOSSES	
40725	AMORTIZATION OF CONVERSION EXPENSES	
40845	TAXES OTHER THAN INCOME TAXES-UTILITY OPERATING INCOME	
40915	INCOME TAXES-UTILITY OPERATING INCOME	
41015	PROV FOR DEFERRED INC TAXES-UTILITY OPERATING INCOME	
41115	PROV FOR DEF INC TAXES-CREDIT UTILITY OPERATING INCOME	
41145	INVESTMENT TAX CREDIT ADJ-UTILITY OPERATIONS	
41165	GAINS FROM DISPOSITION OF UTILITY PLANT	
41175	LOSSES FROM DISPOSITION OF UTILITY PLANT	

SAMPLE



STATEMENT OF INCOME FOR THE YEAR - PART XII

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
41395	TOTAL UTILITY OPERATING EXPENSES	
41495	NET UTILITY OPERATING INCOME	

FPC SCHEDULE
REVISED

SAMPLE

0235 STATEMENT OF RETAINED EARNINGS FOR THE YEAR

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
	UNAPPROPRIATED RETAINED EARNINGS (ACCOUNT 216)	
21630	UNAPPROPRIATED RETAINED EARNINGS	
43910	ADJUSTMENTS TO RETAINED EARNINGS-CREDITS	
43920	ADJUSTMENTS TO RETAINED EARNINGS-DEBITS	
43300	BALANCE TRANSFERRED FROM NET INCOME	
43600	APPROPRIATIONS OF RETAINED EARNINGS	
43700	DIVIDENDS DECLARED PREFERRED STOCK	
43800	DIVIDENDS DECLARED COMMON STOCK	
21620	TRANSFERRED FROM ACCOUNT 216.10 UNAPP. UNDIS. SUB. EARNINGS	
21600	UNAPPROPRIATED RETAINED EARNINGS-END OF YEAR	
	APPROPRIATED RETAINED EARNINGS (ACCOUNT 215)	
21500	APPROPRIATED RETAINED EARNINGS	
21690	TOTAL RETAINED EARNINGS ACCOUNT 215 AND 216	

FPC SCHEDULE: REVISED

SAMPLE

0236 STATEMENT OF CHANGES IN FINANCIAL POSITION - PART I

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
	SOURCES OF FUNDS	
	FUNDS FROM OPERATIONS	
01000	NET INCOME	
	PRINCIPAL NON CASH CHARGES TO INCOME	
01010	DEPRECIATION AND DEPLETION	
01020	AMORTIZATION OF UTILITY PLANT	
01030	PROVISION FOR DEFERRED OR FUTURE INCOME TAXES NET	
01040	INVESTMENT TAX CREDIT ADJUSTMENTS	
01050	ALLOWANCE FOR FUNDS USED CONSTRUCTION	
01060	INCREASE IN UNDISTRIBUTED SUBSIDIARY EARNINGS	
01070	AMORTIZATION OTHER	
01080	OTHER NET	
01090	TOTAL FROM OPERATIONS	
	FUNDS FROM OUTSIDE SOURCES	
01100	LONG TERM DEBT	
01110	PREFERRED STOCK	
01120	COMMON STOCK	
01130	POLLUTION CONTROL BONDS	
01140	NET INCREASE IN SHORT TERM DEBT	
01150	OTHER NET	
01160	TOTAL FUNDS FROM OUTSIDE SOURCES	
	OTHER SOURCES	
01170	SALE OF NON CURRENT ASSETS INVESTMENTS	
01180	SALE OF NON CURRENT ASSETS FIXED ASSETS	

FPC SCHEDULE: REVISED

SAMPLE

02/37 STATEMENT OF CHANGES IN FINANCIAL POSITION - PART II

1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
01190	SALE OF NON-CURRENT ASSETS-OTHER	
01200	CONTRIBUTIONS FROM ASSOCIATED AND SUBSIDIARY COMPANIES	
01210	DECREASE IN WORKING CAPITAL	
01220	DECREASE IN DEFERRED DEBITS	
01230	OTHER NET	
01240	TOTAL SOURCES OF FUNDS	
	APPLICATION OF FUNDS	
	CONSTRUCTION AND PLANT EXPENDITURES	
01250	GROSS ADDITIONS TO UTILITY PLANT	
01260	GROSS ADDITIONS TO NONUTILITY PLANT	
01270	OTHER PLANT EXPENDITURES	
01280	TOTAL APPLICATION TO CONSTRUCTION AND PLANT	
01290	DIVIDENDS ON PREFERRED STOCK	
01300	DIVIDENDS ON COMMON STOCK	
	FUNDS FOR RETIREMENT OF SECURITIES AND DEBT	
01310	LONG TERM DEBT	
01320	PREFERRED STOCK	
01330	REDEMPTION OF CAPITAL STOCK	
01340	NET DECREASE IN SHORT TERM DEBT	
01350	OTHER DEBT NET	
01360	TOTAL FUNDS FOR RETIREMENT OF SECURITIES AND DEBT	
	OTHER APPLICATIONS	
01370	PURCHASE OF NON CURRENT ASSETS INVESTMENTS	
01380	PURCHASE OF NON CURRENT ASSETS FIXED ASSETS	

FPC SCHEDULE: REVISED

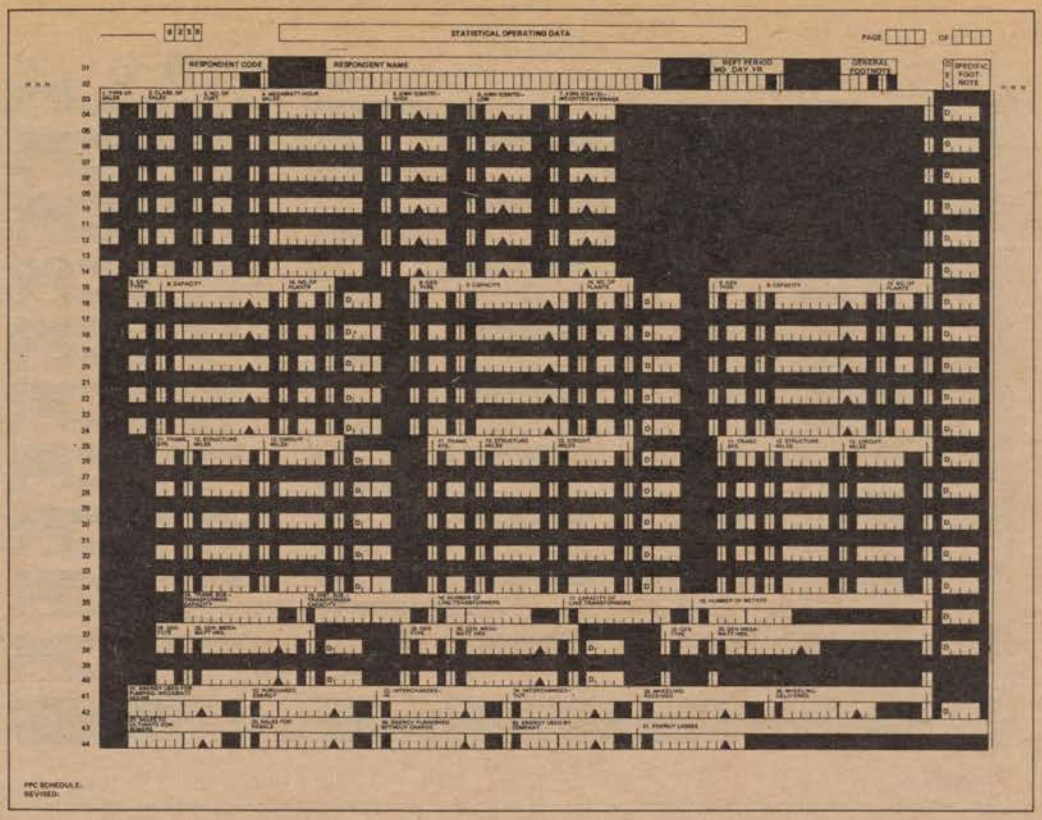
SAMPLE

02/38 STATEMENT OF CHANGES IN FINANCIAL POSITION - PART III

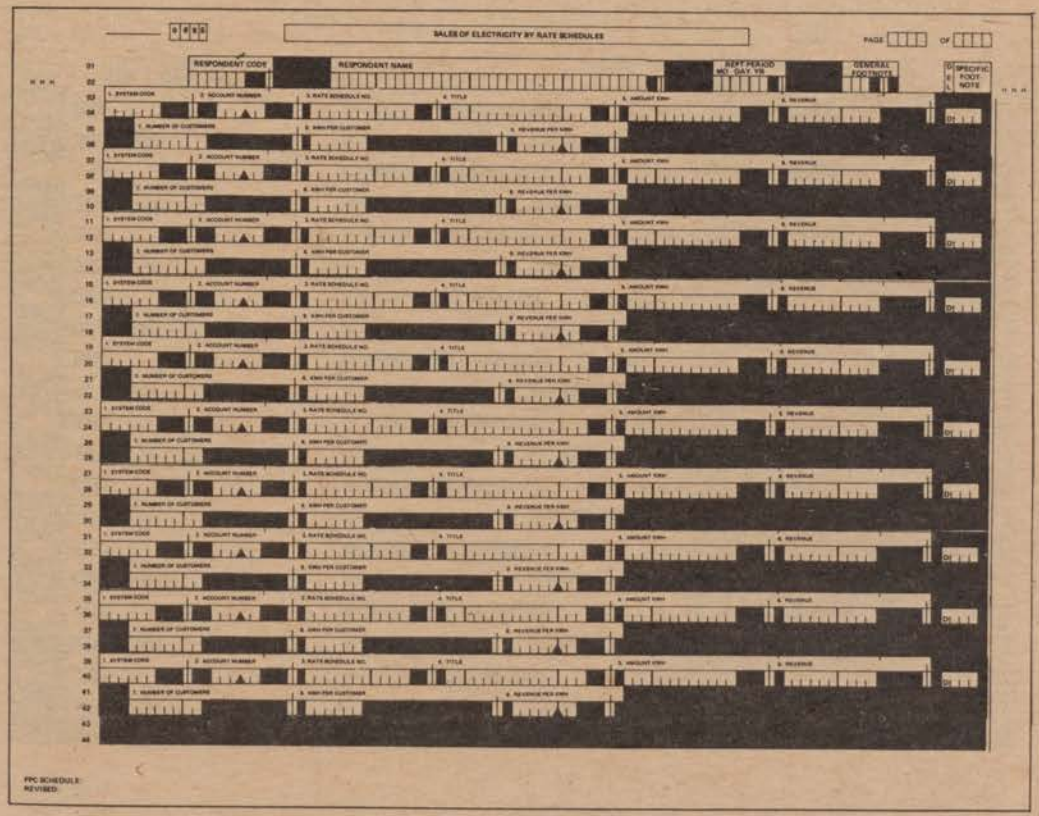
1. ACCOUNT NO.	2. DESCRIPTION	3. AMOUNT
01390	PURCHASE OF NON-CURRENT ASSETS-OTHER	
01400	INVESTMENTS IN AND ADVANCES TO ASSOC. AND SUB. COMPANIES	
01410	INCREASE IN WORKING CAPITAL	
01420	INCREASE IN DEFERRED DEBITS	
01430	OTHER-NET	
01440	TOTAL APPLICATION OF FUNDS	

FPC SCHEDULE: REVISED

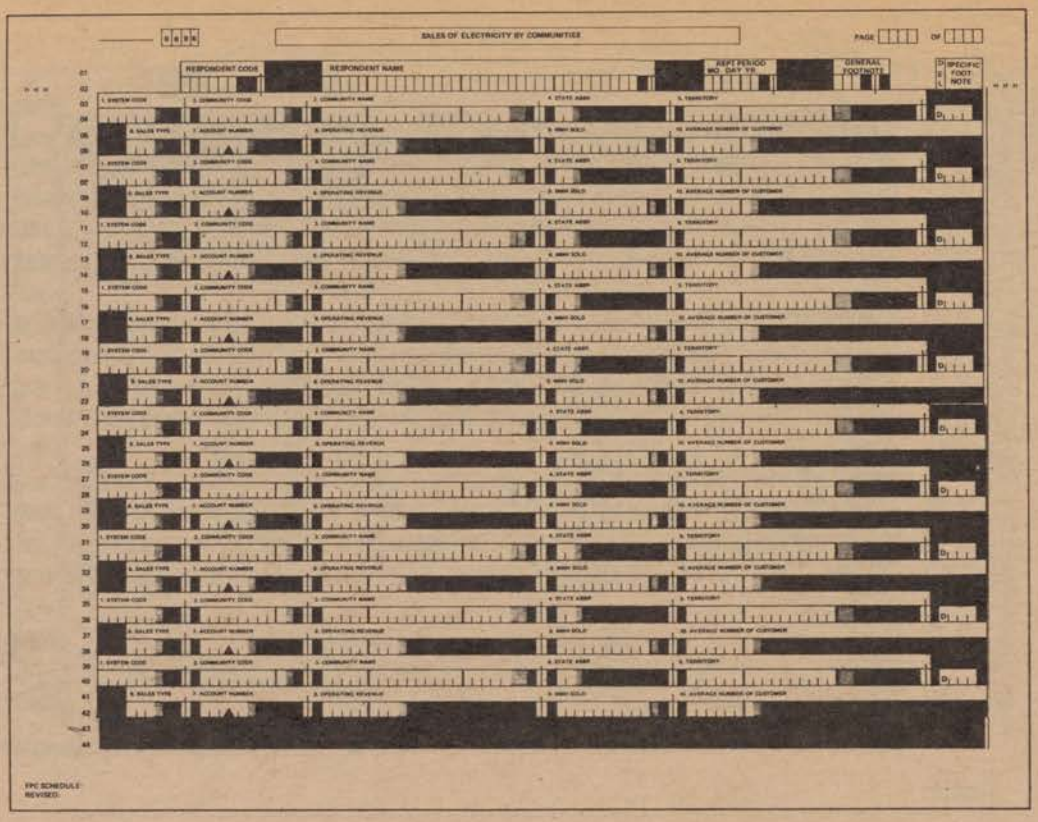
SAMPLE



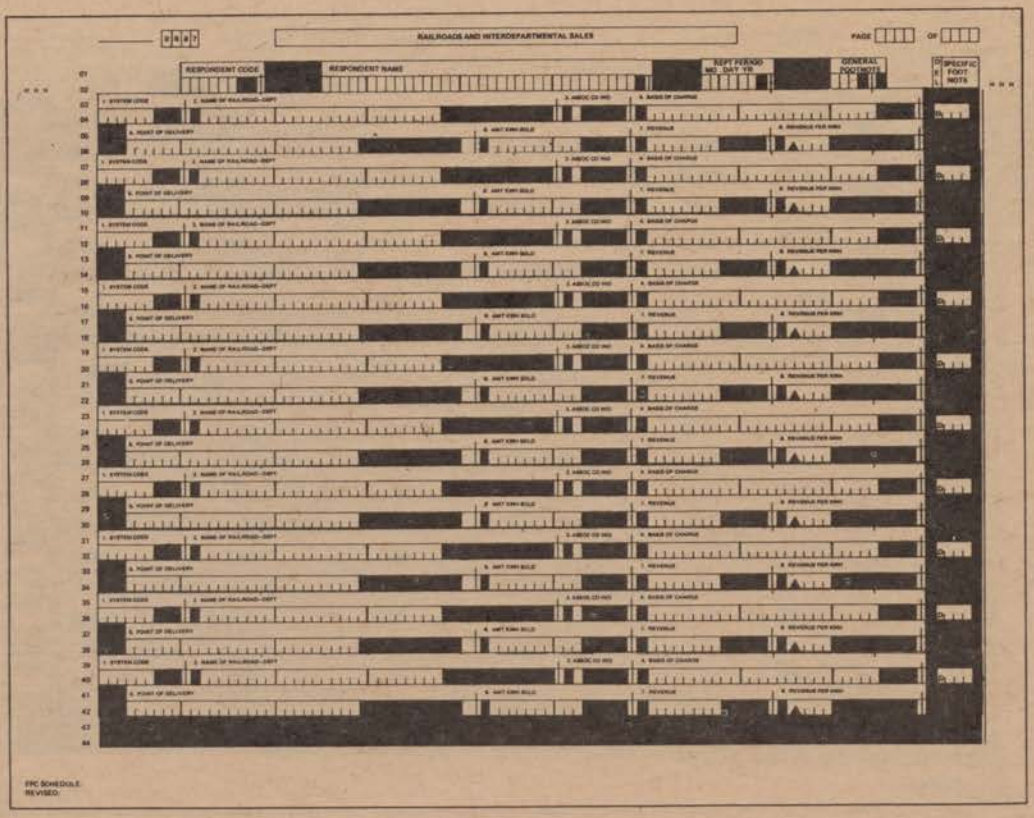
SAMPLE



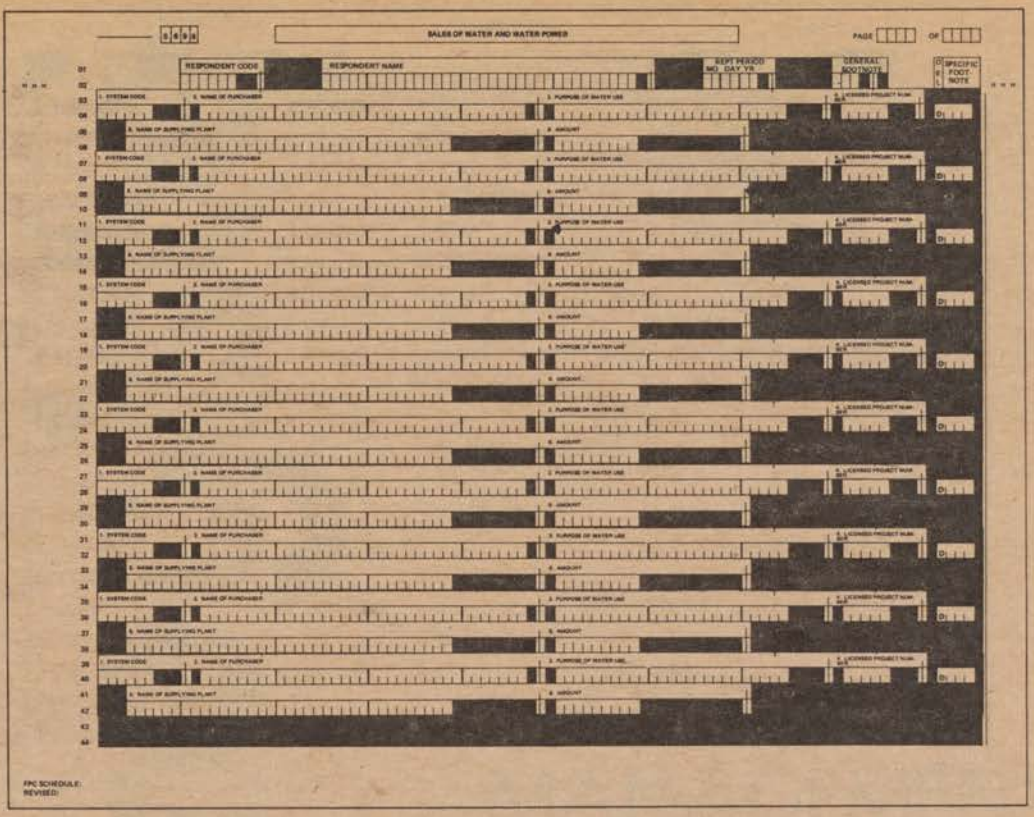
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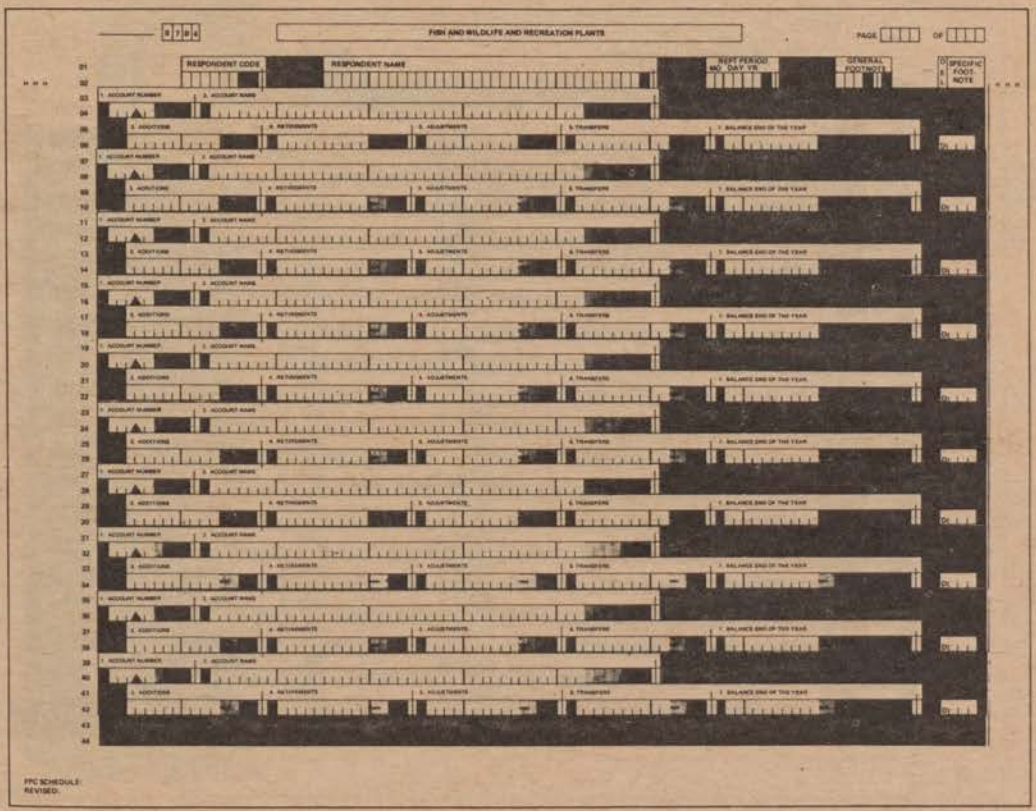


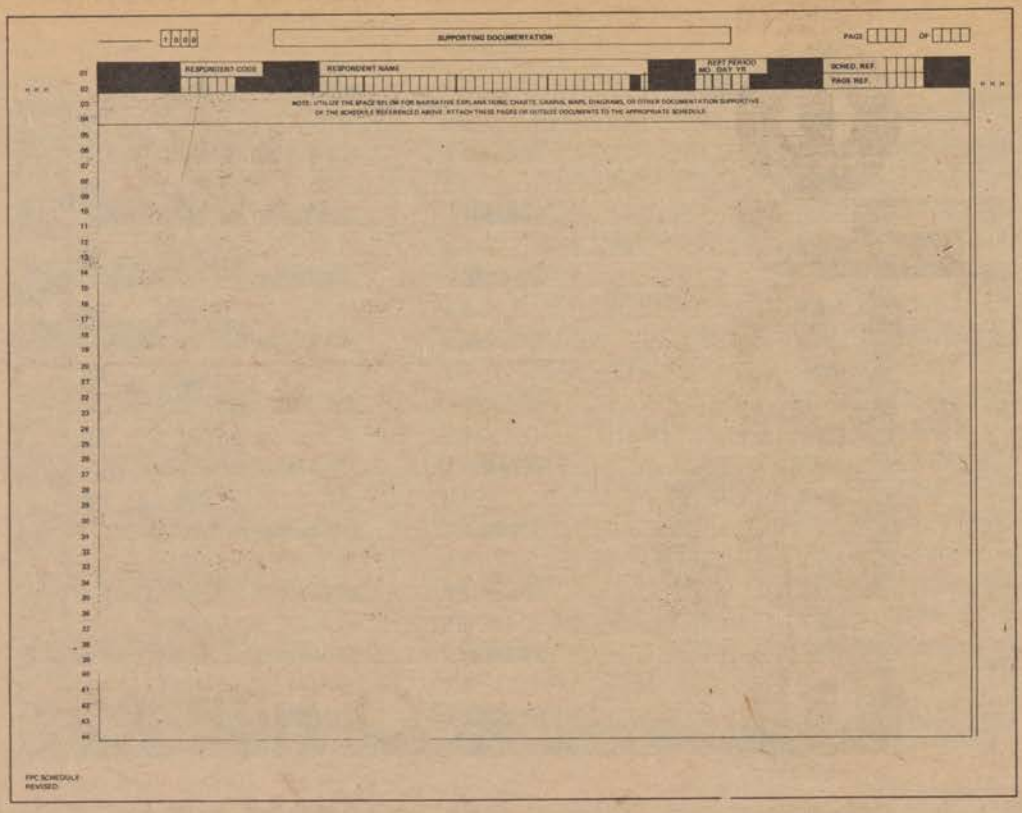
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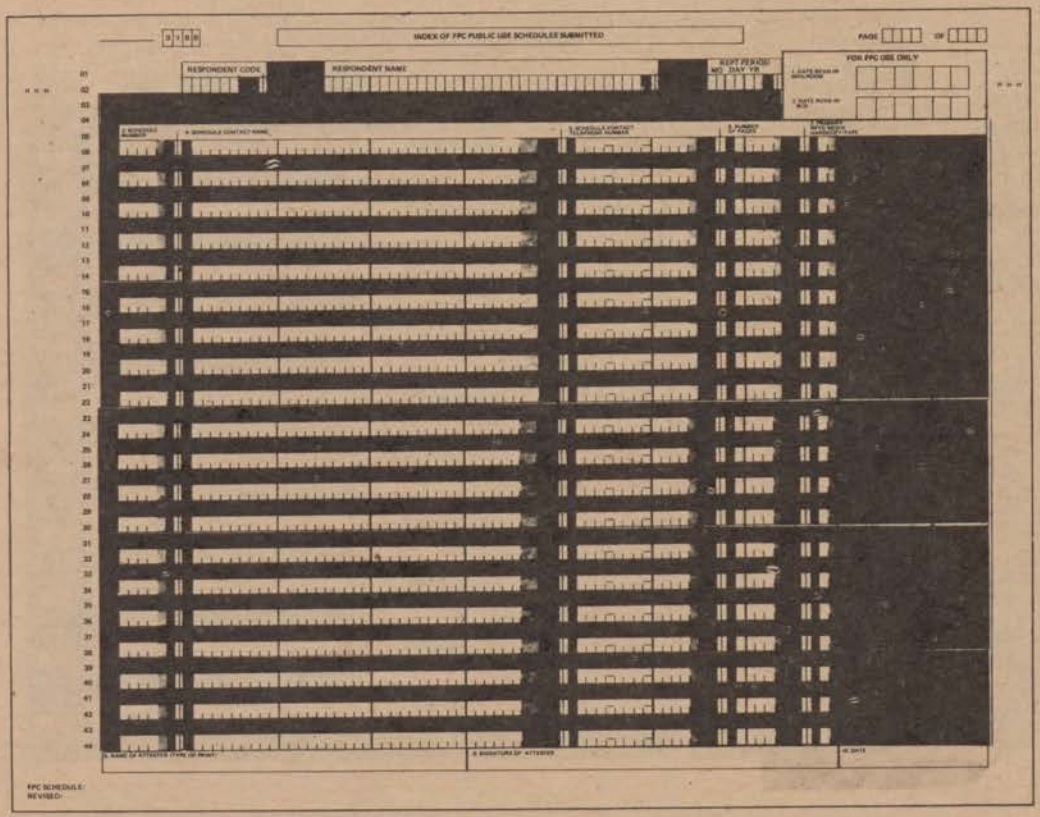


SAMPLE


SALES OF WATER AND WATER POWER
PAGE
OF
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT-NOTE
1. SYSTEM CODE
2. NAME OF PURCHASER
3. PURPOSE OF WATER USE
4. LICENSED PROJECT NUM
5. NAME OF SUPPLYING PLANT
6. AMOUNT
FPC SCHEDULE:
REVISED:


FISH AND WILDLIFE AND RECREATION PLANTS
PAGE
OF
RESPONDENT CODE
RESPONDENT NAME
REPT PERIOD MO DAY YR
GENERAL FOOTNOTE
SPECIFIC FOOT-NOTE
1. ACCOUNT NUMBER
2. ACCOUNT NAME
3. ADDITIONS
4. RETIREMENTS
5. ADJUSTMENTS
6. TRANSFERS
7. BALANCE END OF THE YEAR
FPC SCHEDULE:
REVISED:





[FR Doc.76-26855 Filed 9-14-76;8:45 am]

federal register

WEDNESDAY, SEPTEMBER 15, 1976



PART V:

OFFICE OF MANAGEMENT AND BUDGET

■

BUDGET RESCISSIONS AND DEFERRALS

Cumulative Report as of September 1, 1976

OFFICE OF MANAGEMENT AND BUDGET

CUMULATIVE REPORT ON RESCISSIONS AND DEFERRALS, SEPTEMBER 1976

This report is submitted in fulfillment of the requirements of section 1014(e) of the Impoundment Control Act of 1974 (Pub. L. 93-344). Section 1014(e) provides for a monthly report listing all current year budget authority with respect to which, as of the first day of the month, a special message has been transmitted to the Congress. The report continues the listing of fiscal 1976 actions in accordance with section 204(12) of the Fiscal Year Transition Act (Pub. L. 94-274). That Act provides for the transition quarter to be treated as part of fiscal 1976 for purposes of section 1014(e).

This month's report gives the status as of September 1, 1976, of the 49 rescissions and 117 deferrals contained in the first nineteen special messages transmitted to the Congress for fiscal year 1976. These messages were transmitted to the Congress on July 1 and 25, September 10 and 24, October 3 and 20, November 18, December 1, 1975, January 6 and 23, February 6, March 18, April 13 and 26, May 13, July 1, 6, and 28, and August 24, 1976.

RESCISSIONS (TABLE A AND ATTACHMENT A)

Five rescissions totaling $126.6 million in FY 1976 and transition quarter budget authority are presently pending before the Congress. In addition, one rescission of $45 million in FY 1977 budget authority, transmitted on July 29, 1976, is pending before the Congress. Table A summarizes the status of rescissions proposed by the President as of September 1, 1976. Attachment A shows the history and status of each rescission proposed during fiscal year 1976 and the transition quarter.

DEFERRALS (TABLE B AND ATTACHMENT B)

As of September 1, 1976, $4,165.3 million in 1976 budget authority was being deferred from obligation and another $114.3 million in 1976 obligations was being deferred from expenditure. Table B summarizes the status of deferrals reported by the President. Attachment B shows the history and status of each deferral proposed during fiscal year 1976 and the transition quarter.

INFORMATION FROM SPECIAL MESSAGES

The special messages containing information on each of the rescissions and deferrals covered by the cumulative report are contained in the FEDERAL REGISTERS of:

Wednesday, July 9, 1975 (Vol. 40, No. 132, Part V)
Wednesday, July 30, 1975 (Vol. 40, No. 147, Part II)
Monday, September 15, 1975 (Vol. 40, No. 179, Part V)
Monday, September 29, 1975 (Vol. 40, No. 189, Part V)
Wednesday, October 8, 1975 (Vol. 40, No. 196, Part VII)
Thursday, October 23, 1975 (Vol. 40, No. 206, Part III)
Thursday, November 20, 1975 (Vol. 40, No. 225, Part VI)
Thursday, December 4, 1975 (Vol. 40, No. 234, Part II)
Friday, January 9, 1976 (Vol. 41, No. 6, Part V)
Wednesday, January 28, 1976 (Vol. 41, No. 19, Part V)
Wednesday, February 11, 1976 (Vol. 41, No. 29, Part VII)
Tuesday, March 23, 1976 (Vol. 41, No. 57, Part V)
Friday, April 16, 1976 (Vol. 41, No. 75, Part VI)
Thursday, April 29, 1976 (Vol. 41, No. 87, Part IV)
Monday, May 17, 1976 (Vol. 41, No. 96, Part VI)
Wednesday, July 7, 1976 (Vol. 41, No. 131, Part III)
Thursday, July 8, 1976 (Vol. 41, No. 132, Part IV)
Monday, August 2, 1976 (Vol. 41, No. 149, Part VI)
Tuesday, August 3, 1976 (Vol. 41, No. 150, Part VI)
Monday, August 30, 1976 (Vol. 41, No. 169, Part V)

JAMES T. LYNN,
Director.

Table A

STATUS OF 1976 AND TRANSITION QUARTER RESCISSION PROPOSALS

	Amount (in millions of dollars)
Rescissions proposed by the President.....	3,455.3
Accepted by the Congress:	
Helium fund (R76-6) 1/.....	47.5
Access highways to public recreation areas on certain lakes (R76-2) 2/.....	15.0
Public lands development roads and trails (R76-40) 3/.....	4.9
National Park Service, road construction (R76-41) 3/.....	58.5
State Department-Mutual educational and cultural exchange (R76-42) 3/.....	8.0
Consumer Product Safety Commission (R76-27A) 3/.....	2.7
Selective Service System (R76-44) 3/.....	1.8
Total accepted by the Congress.....	138.3
Rejected by the Congress.....	3,190.4
Pending before the Congress 4/.....	126.6
Special Message #16 (transmitted July 1, 1976).....	(0.2)
Special Message #18 (transmitted July 28, 1976).....	(126.4)

1/ Included in the first 1976 rescission bill (P.L. 94-111).
2/ The Department of Transportation and Related Agencies Appropriations Act (P.L. 94-134) rescinded $25 million under this head and appropriated $10 million under a separate section of Federal-Aid Highway Amendments of 1974 (23 U.S.C. 101).
3/ Included in the second 1976 rescission bill (P.L. 94-249).
4/ Excludes $45,000,000 transmitted to the Congress on July 29, 1976, in the first special message of FY 1977.

Table B

STATUS OF 1976 AND TRANSITION QUARTER DEFERRALS

	Amount (in millions of dollars)
Deferrals proposed by the President	8,093.3
Routine Executive releases (-$4,652.8M) and adjustments (+$1,218.3M) 1/ through September 1, 1976	3,434.5
Overturned by the Congress 2/	
Agriculture:	
Agricultural Research Service	
Construction (D76-68) (overturned December 4, 1975)	-7.6
Animal and Plant Health Inspection Service	
Construction-Fleming Key animal import center (D76-69) (overturned December 10, 1975)	-6.3
Agricultural Stabilization and Conservation Service	
Agriculture conservation program (D76-70) (overturned December 19, 1975)	-90.0
Farmers Home Administration	
Rural water and waste disposal grants (D76-72) (overturned December 19, 1975)	-50.0
Soil Conservation Service	
Watershed and flood prevention (D76-73) (overturned December 19, 1975)	-22.5
Watershed and flood prevention (D76-95) (overturned April 12, 1976)	-18.0
Resource conservation and development (D76-74) (overturned December 19, 1975)	-5.0
Food and Nutrition Service	
Special supplemental food program (D76-106) (overturned April 12, 1976)	-61.0
Forest Service	
Youth Conservation Corps (D76-101) (overturned March 9, 1976)	-23.7
Corps of Engineers-Civil:	
Revolving Fund (D76-96) (overturned April 14, 1976)	-.7
Health, Education, and Welfare:	
Health Services Administration	
Indian health facilities (D76-39, D76-97) (overturned March 9, 1976)	-14.9
Interior:	
Bureau of Reclamation	
Construction and rehabilitation (D76-13) (overturned December 4, 1975)	-1.0
Bureau of Mines	
Mines and minerals (D76-110) (overturned August 24, 1976)	-.7
Bureau of Indian Affairs	
Construction (D76-103) (overturned March 9, 1976)	-10.9

2

	Amount (in millions of dollars)
Justice:	
Law Enforcement Assistance Administration	
Juvenile justice and delinquency prevention (D76-98) (overturned March 4, 1976)	-15.0
EPA: (all overturned December 19, 1975)	
Research and development	
Air research (D76-79)	-2.0
Water research (D76-80)	-4.6
Abatement and Control	
Air control agency grants (D76-81)	-3.8
Water quality control agency grants (D76-82)	-10.0
Clean lakes grants (D76-83)	-15.0
Other Independent Agencies:	
Community Services Administration	
Emergency energy conservation (D76-49) (overturned November 3, 1975)	-16.5
Total, deferrals overturned by the Congress 2/	-379.1
Currently before the Congress	4,279.7 3/

1/ Adjustments include, for example, termination of Agriculture and Health, Education, and Welfare deferrals under the continuing resolution upon approval of associated appropriation acts.

2/ Does not include $10 million in funds reported as deferred by the General Accounting Office and overturned by the Congress on July 10, 1975.

3/ Includes $114.3 million of outlays in two Treasury deferrals--D76-25F and D76-67A.

ATTACHMENT A

STATUS OF RESCISSIONS

FISCAL YEAR 1976 AND THE TRANSITION QUARTER
(Amounts in thousands of dollars)

As of September 1, 1976

Agency Bureau Account	Rescission Number	Amount Proposed for Rescission	Date Special Message Transmitted to Congress	Amount Rescinded	Date Rescission Act Signed	Amount Made Available	Date Made Available
Executive Office of the President							
Office of Drug Abuse Policy:							
Salaries and expenses	R76-45	250	07-01-76				
Department of Agriculture							
Agriculture Research Service:							
Construction	R76-15	[225]	12-01-75			225	02-24-76
Agriculture Stabilization and Conservation Service:							
Water Bank Act Program	R76-16	[12,500]	12-01-75			12,500 1/	02-24-76
Forestry Incentives Program	R76-17	[18,750]	12-01-75				
	R76-17A	[18,750]	01-23-76			18,750 2/	02-24-76
Farmers Home Administration:							
Rural Water and Waste Disposal Grants	R76-18	[150,000]	12-01-75			150,000 3/	02-24-76
Rural Development Grants	R76-19	[12,344]	12-01-75				
	R76-19A	[12,344]	01-23-76			12,344 4/	02-24-76
Rural Housing for Domestic farm labor	R76-20	[9,375]	12-01-75			9,375 5/	02-24-76
Mutual and self-help housing	R76-21	[12,287]	12-01-75			12,287 6/	02-24-76
Self-help housing land development fund	R76-22	[1,498]	12-01-75			1,498	02-24-76

Agency Bureau Account	Rescission Number	Amount Proposed for Rescission	Date Special Message Transmitted to Congress	Amount Rescinded	Date Rescission Act Signed	Amount Made Available	Date Made Available
Rural housing insurance fund	R76-23	[10,000]	12-01-75			10,000	02-24-76
	R76-29	[500,000]	01-23-76			500,000	03-18-76
Rural community fire protection grants	R76-24	[4,375]	12-01-75			4,375 7/	02-24-76
Agriculture Marketing Service:							
Payments to States and possessions	R76-25	[2,000]	12-01-75			2,000 8/	02-24-76
Food and Nutrition Service:							
Child nutrition programs	R76-46	9,350	07-28-76				
Special milk program	R76-30	[40,000]	01-23-76			40,000	03-18-76
Forest Service:							
Forest Roads and Trails	R76-4	[25,723]	07-25-75			25,723	10-07-75
Department of Commerce							
Economic Development Administration:							
Economic development assistance programs	R76-31	[4,000]	01-23-76			4,000	03-18-76
Department of Defense-Civil							
Corps of Engineers-Civil:							
Construction, general	R76-32	[3,600]	01-23-76			3,600	03-18-76
Department of Health, Education, and Welfare							
Health Services Administration:							
Health Services	R76-33	[127,804]	01-23-76			127,804 9/	03-18-76
Indian health service	R76-34	[5,294]	01-23-76			5,294	03-18-76

Agency Bureau Account	Rescission Number	Amount Proposed for Rescission	Date Special Message Transmitted to Congress	Amount Rescinded	Date Rescission Act Signed	Amount Made Available	Date Made Available
Center for Disease Control:							
Preventive health services	R76-35	[7,690]	01-23-76			7,690	03-18-76
Alcohol, Drug Abuse and Mental Health Administration:							
Alcohol, drug abuse and mental health	R76-36	[56,500]	01-23-76			56,500	03-18-76
Health Resources Administration:							
Health resources	R76-37	[69,000]	01-23-76			69,000 10/	03-18-76
Office of Education:							
Elementary and secondary education	R76-9	[220,404]	11-18-75				
	R76-9A	[210,404]	01-23-76			210,404 11/	02-20-76
	R76-47	3,000	07-28-76				
Indian education	R76-38	[15,000]	01-23-76			15,000	03-18-76
School assistance in federally affected areas	R76-10	[220,968]	11-18-75				
	R76-10A	[243,773]	01-23-76			243,773 12/	02-20-76
	R76-48	24,000	07-28-76				
Education for the Handicapped	R76-11	[36,375]	11-18-75			36,375 13/	02-20-76
	R76-49	90,000	07-28-76				
Occupational, vocational, and adult education	R76-12	[14,241]	11-18-75			14,241 14/	02-20-76
Higher education	R76-13	[768,140]	11-18-75			768,140	02-20-76
Library resources	R76-14	[28,975]	11-18-75			28,975 15/	02-20-76
Assistant Secretary for Human Development:							
Child Development and Head Start	R76-5	[7,000]	07-25-75			7,000	10-24-75

Agency Bureau Account	Rescission Number	Amount Proposed for Rescission	Date Special Message Transmitted to Congress	Amount Rescinded	Date Rescission Act Signed	Amount Made Available	Date Made Available
Grants for the developmentally disabled	R76-39	[2,000]	01-23-76			2,000	03-18-76
Department of Housing and Urban Development							
Housing Production and Mortgage Credit:							
State Housing Finance and Development Agencies	R76-26	[600,000] 16/	12-01-75			600,000	02-24-76
Community Planning and Development:							
Rehabilitation loan fund	R76-28	[60,670]	01-06-76				
	R76-28A	[62,670]	02-06-76			62,670 17/	03-12-76
Department of the Interior							
Bureau of Land Management:							
Public lands development roads and trails	R76-40	[8,800] 18/	01-23-76	4,900 19/	03-25-76	3,900	03-24-76
National Park Service:							
Road construction	R76-41	[58,500] 20/	01-23-76	58,500 19/	03-25-76		
Bureau of Mines:							
Helium Fund	R76-6	[47,500]	07-25-75	47,500	10-13-75 21/		
Department of State							
Mutual educational and cultural exchange activities	R76-42	[8,000]	01-23-76	8,000 19/	03-25-76		
Department of Transportation							
Federal Highway Administration:							
National Scenic and Recreational Highway	R76-1	[90,000]	07-01-75	22/	22/	90,000 22/	04-16-76
Access Highways to Public Recreation Areas on Lakes	R76-2	[25,000]	07-01-75	25,000 23/	11-24-75 23/	23/	11-24-75
Department of the Treasury							
Office of the Secretary:							
Construction, Federal Law Enforcement Training Center	R76-3	[8,665]	07-01-75			8,665	09-23-75

Agency Bureau Account	Rescission Number	Amount Proposed for Rescission	Date Special Message Transmitted to Congress	Amount Rescinded	Date Rescission Act Signed	Amount Made Available	Date Made Available
Other Independent Agencies							
Community Services Administration:							
Economic Opportunity Program:							
Research and Demonstration	R76-7	[2,500]24/	07-25-75				
Community and Economic Development	R76-8	[7,500]24/	07-25-75				
Community services program	R76-43	[2,500]25/	01-23-76			2,500	03-18-76
Consumer Product Safety Commission:							
Salaries and expenses	R76-27	[5,225]	12-01-75				
	R76-27A	[6,431]	01-23-76			(6,431)26/	02-24-76
				2,656 18/27/	03-25-76	3,775 28/	03-25-76
Selective Service System:							
Salaries and expenses	R76-44	[1,775]	01-23-76	1,775 19/	03-25-76		
TOTAL		126,600 31/		138,331 29/		3,170,383 30/	

1/ $2.5 million of this amount was appropriated for the transition quarter and became available on July 1, 1976.
2/ $3,750,000 of this amount was appropriated for the transition quarter and became available on July 1, 1976.
3/ $25 million of this amount was appropriated for the transition quarter and became available on July 1, 1976.
4/ $2,969,000 of this amount was appropriated for the transition quarter and became available on July 1, 1976.
5/ $1,875,000 of this amount was appropriated for the transition quarter and became available on July 1, 1976.
6/ $2,250,000 of this amount was appropriated for the transition quarter and became available on July 1, 1976.
7/ $875,000 of this amount was appropriated for the transition quarter and became available on July 1, 1976.
8/ $400,000 of this amount was appropriated for the transition quarter and became available on July 1, 1976.
9/ $24,645,000 of this amount was appropriated for the transition quarter and became available on July 1, 1976.
10/ $2,000,000 of this amount was appropriated for the transition quarter and became available on July 1, 1976.
11/ $161,634,000 of this amount became available on July 1, 1976.
12/ $194,265,000 of this amount was proposed for rescission without being withheld.
13/ $35 million of this amount became available for obligation on July 1, 1976.
14/ $4 million of this amount became available for obligation on July 1, 1976.
15/ $10 million of this amount became available for obligation on July 1, 1976.
16/ For 1976, $15 million in contract authority and $15 million to liquidate that contract authority.
17/ $2 million of this amount is an unobligated balance available in the transition quarter.
18/ See deferral D76-12.
19/ P.L. 94-249.
20/ See deferral D76-18.
21/ P.L. 94-111.
22/ See House Report No. 94-496. Deferral of the $90 million was reported to the Congress on September 24, 1975, in D76-55. The funds deferred were released on April 16, 1976, because of Congressional inaction on the related

rescission request.

23/ P.L. 94-134, signed November 24, 1975, rescinds the $25 million in R76-2 and makes new appropriations of $10 million.

24/ These funds, provided in P.L. 94-32, lapsed on September 30, 1975. They were reappropriated in P.L. 94-206 which became law on January 28, 1976, and are available for obligation.

25/ Appropriated in P.L. 94-157.

26/ Release as required.

27/ Includes $400,000 of transition quarter funds.

28/ Includes $806,000 of funds appropriated for the transition quarter that became available July 1, 1976.

29/ Total includes R76-2 at $15 million ($25 million rescinded minus $10 million appropriated).

30/ The amounts proposed for rescission in R76-7 and R76-8 ($10 million) and $10 million from R76-2 must be added to the amount made available to derive the total for rescissions rejected by the Congress ($3190.4 million).

31/ Excludes $45,000,000 of funds proposed for rescission on July 29, 1976. This rescission proposal (R77-1) for the Legal Services Corporation consists of funds appropriated for FY 77 and is not included in the totals for the FY 76 and transition quarter reports.

STATUS OF DEFERRALS

Attachment B

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Funds Appropriated to the President

Bureau/Account	Deferral Number	Amount Transmitted in Special Message		Date of Action	Releases Resulting From Subsequent Actions Taken by			Adjustments	Amount Deferred as of 09-01-76
		Superseded	Current		OMB/Agency	House	Senate		
United States Emergency Refugee and Migration Fund	D76-114		15,000	07-28-76 08-06-76	-5,300				9,700
TOTAL			15,000		-5,300				9,700

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Department of Agriculture 1/

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Agricultural Research Service									
Construction	D76-68		7,570	12-01-75					
				12-05-75		2/	-7,570 3/		0
Animal and Plant Inspection Service									
Construction	D76-69		6,314	12-01-75					
				12-15-75		4/	-6,314 5/		0
Foreign Agricultural Service									
Salaries and Expenses (Special Foreign Currency)	D76-1	[2,232]		07-01-75					
				05-26-76	-122 9/				
				07-06-76				-2,110 6/	
	D76-1A		2,110	07-06-76					2,110
Agricultural Stabilization and Conservation Service									
Commodity Credit Corporation Administrative Expenses	D76-71		2,787	12-01-75					
				12-18-75	-2,787				0
Agricultural Conservation Program	D76-28	[31,667]		07-25-75					
				09-10-75				-31,667 6/	
	D76-28A	[31,667]		09-10-75					
				10-03-75				-31,667 6/	
	D76-28B		63,333	10-03-75					
				10-21-75				-63,333 7/	0
	D76-70		90,000	12-01-75					
				12-24-75		-90,000 8/			0

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Water Bank Act Program	D76-29	[536]		07-25-75 10-03-75				-536 6/	
	D76-29A		1,072	10-03-75 10-21-75				-1,072 7/	0
	D76-104		8,072	03-18-76 02-24-76	-8,072				0
Forestry Incentives Program	D76-30	[3,750]		07-25-75 10-03-75				-3,750 6/	
	D76-30A		7,500	10-03-75 10-21-75				-7,500 7/	0
Farmers Home Administration									
Rural Water and Waste Disposal	D76-31	[37,500]		07-25-75 10-03-75				-37,500 6/	
	D76-31A		75,000	10-03-75 10-21-75				-75,000 7/	0
	D76-72		50,000	12-01-75 12-24-75		-50,000 10/			0
Rural Housing for Domestic Farm Labor Grants	D76-32	[1,250]		07-25-75 10-03-75				-1,250 6/	
	D76-32A		2,500	10-03-75 10-21-75				-2,500 7/	0
Mutual and Self-help Housing Grants	D76-33	[2,050]		07-25-75 10-03-75				-2,050 6/	
	D76-33A		3,300	10-03-75 10-21-75				-3,300 7/	0
Self-help Housing Land Development Fund	D76-34	[1,625]		07-25-75 10-03-75				-1,625 6/	
	D76-34A		1,625	10-03-75 10-21-75				-1,625 7/	0

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Releases Resulting From Subsequent Actions Taken by: OMB/Agency	House	Senate	Adjustments	Amount Deferred as of 09-01-76
Soil Conservation Service									
Watershed and flood prevention operations	D76-73		22,500	12-01-75					
				12-24-75		-22,500 11/			0
	D76-95		18,000	01-23-76					
				04-13-76		-18,000 12/			0
Resource conservation and development	D76-74		4,960	12-01-75					
				12-24-75		-4,960 13/			0
Agricultural Marketing Service									
Payments to States and Possessions	D76-35	[400]		07-25-75					
				10-03-75				-400 6/	
	D76-35A		800	10-03-75					
				10-21-75				-800 7/	0
Food and Nutrition Service									
Special supplemental food program	D76-105		61,000	03-18-76					
				04-13-76		-61,000 14/			0
Forest Service									
Youth Conservation Corps	D76-101		23,680	02-06-76					
				03-10-76			-23,680 15/		0
Forest Roads and Trails	D76-36	[280,000]		07-25-75					
				01-22-76	-1,343				
				07-06-76				-278,657 6/	
	D76-36A		302,682	07-06-76					
								-35,000 16/	267,682
Expenses, Brush Disposal	D76-37	[27,113]		07-25-75					
				01-22-76	-2,040				
				06-02-76	-2,752 9/				
				07-06-76				-22,321 6/	
	D76-37A		22,321	07-06-76					22,321

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Licensee Programs	D76-38	[95]		07-25-75 02-06-76				-95 6/	
	D76-38A		153	02-06-76 06-02-76	-26 9/				127
TOTAL		419,885	777,279		-17,142	-246,460	-37,564	-603,758	292,240

1/ On July 10, 1975, the Senate passed an impoundment resolution requiring release of Youth Conservation Corps funds reported two days earlier by the General Accounting Office as being deferred ($10 million). Funds were released on July 16, 1975.
2/ Impoundment resolution H. Res. 910 passed the House on December 19, 1975, expressing disapproval of this deferral. The funds were released on December 5, 1975, following Senate passage of S. Res. 313.
3/ Impoundment resolution S. Res. 313 passed the Senate on December 4, 1975, rejecting this deferral.
4/ Impoundment resolution H. Res. 911 passed the House on December 19, 1975, expressing disapproval of this deferral. The funds were released on December 15, 1975.
5/ Impoundment resolution, S. Res. 324, passed the Senate on December 10, 1975, rejecting this deferral.
6/ Subsequently incorporated in a supplementary report.
7/ Enactment of P.L. 94-122 (October 21, 1975) ended deferrals of funds provided by the continuing resolution.
8/ Impoundment resolution H. Res. 912 passed the House on December 19, 1975, rejecting this deferral.
9/ This amount became available for obligation on July 1, 1976.
10/ Impoundment resolution H. Res. 914 passed the House on December 19, 1975, rejecting this deferral.
11/ Impoundment resolution H. Res. 915 passed the House on December 19, 1975, rejecting this deferral.
12/ Impoundment resolution H. Res. 1032 passed the House on April 12, 1976, rejecting this deferral.
13/ Impoundment resolution H. Res. 916 passed the House on December 19, 1975, rejecting this deferral.
14/ Impoundment resolution H. Res. 1129 passed the House on April 12, 1976, rejecting this deferral.
15/ Impoundment resolution S. Res. 385 passed the Senate on March 9, 1976, rejecting this deferral.
16/ New contract authority authorized in the Federal Aid Highway Act of 1976 for the Forest roads and trails program is not effective until it is appropriated. The adjustment reduces the deferral in order to correctly reflect the amount of (effective) budget authority deferred.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Department of Commerce

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
General Administration									
Special foreign currency	D76-106		1,220	03-18-76					
				03-30-76	-1,220				0
National Oceanic and Atmospheric Administration									
Fisheries Loan Fund	D76-2	[7,252]		07-01-75					
				11-14-75				-769 1/	
				02-25-76				-1,489 2/	
				07-06-76				-4,994 3/	
	D76-2A		5,114	07-06-76					5,114
Promote and Develop Fishery Products	D76-3	[1,355]		07-01-75				-173 1/	
				12-30-75	-377				
				02-25-76				+516 4/	
				07-06-76				-1,321 3/	
	D76-3A		2,197	07-06-76					2,197
Fishermen's Guaranty Fund	D76-75	[152]		12-01-75					
				02-25-76	-102				
				07-06-76				-50 3/	
	D76-75A		153	07-06-76					153
Office of the Assistant Secretary for Science and Technology									
Scientific and Technical research and services	D76-76		1,187	12-01-75					1,187
Maritime Administration									
Ship construction	D76-107	[231,000]		03-18-76					
				07-06-76				-231,000 3/	
	D76-107A		247,000	07-06-76					247,000
TOTAL		239,759	256,871		-1,699			-239,280	255,651

1/ Reflects a revised unobligated balance brought forward from FY 1975.
2/ Reflects a reduction in estimated loan repayments.
3/ Subsequently incorporated in a supplementary report.
4/ Reflects higher estimates of gross receipts from customers duties on imported fishery products.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Department of Defense, Military

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Shipbuilding and Conversion, Navy	D76-4		1,793,590	07-01-75					
				09-09-75	-1,793,590				0
	D76-108		2,245,945	03-18-76					
				06-14-76	-873,897 1/				1,372,048
Military Construction, All Services	D76-5	[233,630]		07-01-75					
				06-27-75	-1,582				
				07-29-75	-1,752				
				08-25-75	-15,046				
				09-04-75	-5,515				
				10-06-75				245	
				10-15-75	-34,524				
				10-24-75	-16,415				
				11-03-75	-5				
				11-03-75				3,399	
				12-04-75	-32,798				
				12-09-75	-31,256				
				01-06-76				-98,381 2/	0
	D76-86	[596,074]		01-06-76					
				02-03-76	-4,766				
				02-13-76	-18,609				
				02-17-76	-11,248				
				03-24-76	-53,965				
				03-31-76	-35,653				
				04-05-76	-145,215				
				04-13-76	-48,718				
				04-22-76	-21,410				
				05-14-76	-6,743				
				06-04-76	-2,921				
				06-04-76	-12,891 1/				
				06-11-76	-58,668				
				06-25-76	-1,517				
				06-25-76	-1,517 1/				
				07-06-76				-173,750 3/	
	D76-86A		173,750	07-06-76					
				07-20-76	-3,825				
				08-24-76				+3,470	171,878
TOTAL		829,704	4,213,285		-3,234,046			-265,017	1,543,926

1/ This amount became available for obligation on July 1, 1976.
2/ Subsequently incorporated in D76-86.
3/ Subsequently incorporated in a supplementary report.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Department of Defense, Civil

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Corps of Engineers-Civil Revolving fund	D76-96		700	01-23-76					
				04-15-76			-700 1/		0
Canal Zone Government Capital Outlays	D76-87		155	01-06-76					
				07-09-76	-155				0
Wildlife Conservation Military Reservations	D76-6	[432]		07-01-75					
				09-19-75				-13 2/3/	
				09-24-75				-31 2/	
				04-12-76				-1 3/	
				06-03-76				-159 3/	
				06-04-76	-13 4/				
				07-06-76				-215 5/	
	D76-6A		215	07-06-76					215
TOTAL		432	1,070		-168		-700	-419	215

1/ Impoundment resolution S. Res. 408 passed the Senate on April 14, 1976, rejecting this deferral.
2/ Reflects the actual unobligated balance carried forward July 1, which is a lesser amount than previously estimated.
3/ Reflects a decrease in anticipated receipts for the year.
4/ This amount became available for obligation on July 1, 1976.
5/ Subsequently incorporated in a supplementary report.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Department of Health, Education, and Welfare

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Health Services Administration									
Health Services	D76-57	[1,082]		10-20-75 01-06-76				-1,082 1/	0
	D76-57A		1,623	01-06-76 01-28-76				-1,623 2/	0
Indian Health Facilities	D76-39		1,000	07-25-75 03-10-76			-1,000 3/		0
	D76-97		13,908	01-23-76 03-10-76			-13,908 3/		0
National Institutes of Health									
National Cancer Institute	D76-58	[7,000]		10-20-75 01-06-76				-7,000 1/	0
	D76-58A		7,000	01-06-76 01-28-76				-7,000 2/	0
National Heart and Lung Institute	D76-59	[2,700]		10-20-75 01-06-76				-2,700 1/	0
	D76-59A		12,700	01-06-76 01-28-76				-12,700 2/	0
National Institutes of Dental Research	D76-60	[518]		10-20-75 01-06-76				-518 1/	0
	D76-60A		518	01-06-76 01-28-76				-518 2/	0

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
National Institute of Arthritis, Metabolism, and Digestive Diseases	D76-88		2,752	01-06-76 01-28-76				-2,752 2/	0
National Institute of Neurological and Communicative Disorders and Stroke	D76-61	[682]		10-20-75 01-06-76				-682 1/	0
	D76-61A		682	01-06-76 01-28-76				-682 2/	0
National Institutes of General Medical Sciences	D76-62	[2,318]		10-20-75 01-06-76				-2,318 1/	0
	D76-62A		5,812	01-06-76 01-28-76				-5,812 2/	0
National Institute of Child Health and Human Development	D76-63	[1,234]		10-20-75 01-06-76				-1,234 1/	0
	D76-63A		1,234	01-06-76 01-28-76				-1,234 2/	0
Division of Research Resources	D76-89		42,896	01-06-76 01-28-76				-42,896 2/	0
Buildings and Facilities	D76-7		2,164	07-01-75 09-22-75	-2,164				0
Office of the Director	D76-64	[572]		10-20-75 01-06-76				-572 1/	0
	D76-64A		884	01-06-76 01-28-76				-884 2/	0

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Alcohol, Drug Abuse and Mental Health Administration									
Alcohol, Drug Abuse, and Mental Health	D76-40	[3,409]		07-25-75 10-03-75				-3,409 1/	0
	D76-40A	[2,426]		10-03-75 10-20-75				-2,426 1/	0
	D76-40B	[2,753]		10-20-75 01-06-76				-2,753 1/	0
	D76-40C		4,910	01-06-76 01-28-76				-4,910 2/	0
Health Resources Administration									
Health Resources	D76-41		22,000	07-25-75 07-25-75	-22,000				0
	D76-115		4,000	07-28-76					4,000
Office of the Assistant Secretary for Health									
Assistant Secretary for Health	D76-65	[753]		11-18-75 01-06-76				-753 1/	0
	D76-65A		773	01-06-76 01-28-76				-773 2/	0
Scientific Activities Overseas (Special Foreign Currency)	D76-8	[3,652]		07-01-75 04-26-76				-3,652 1/	
	D76-8A		14,319	04-26-76 05-18-76	-2,012 6/				12,307
Office of Education									
Elementary and Secondary Education	D76-51		8,000	09-10-75 10-10-75	-8,000				0
	D76-52		2,968	09-10-75 02-20-76	-2,968				0
School Assistance in Federally Affected Areas	D76-42		68,350	07-25-75 09-10-75				-68,350 4/	0

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Higher Education	D76-9	[49,040]		07-01-75 07-06-76				-49,040 1/	
	D76-9A		272,616	07-06-76					272,616
Higher Education	D76-43		9,500	07-25-75 09-10-75				-9,500 4/	0
Library Resources	D76-44		10,437	07-25-75 09-10-75				-10,437 4/	0
Social and Rehabilitative Service Public Assistance Child Welfare Services	D76-45	[1,000]		07-25-75 10-03-75				-1,000 1/	0
	D76-45A	[2,000]		10-03-75 01-06-76				-2,000 1/	0
	D76-45B		3,000	01-06-76 01-28-76				-3,000 2/	0
Social Security Administration Limitation on Construction	D76-54	[14,910]		09-24-75 03-18-76				-14,910 1/	0
	D76-54A		15,098	03-18-76 05-21-76	-2,430 6/				12,668
Special Institutions Howard University	D76-10	[8,174]		07-01-75 11-18-75				-8,174 1/	0
	D76-10A	[12,225]		11-18-75 06-29-76 07-06-76	-3,279 6/			-12,225 1/	
	D76-10B		13,526	07-06-76 08-26-76				+1,541 7/	11,788

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Releases Resulting From Subsequent Actions Taken by: OMB/Agency	House	Senate	Adjustments	Amount Deferred as of 09-01-76
Assistant Secretary for Human Development									
Research and Training Activities Overseas (Special Foreign Currency)	D76-11	[7,307]		07-01-75					
				07-25-75				-7,307 1/	0
	D76-11A	[8,307]		07-25-75					
				07-15-75	-3,665				
				11-06-75	-390			-4,252 1/	0
	D76-11B	[4,252]		12-01-75					
				11-24-75	-558				
				04-22-76	-445			-401 5/	
				06-01-76	-500 6/				
				07-06-76				-2,348 1/	
	D76-11C		2,348	07-06-76					2,348
TOTAL		136,314	545,018		-48,411	-14,908		-302,286	315,727

1/ Subsequently incorporated in a supplementary report.
2/ Enactment of P.L. 94-206 (January 28, 1976) ended deferral of these funds provided by the Continuing Resolution.
3/ Impoundment resolution, S. Res. 366, passed the Senate on March 9, 1976, rejecting this deferral.
4/ Enactment of P.L. 94-94 (September 10, 1975) ended deferral of these funds provided by the Continuing Resolution.
5/ Reflects a revised unobligated balance brought forward from FY 1975.
6/ This amount became available for obligation on July 1, 1976.
7/ Reflects a revised unobligated balance brought forward into the transition quarter from FY 1976.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Department of the Interior

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Bureau of Land Management									
Public Lands Development Roads and Trails	D76-12	[25,847]		07-01-75					
				01-20-76	-947			-8,800 1/	
				02-06-76				-16,100 2/	
	D76-12A	[16,100]		02-06-76					
				04-13-76				-16,100 2/	
	D76-12B		20,000	04-13-76					
				06-18-76	-1,100 7/				18,900
Oregon and California grant lands	D76-102	[3,016]		02-06-76					
				07-06-76				-3,016 2/	
	D76-102A		3,272	07-06-76					3,272
Bureau of Reclamation									
Construction and Rehabilitation	D76-13	[1,030]		07-01-75					
				07-25-75				-1,030 2/	0
	D76-13A		1,030	07-25-75					
				12-08-75			-1,030 3/		0
Upper Colorado River Storage Project	D76-14		1,150	07-01-75					
				01-19-76	-1,150				0
Bureau of Outdoor Recreation									
Land and Water Conservation Fund	D76-15		30,000	07-01-75					30,000
Fish and Wildlife Service									
Federal Aid in Fish Restoration and Management	D76-16		6,330	07-01-75					
				01-22-76	-1,212				
				06-02-76	-5,118 4/				0

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Federal Aid in Wildlife Restoration	D76-17		21,470	07-01-75					
				01-22-76	-7,270				
				06-02-76	-3,826				
				06-02-76	-10,374 4/				0
National Park Service Road Construction	D76-18	[238,092]		07-01-75					
				12-15-75	-1,000				
				01-20-76	-34,034				
				06-02-76	-5,700 7/			-58,500 5/	
				07-06-76				-138,858 2/	
	D76-18A		138,858	07-06-76					138,858
Geological Survey Payment from Proceeds, Sale of Water	D76-19	[29]		07-01-75					
				07-06-76				-29 2/	
	D76-19A		30	07-06-76					30
Bureau of Mines Mines and Minerals	D76-110		688	05-13-76					
				08-25-76		-688 8/			0
Drainage of Anthracite Mines	D76-46	[3,375]		07-25-75					
				07-06-76				-3,375 2/	
	D76-46A		3,725	07-06-76					3,725
Bureau of Indian Affairs Construction	D76-103		10,881	02-06-76					
				03-10-76			-10,881 6/		0

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	House	Senate	Adjustments	Amount Deferred as of 09-01-76
Road Construction	D76-20	[68,470]		07-01-75 02-06-76				-68,470 2/	0
	D76-20A	[69,339]		02-06-76 06-02-76 06-09-76 07-06-76	-28,000 7/ -10,000			-31,339 2/	
	D76-20B		31,339	07-06-76					31,339
TOTAL		425,298	268,773		-109,731	-688	-11,911	-345,617	226,124

1/ See rescission R76-40.
2/ Subsequently incorporated in a supplementary report.
3/ Impoundment resolution, S. Res. 226, passed by the Senate on December 4, 1975, rejecting this deferral.
4/ This amount became available for obligation on July 1, 1976 for the period July 1, 1976 through September 30, 1977.
5/ See rescission R76-41.
6/ Impoundment resolution, S. Res. 386, passed the Senate on March 9, 1976 rejecting this deferral.
7/ This amount became available for obligation on July 1, 1976.
8/ Impoundment resolution, H. Res. 1428, passed the House on August 24, 1976, rejecting this deferral.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Department of Justice

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Law Enforcement Assistance Administration									
Salaries and expenses	D76-98		15,000	01-23-76 03-11-76		-15,000 1/			0
TOTAL			15,000			-15,000			0

1/ Impoundment resolution, H. Res. 1058, passed the House of March 4, 1976, rejecting this deferral.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Department of Labor

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Employment and Training Administration									
Grants to States for Unemployment Insurance and Employment Services	D76-109	[15,000]		03-18-76 07-06-76				-15,000 1/	
			18,750	07-06-76 07-28-76	-18,750				0
Advances to the unemployment trust fund and other funds	D76-99	[1,800,000]		01-23-76 06-14-76 07-06-76	-900,000 2/			-900,000 1/	
	D76-99A		900,000	07-06-76					900,000
Departmental Management									
Special foreign currency program	D76-112		136	07-06-76					136
Working Capital Fund	D76-77		977	12-01-75 12-08-75	-977				0
Pension Benefit Guaranty Corporation									
Pension Guaranty Fund	D76-78		[1,431]*	12-01-75 06-02-76				[-1,431]*3/	0
TOTAL		1,815,000	919,863		-919,727			-915,000 [-1,431]	900,136

* Annexed Budget item. Not included in totals. This deferral will not affect budgetary outlays because PBGC is an off-budget agency. However, it will result in reducing Treasury financing needs by $1,431 thousand for FY 1976.

1/ Subsequently incorporated in a supplementary report.

2/ This amount became available for obligation on July 1, 1976.

3/ This deferral represented a retention in the revolving fund balance of an amount proposed by the Corporation for administrative expenses in 1976. No adjustment to the Corporation's proposals has been made for the transition quarter.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Department of State

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Acquisition, operation and maintenance of buildings abroad (special foreign currency)	D76-90		2,275	01-06-76					2,275
International Center, Washington, D.C.	D76-66		2,572	11-18-75					
				05-27-76	-1,861 1/				711
Refugee and Migration Affairs									
Special Assistance to refugees from Cambodia and Vietnam	D76-85	[28,493]		12-01-75					
				01-23-76				-28,493 2/	0
	D76-85A		28,493	01-23-76					
				03-31-76	-28,493				0
TOTAL		28,493	33,340		-30,354			-28,493	2,986

1/ This amount became available for obligation on July 1, 1976.
2/ Subsequently incorporated in a supplementary report.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Department of Transportation

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Coast Guard									
Acquisition, Construction and Improvements	D76-21	[707]		07-01-75 01-06-76				-707 1/	0
	D76-91		1,061	01-06-76					1,061
Federal Aviation Administration									
Construction, National Capitol Airports	D76-92	[8,679]		01-06-76 07-06-76				-8,679 2/	
	D76-92A		9,400	07-06-76					9,400
Civil Supersonic Aircraft Development Termination	D76-22	[7,686]		07-01-75 11-24-75 01-06-76				-6,000 3/ -1,686 4/	0
	D76-93	[2,179]		01-06-76 07-06-76				-2,179 2/	
	D76-93A		2,299	07-06-76					2,299
Facilities and Equipment (Airport and Airway Trust Fund)	D76-33	[75,824]		07-01-75 07-06-76				-75,824 2/	
	D76-23A	[82,340]		07-06-76 08-24-76				-82,340 2/	
	D76-23B		276,101	08-24-76					276,101

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Federal Highway Administration									
National Scenic and Recreational Highway	D76-55		90,000	09-24-75 04-16-76	-90,000 5/				0
TOTAL		177,415	378,861		-90,000			-177,415	288,861

1/ Subsequently incorporated in D76-91.
2/ Subsequently incorporated in a supplementary report.
3/ P.L. 94-134, signed November 24, 1975, transferred $6 million from "Civil supersonic aircraft development termination" to FAA "Operations."
4/ Subsequently incorporated in D76-93.
5/ The funds were released because of Congressional inaction on the related rescission request, R76-1.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Department of the Treasury

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Office of the Secretary									
State and Local Government Fiscal Assistance Trust Fund	D76-24	[93,420]		07-01-75					
				07-31-75	-246				
				08-11-75	-18				
				10-01-75	-3,145				
				11-01-75	-41				
				12-01-75	-164				
				01-01-76	-84				
				03-01-76	-5				
				04-01-76	-21				
				05-01-76	-7,433				
				06-01-76	-13				
				07-01-76				+67 1/	
				07-06-76	-1,317			-81,000 3/	
	D76-24A	[81,000]		07-06-76					
				08-24-76				-81,000 3/	
	D76-24B		82,407	08-24-76					
				09-01-76	-457				81,950
State and Local Government Fiscal Assistance Trust Fund	D76-25	[38,391] 2/		07-01-75					
				09-10-75				-38,391 2/3/	
	D76-25A	[57,587] 2/		09-10-75					
				10-20-75				-57,587 2/3/	
	D76-25B	[75,856] 2/		10-20-75					
				11-18-75				-75,856 2/3/	
	D76-25C	[75,856] 2/		11-18-75					
				01-23-76				-75,856 2/3/	
	D76-25D	[95,017] 2/		01-23-76					
				04-26-76				-95,017 2/3/	
	D76-25E	[113,732] 2/		04-26-76					
				07-06-76				-113,732 2/3/	
	D76-25F		113,732	07-06-76					113,732 2/

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
	D76-67	[11,833] 2/		11-18-75					
				12-01-75	-9,409 2/				
				01-01-76	-693 2/				
				02-01-76	-203 2/				
				04-01-76	-432 2/				
				07-01-76	-91 2/				
				07-06-76				-1,005 2/3/	
	D76-67A		1,096 2/	07-06-76					
				09-01-76	-496 2/				600 2/
Loans to the District of Columbia for Capital Outlay	D76-53	[39,370]		09-10-75					
				07-06-76				-39,370 3/	
	D76-53A		39,370	07-06-76					39,370
TOTAL		213,790BA 468,272O	121,777BA 114,828O		-12,944BA -11,324O			-201,303BA -457,444O	121,320BA 114,332O

1/ Reflects a payment to the fund.
2/ Outlays only.
3/ Subsequently incorporated in a supplementary report.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Energy Research and Development Administration

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Operating Expenses	D76-116		16,000	07-28-76 07-22-76	-16,000 1/				0
TOTAL			16,000		-16,000				

1/ These funds were withheld temporarily pending program determinations. Prior to the actual transmittal of the special message, the funds were released for obligation.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Environmental Protection Agency

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Research and Development	D76-79		2,000	12-01-75 12-22-75		-2,000 1/			0
	D76-80		4,600	12-01-75 12-22-75		-4,600 2/			0
Abatement and Control	D76-47		4,000	07-25-75 07-23-75	-4,000				0
	D76-81		3,750	12-01-75 12-22-75		-3,750 3/			0
	D76-82		10,000	12-01-75 12-22-75		-10,000 4/			0
	D76-83		15,000	12-01-75 12-22-75		-15,000 5/			0
TOTAL			39,350		-4,000	-35,350			0

1/ Impoundment resolution H. Res. 920 passed the House on December 19, 1975, rejecting this deferral.
2/ Impoundment resolution H. Res. 921 passed the House on December 19, 1975, rejecting this deferral.
3/ Impoundment resolution H. Res. 922 passed the House on December 19, 1975, rejecting this deferral.
4/ Impoundment resolution H. Res. 923 passed the House on December 19, 1975, rejecting this deferral.
5/ Impoundment resolution H. Res. 924 passed the House on December 19, 1975, rejecting this deferral.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: General Services Administration

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Rare Silver Dollar Program	D76-48	[1,790]		07-25-75 02-06-76				-1,790 1/	
	D76-48A		1,850	02-06-76 06-06-76	-100 2/				1,750
TOTAL		1,790	1,850		-100			-1,790	1,750

1/ Subsequently incorporated in a supplementary report.
2/ This amount became available for obligation on July 1, 1976.

STATUS OF DEFERRALS

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: National Aeronautics and Space Administration

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Research and Program Management	D76-84		2,900	12-01-75 05-26-76	-2,900				0
TOTAL			2,900		-2,900				0

FISCAL YEAR 1976 AND TRANSITION QUARTER
(Amounts in thousands of dollars)

Agency: Other Independent Agencies

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
Community Services Administration									
Economic Opportunity Program									
Emergency Energy Conservation Services	D76-49		16,500	07-25-75					
				10-03-75			-16,500 1/		0
Community and Economic Development	D76-50		14,500	07-25-75					
				07-24-75	-14,500				0
Federal Energy Administration									
Strategic Petroleum Reserve Office									
Strategic Petroleum Reserve	D76-117		299,000	07-28-76	-131,500 2/				167,500
Foreign Claims Settlement Commission									
Payment of Vietnam Prisoner of War Claims	D76-26		11,081	07-01-75					11,081
American Revolution Bicentennial Administration	D76-27		1,000	07-01-75					
				04-27-76	-1,000				0
	D76-111		500	05-13-76					
				06-16-76	-500 3/				0
Interstate Commerce Commission									
Payment for directed rail services	D76-94		13,700	01-06-76					13,700
National Science Foundation									
Salaries and expenses	D76-100	[10,000]		01-23-76					
				07-06-76				-10,000 4/	
	D76-100A		10,000	07-06-76					10,000

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Releases Resulting From Subsequent Actions Taken by OMB/Agency	Releases Resulting From Subsequent Actions Taken by House	Releases Resulting From Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 09-01-76
National Commission on the Observance of International Women's Year, 1975									
Salaries and expenses	D76-113		4,427	07-06-76					4,427
National Commission on Productivity and Work Quality	D76-56		1,500	09-24-75					
				10-01-75	-600				
				12-09-75	-900				
TOTAL		10,000	372,208		-149,000		-16,500	-10,000	0 206,708
TOTAL, ALL DEFERRALS		4,297,880BA 468,272O	7,978,445BA 114,828O		-4,641,522BA -11,324O	-297,498BA	-81,583BA	-3,090,378BA -457,444O	4,165,344BA 114,332O

1/ Impoundment resolution S. Res. 267 passed the Senate October 3, 1975, rejecting this deferral.
2/ This deferral was reduced to $167,500,000 on July 1, 1976.
3/ This amount became available for obligation on July 1, 1976.
4/ Subsequently incorporated in a supplementary report.

[FR Doc.76-27123 Filed 9-13-76;3:14 pm]

federal register

WEDNESDAY, SEPTEMBER 15, 1976



PART VI:

COMMUNITY SERVICES ADMINISTRATION

ENVIRONMENTAL PROTECTION AGENCY

FARM CREDIT ADMINISTRATION

FEDERAL RESERVE SYSTEM

FEDERAL TRADE COMMISSION

MARINE MAMMAL COMMISSION

■

PRIVACY ACT OF 1974

Systems of Records

COMMUNITY SERVICES ADMINISTRATION
PRIVACY ACT OF 1974
Systems of Records

The purpose of this document is to give notice that the systems of records identified in notices published in the Federal Register at 40 FR 45328, 45329, 45330, 45331, and 41 FR 19098 and 19099 continue in effect. This notice is published in compliance with the requirements of 5 U.S.C. 552a(e)(4) as added by section 3 of the Privacy Act of 1974.

Samuel R. Martinez,
Director.

PREFATORY STATEMENT OF GENERAL ROUTINE USES FOR THE COMMUNITY SERVICES

Administration Systems of Records

The following routine uses apply to and are incorporated by reference into, each system of records set forth below:

(1) In the event that records in this system of records indicate a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by statute or by regulation, rule or order issued pursuant thereto, the records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. Furthermore, presentation of evidence and disclosure to counsel for litigants before any court, magistrate, or administrative tribunal, or in the normal process of discovery attendant to such litigation or procedures shall constitute a routine use of records in this system of records.

(2) Records from this system of records may be disclosed as a "routine use" to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

(3) Records from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

(4) A record from this system of records may be disclosed, as a routine use, to a member of Congress seeking information concerning the individual, but only when the individual is a constituent of the member and has requested assistance from the member with respect to the subject matter of the record.

Geographical Guidance for Accessing Systems of Records

Many CSA systems of records are maintained wholly or partially in the CSA Regional Offices. To facilitate access to such records, a listing of the CSA Regional Offices, the states served thereby, their addresses and telephone numbers are provided:

Region I

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont. John F. Kennedy Federal Building, Room E400, Boston, Massachusetts 02203 (617) 223-4025.

Region II

New Jersey, New York, Puerto Rico, Virgin Islands. 26 Federal Plaza, 32nd Floor, New York, New York 10007 (212) 264-1900.

Region III

Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia. Gateway Building, 3535 Market Street, Room 2260, Philadelphia, Pennsylvania 19104 (215) 597-1000.

Region IV

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee. 730 Peachtree Street, Room 1100, N.E., Atlanta, Georgia 30308 (404) 526-3172.

Region V

Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin. 300 South Wacker Drive, 24th Floor, Chicago, Illinois 60606 (312) 353-5987.

Region VI

Arkansas, Louisiana, New Mexico, Oklahoma, Texas. 1200 Main Street, Room M130, Dallas, Texas 75202 (214) 749-1301.

Region VII

Iowa, Kansas, Missouri, Nebraska. 911 Walnut Street, Room 1300, Kansas City, Missouri 64106 (816) 374-3364.

Region VIII

Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming. Federal Building, 1961 Stout Street, Room 12424, Denver, Colorado 80202 (303) 837-4767.

Region IX

Arizona, California, Guam, Hawaii, Nevada, Pacific Trust Territories. 100 McAllister Street, Room 1407, San Francisco, California 94102 (415) 556-3706.

Region X

Alaska, Idaho, Oregon, Washington. Arcade Plaza Building, Mail stop 105A, 1321 Second Avenue, Seattle, Washington 98101 (206) 442-4910.

INDEX OF COMMUNITY SERVICES ADMINISTRATION

Systems of Records Under The Privacy Act of 1974

CSA 1 Employee Applicants for Upward Mobility Program.
CSA 2 Employee Attendance, Leave & Payroll Records.
CSA 3 Employee Employment History.
CSA 4 Employee Suggestion System.
CSA 5 Employee of CSA and Other Government Agencies & Invited Travelers' Travel Records.
CSA 6 Freedom of Information Act Requests for Records.
CSA 7 Inspection Reports on Grantees, Contractors and CSA Employees.
CSA 8 Employee and Personnel System.
CSA 9 Contractor Employee, Equal Employment Opportunity System.
CSA 10 Federal Employee Compensation Act System.
CSA 11 Federal Motor Vehicle Accident Reporting System.
CSA 12 Employee Equal Employment Opportunity System.
CSA 13 Grantee Employee Equal Employment Opportunity System.
CSA 14 Grantee Officer and Employee Biographical and Professional Information Supplied to CSA.

CSA—1

System name: Employee Applicants for Upward Mobility Program—CSA

System location: See system manager title and address below for location.

Categories of individuals covered by the system: CSA employees making application for crossover positions.

Categories of records in the system: Applications include, name, address, social security number, job title, grade, service time, sex, organizational element, present supervisor, work experience, education, training, awards, association memberships, co-worker evaluation and job evaluation.

Authority for maintenance of the system: FPM Chapter 410, EEO Act of 1972.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Forms in file folders.

Retrievability: Filed by name.

Safeguards: Locked metal file cabinets accessible by authorized personnel only.

Retention and disposal: Maintained for one year or until employee resigns, transfers or retires, then destroyed.

System manager(s) and address: Training Officer, Manpower Management and Personnel Division, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506

Notification procedure: Information may be obtained from the Privacy Act Reviewing Officer at the appropriate address listed in Appendix A of the CSA rules and regulations published in this issue of the Federal Register.

Record access procedures: Requests and inquiries from individuals should be addressed to the system manager at the appropriate address and under the position title listed above.

Contesting record procedures: The CSA's rules for access to records and for contesting content and appealing initial determinations by the individual concerned appear in the CSA rules and regulations published in this issue of the Federal Register.

Record source categories: Subject individuals, supervisors and co-workers.

CSA—2

System name: Employee Attendance, Leave & Payroll Records—CSA

System location: See System Manager title and address below for location. (Magnetic tapes of this system of records are located at the CSA Data Processing Center, 7981 Eastern Avenue, Silver Spring, Maryland 20910; and a currently updated record (one month) for emergency backup at the General Services Administration, Region 3, 7th and D Streets, N.W., Washington, D.C.)

Categories of individuals covered by the system: Current and past employees of the Community Services Administration and its predecessor agency, the Office of Economic Opportunity.

Categories of records in the system: Individual employee pay data and leave records which include a pay folder containing copies of Allotment Forms, Health Benefit Forms, SF-50 Personnel Action forms, Payroll Listing and Tax Deductions. The system also produces Master Earnings History Files and numerous reports such as Bond Listings, Tax Withholdings, W-2 Listings with addresses, etc. The records contain name, social security number and employee number, grade, step, and salary; organization (code), retirement or FICA data as applicable; Federal, state, and local tax deductions, as appropriate; IRS tax lien data; savings bond and charity deductions; regular and optional Government life insurance deduction(s), health jury duty data; military leave data; pay differentials; union dues deductions; allotments, by type and amount; financial institution code and employee account number; leave status and leave data of all types (including annual, compensatory, jury duty, maternity, military, retirement disability, sick, transferred, and without pay); time and attendance records, including number of regular, overtime, holiday, Sunday, and other hours worked; pay period number and ending date; cost of living allowances; mailing address; co-owner and/or beneficiary of bonds, marital status and number of dependents; and "Notification of Personnel Action." The individual records listed herein are included only as pertinent or applicable to the individual employee.

Authority for maintenance of the system: Title 6, GAO Policy and Procedures Manual, pursuant to 5 U.S.C. and sections 112(a) and 113 of the Budget and Accounting Procedures Act of 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Transmittal of data to U.S. Treasury to effect issuance of paychecks to employee and distribution of pay according to employee directions for savings bonds, allotments, financial institutions and other authorized purposes. Reporting of: tax withholdings to Internal Revenue Service and appropriate State and local taxing authorities; FICA deductions to the Social Security Administration; dues deductions to the employee union; withholdings for health insurance to the insurance carriers and the U.S. Civil Service Commission; charity contribution deductions to agents of charitable institutions; annual W-2 statements to taxing authorities and the individual; employee retirement data to the Civil Service Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Both manual and computer-produced paper copy, and magnetic tape.

Retrievability: By name of employee and/or social security number.

Safeguards: Physical, technical, and administrative security is maintained, with all storage equipment and/or rooms locked when not in use. Admittance, when open, is restricted to authorized personnel only. All payroll personnel and computer operators and programmers are instructed and cautioned on the confidentiality of the records.

Retention and disposal: Retained on site until after GAO audit, then disposed of, or transferred to Federal Records Storage Centers in accordance with the fiscal records program approval by GAO, as appropriate, or General Record Schedules of GSA.

System manager(s) and address: Chief, Financial Policies, Procedures & Payroll Division, Office of the Controller, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506

Notification procedure: Information may be obtained from the Privacy Act Reviewing Officer at the appropriate address listed in Appendix A of the CSA rules and regulations published in this issue of the Federal Register.

Record access procedures: Requests and inquiries from individuals should be addressed to the system manager at the appropriate address and under the position title listed above.

Contesting record procedures: The CSA's rules for access to records and for contesting content and appealing initial determinations by the individual concerned appear in the CSA rules and regulations published in this issue of the Federal Register.

Record source categories: Subject individuals, supervisor, timekeepers, official personnel records and IRS.

CSA—3

System name: Employee Employment History—CSA

System location: See System Manager title and address below for location. (Magnetic tapes of this system of records are located at the CSA Data Processing Center, 7981 Eastern Avenue, Silver Spring, Maryland 20910; and a currently updated record (one month) for emergency backup at the General Services Administration, Region 3, 7th and D Streets N.W., Washington, D.C.)

Categories of individuals covered by the system: Current and past employees of the Community Services Administration and its predecessor agency, the Office of Economic Opportunity.

Categories of records in the system: Data relating to the employment of each CSA employee including name, social security number, position title, organizational element, veterans preference, entrance on duty date, pay plan and occupational code, last promotion date, tour of duty, total federal service date, salary grade and step, retirement system, within-grade due date, actual salary, position type, physical handicap, educational level, appointment status, college major, birth date, and related data necessary to maintain the accuracy of the file.

Authority for maintenance of the system: Title 5, U.S.C. Sections 1302, 2951, 4118, 4308, and 4506.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in Prefatory Statement.

To provide information to a prospective employer of a Government employee.

To provide statistical and background information to Civil Service Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: System is maintained on magnetic tape.

Retrievability: By social security number/name.

Safeguards: Physical, technical, and administrative security is maintained, with all storage equipment and/or rooms locked when not in use. Admittance when open, is restricted to authorized personnel only. All personnel and computer operators and programmers are instructed and cautioned on the confidentiality of the records.

Retention and disposal: Retained on site, then disposed of, or transferred to Federal Records Storage Centers, as appropriate, in accordance with General Record Schedules of GSA.

System manager(s) and address: Chief, Manpower Management and Personnel Division, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506.

Notification procedure: Information may be obtained from the Privacy Act Reviewing Officer at the appropriate address listed in

Appendix A of the CSA rules and regulations published in this issue of the Federal Register.

Record access procedures: Requests and inquiries from individuals should be addressed to the system manager at the appropriate address and under the position title listed above.

Contesting record procedures: The CSA's rules for access to records and for contesting content and appealing initial determinations by the individual concerned appear in the CSA rules and regulations published in this issue of the Federal Register.

Record source categories: Subject individuals, supervisors and official personnel records.

CSA—4

System name: Employee Suggestion System—CSA

System location: See system manager title and address below for location.

Categories of individuals covered by the system: Current and past employees of CSA.

Categories of records in the system: Name, position title, grade, social security number, organization element, appraisal of suggestion and supervisory evaluator's name.

Authority for maintenance of the system: FPM Chapter 451-7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Forms and description of suggestion in file folders.

Retrievability: File is retrieved by individual's name.

Safeguards: Locked metal file cabinets accessible by authorized personnel only.

Retention and disposal: Maintained two years after close of case and then destroyed.

System manager(s) and address: Chief, Manpower Management and Personnel Division, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506, and at each CSA Regional Office the Personnel Officer, address above under "Geographical Guidance for Accessing Systems of Records."

Notification procedure: Information may be obtained from the Privacy Act Reviewing Officer at the appropriate address listed in Appendix A of the CSA rules and regulations published in this issue of the Federal Register.

Record access procedures: Requests and inquiries from individuals should be addressed to the system manager at the appropriate address under the position title listed above.

Contesting record procedures: The CSA's rules for access to records and for contesting content and appealing initial determinations by the individual concerned appear in the CSA rules and regulations published in this issue of the Federal Register.

Record source categories: Subject individual and evaluators of suggestion.

CSA—5

System name: Employees of CSA and Other Government Agencies & Invited Travelers' Travel Records—CSA

System location: Paper records, see System Manager Title and address below. Supporting records are maintained in other offices at Headquarters and each of the Regional Offices listed under Geographical Guidance above. Magnetic tape records are at the CSA Data Processing Center, 7981 Eastern Avenue, Silver Spring, Maryland 20910.

Categories of individuals covered by the system: Employees of CSA, members of CSA Advisory Committees, other government agency employees and private persons traveling under invitation on official program matters.

Categories of records in the system: Name, address, social security number; destination, itinerary, mode and purpose of travel; dates; expenses including amounts advanced (if any), amounts claimed and amounts reimbursed; travel orders, travel vouchers and receipts.

Authority for maintenance of the system: Chapter 57, Subchapter I of U.S.C. 5, Budget & Accounting Act of 1921, Accounting & Auditing Act of 1950, and Federal Claim Collection Act of 1966.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Transmittal to U.S. Treasury for payment, to GAO for audit support of Accountable Offices and internally to support disbursement of Federal funds.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual and computer-produced paper copy, and magnetic tape.

Retrievability: Filed by name, social security number or travel order number.

Safeguards: Physical, technical, and administrative security is maintained, with all storage equipment and/or rooms locked when not in use. Admittance, when open, is restricted to authorized personnel only. All processing personnel, including computer operators and programmers are instructed and cautioned on the confidentiality of the records.

Retention and disposal: Retained according to GSA Federal Travel Regulations and on site until after GAO audit, then disposed of, or transferred to Federal Records Storage in accordance with the fiscal records program approval by GAO, as appropriate, or General Record Schedules of GSA.

System manager(s) and address: Chief, Finance & Grants Management Division, Office of the Controller, Community Services Administration, 1200 19th Street, N.W., Room 320, Washington, D.C. 20506.

Notification procedure: Information may be obtained from the Privacy Act Reviewing Officer at the appropriate address listed in Appendix A of the CSA rules and regulations published in this issue of the Federal Register.

Record access procedures: Requests and inquiries from individuals should be addressed to the system manager at the appropriate address and under the position title listed above.

Contesting record procedures: The CSA's rules for access to records and for contesting content and appealing initial determinations by the individual concerned appear in the CSA rules and regulations published in this issue of the Federal Register.

Record source categories: Subject individuals, supervisors, and finance or accounting office standards references.

CSA—6

System name: Freedom of Information Act Requests for Records—CSA

System location: See System Manager's Title and location below. Supporting records are maintained in other offices at Headquarters and the Regional Offices.

Categories of individuals covered by the system: Individuals who have requested records from CSA under the provisions of the Freedom of Information Act, as amended.

Categories of records in the system: Name, address, and telephone number of requester; description or identification of records requested, furnished and/or denied; dates of request and response; amount of fees paid, reduced or waived, if any; payment delinquencies, if any; appeals of denials, final determinations; and names and titles of denying officials and determining officials.

Authority for maintenance of the system: Freedom of Information Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Annual Report to the Congress under section (d) of the Freedom of Information Act, as amended, and available for public inspection at all times. Also see routine use paragraphs of the Prefatory Statement above.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Correspondence in file folders, manual chronological log, suspense control card file and accounts receivable record.

Retrievability: Filed by requester name and/or chronological dates of action steps.

Safeguards: Records are retained in locked furniture in secured rooms with access limited to those whose official duties require access, and under supervisory controls as defined in the CSA Rules and Regulations published in the Federal Register.

Retention and disposal: Retained on site, then disposed of, or transferred to Federal Records Storage Center, as appropriate, in accordance with General Record Schedules of GSA.

System manager(s) and address: FOIA Records Officer, Office of Administration, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20560.

Notification procedure: Information may be obtained from the Privacy Act Reviewing Officer at the appropriate address listed in Appendix A of the CSA rules and regulations published in this issue of the Federal Register.

Record access procedures: Requests and inquiries from individuals should be addressed to the system manager at the appropriate address and under the position title listed above.

Contesting record procedures: The CSA's rules for access to records and for contesting content and appealing initial determinations by the individual concerned appear in the CSA rules and regulations published in this issue of the Federal Register.

Record source categories: Requesters for information under FOIA and CSA officials and employees engaged in processing or making determinations on FOIA requests.

CSA—7

System name: Inspection Reports on Grantees, Contractors, and CSA Employees—CSA

System location: See system manager title and address below for location.

Categories of individuals covered by the system: Inspection reports of investigations in complaints alleging misfeasance, malfeasance and nonfeasance by employees of CSA, grantees, contractors and consultants.

Categories of records in the system: Name, address, date and place of birth, citizenship, physical characteristics, employment history, financial records, education, arrest records, Federal employee's relatives, names of spouses, relatives, references, personal associates, activities and conflict of interest.

Authority for maintenance of the system: Title 18 U.S.C. including sections 201, 287, 508, 641, 1001, and 1913 and sections 602, 603, and 626 of the Community Services Act of 1974 (42 U.S.C. 2942, 2943, and 2971f).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed by Grantees, Regional Officer, and/or individual respondents against whom complaints have been filed.

Safeguards: Padlock, bar type filing cabinets and used only by authorized screened personnel.

Retention and disposal: Retired to Federal Records Center 3 years after close of case.

System manager(s) and address: Chief, Inspection Division, Office of General Counsel, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506.

Notification procedure: Information may be obtained from the appropriate address listed in Appendix A of the CSA rules and regulations published at 40 FR 45300, October 1, 1975.

Record access procedures: Requests and inquiries from individuals should be addressed to the system manager at the appropriate address and under the position and title listed above.

Contesting record procedures: CSA's rules for access to records and appealing initial determinations by the individual concerned appear in the CSA rules and regulations published in 40 FR 45300, October 1, 1975.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(2), this system is exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(I), and (f)(4). The exemption of this information is necessary to facilitate the enforcement of the Community Services Act of 1974 and other relevant statutes, and to avoid revealing and endangering sources of information.

CSA—8

System name: Employee and Personnel System—CSA

System location: Chief, Manpower Management and Personnel Division, Community Services Administration, 1200 19th Street, NW., Washington, D.C. 20506, and at each CSA Regional Office, the Personnel Officer, address above under "Geographical Guidance for Accessing Systems of Records."

System manager(s) and address: Same as above.

All other information relating to this system of records is contained in the published notices by the Civil Service Commission in the Federal Register (40 FR 40782), August 27, 1975.

CSA—9

System name: Contractor Employee, Equal Employment Opportunity System—CSA

System location: Associate Director, Office of Civil Rights, Community Services Administration, 1200 19th Street, NW., Washington, D.C. 20506, and at each CSA Regional Office, the Equal Employment Opportunity Officer, address above under "Geographical Guidance for Accessing Systems of Records."

System manager(s) and address: Same as above.

All other information relating to this system of records is contained in the published notice on Equal Employment Opportunity under E.O. 11246, as amended—published by the Department of Labor in the Federal Register (40 FR 41739), September 8, 1975.

CSA—10

System name: Federal Employee Compensation Act System—CSA

System location: Chief, Manpower Management and Personnel Division, Community Services Administration, 1200 19th Street, NW., Washington, D.C. 20506, and at each CSA Regional Office, the Personnel Officer, address above under "Geographical Guidance for Accessing Systems of Records."

System manager(s) and address: Same as above.

All other information related to this system of records is contained in the published notices by the Department of Labor in the Federal Register (40 FR 41739), September 8, 1975.

CSA—11

System name: Federal Motor Vehicle Accident Reporting System—CSA

System location: Chief, Office Services, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506, and at each CSA Regional Office, the Property Officer, address above under "Geographical Guidance for Accessing Systems of Records."

System manager(s) and address: Same as above.

All other information relating to this system of records is contained in the published notices by the General Services Administration in the Federal Register (40 FR 39137), August 27, 1975.

CSA—12

System name: Employee Equal Employment Opportunity System—CSA

System location: Associate Director, Office of Civil Rights, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506, and at each CSA Regional Office, the Equal Employment Opportunity Officer, address above under "Geographical Guidance for Accessing Systems of Records."

Categories of individuals covered by the system: Current and past employees and applicants for employment with CSA and its predecessor agency, the Office of Economic Opportunity, who have filed a complaint of discrimination against CSA.

Categories of records in the system: Name, address, date and place of birth, race, religion, sex, age, education, employment history, job performance, references, circumstances of alleged act(s) of discrimination, correspondence of parties involved, and findings of Office of Civil Rights.

Authority for maintenance of the system: 5 U.S.C. 7151; 42 U.S.C. 2000e et seq.; Executive Order 11478; 5 Code of Federal Regulations 713.222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Files may be disclosed to the Civil Service Commission and the Equal Employment Opportunity Commission, to the Complainant(s) at an appropriate stage of the proceedings and to the respondent(s) if the EEO proceeding goes to administrative appeal; see also prefatory CSA routine use paragraphs appearing in 40 FR 45328, October 1, 1975.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Complaint records stored in file folders in locked file cabinets.

Retrievability: File is retrieved by complainant's name or complainant docket number.

Safeguards: Locked metal file cabinets accessible by authorized personnel only.

Retention and disposal: Maintained five years after close of case, then destroyed.

System manager(s) and address: Associate Director, Office of Civil Rights, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506, and the Equal Employment Officer at each CSA Regional Office (see Geographical Guidance for Accessing Systems of Records, 40 FR 45328, October 1, 1975).

Notification procedure: Information may be obtained from the appropriate address listed in Appendix A of the CSA rules and regulations published at 40 FR 45300, October 1, 1975.

Record access procedures: Requests and inquiries from individuals should be addressed to the system manager at the appropriate address and under the position title listed above.

Contesting record procedures: CSA's rules for access to records and appealing initial determinations by the individual concerned appear in the CSA rules and regulations published in 40 FR 45300, October 1, 1975.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(2), this system is exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(I), and (f)(4). The exemption of this information is necessary to protect the integrity of the EEO complaint resolution process.

CSA—13

System name: Grantee Employee Equal Employment Opportunity System—CSA

System location: Associate Director, Office of Civil Rights, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506, and at each CSA Regional Office, the Equal Employment Opportunity Officer, address above under "Geographical Guidance for Accessing Systems of Records."

Categories of individuals covered by the system: Current and past employees and applicants for employment with CSA or OEO grantees who have filed a complaint of discrimination.

Categories of records in the system: Name, address, date and place of birth, race, religion, sex, age, education, employment history, job performance, references, circumstances of alleged act(s) of discrimination, correspondence of parties involved, and findings of Office of Civil Rights.

Authority for maintenance of the system: 42 U.S.C. 2000d; 42 U.S.C. 2971c; Executive Order 11764.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Files may be disclosed to the Equal Employment Opportunity Commission, to the Complainant(s) at an appropriate stage of the proceedings and to the respondent(s) if the EEO proceeding goes to administrative appeal; see also prefatory CSA routine use paragraphs appearing in 40 FR 45328, October 1, 1975.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Complaint records stored in file folders in locked file cabinets.

Retrievability: File is retrieved by complainant's name or complainant docket number.

Safeguards: Locked metal file cabinets accessible by authorized personnel only.

Retention and disposal: Maintained five years after close of case, then destroyed.

System manager(s) and address: Associate Director, Office of Civil Rights, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506, and the Equal Employment Officer at each CSA Regional Office (see Geographical Guidance for Accessing Systems of Records, 40 FR 45328, October 1, 1975).

Notification procedure: Information may be obtained from the appropriate address listed in Appendix A of the CSA rules and regulations published at 40 FR 45300, October 1, 1975.

Record access procedures: Requests and inquiries from individuals should be addressed to the system manager at the appropriate address and under the position title listed above.

Contesting record procedures: CSA's rules for access to records and appealing initial determinations by the individual concerned appear in the CSA rules and regulations published in 40 FR 45300, October 1, 1975.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(2), this system is exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(I), and (f)(4). The exemption of this information is necessary to protect the integrity of the EEO complaint resolution process.

CSA—14

System name: Grantee Officer and Employee Biographical and Professional Information Supplied to CSA—CSA

System location: At each CSA Regional Office, the Deputy Regional Director, see address under "Geographical Guidance for Accessing Systems of Records." in the October 1, 1975 Federal Register at 40 FR 45328; for all Headquarters grants, including title VII, Economic Development, the Chief, Financial Management Division, Office of the Controller, Community Services Administration, 1200 19th Street, N.W., Washington, D.C. 20506.

Categories of individuals covered by the system: Current and past officers, board members and employees of grantee organizations funded by the Community Services Administration.

Categories of records in the system: Names and addresses of policy advisory members of grantee boards, councils and committees, and biographical information for individuals selected or promoted to fill certain top grantee positions, including place and date of birth, citizenship, professional and educational experience, and organizational affiliations.

Authority for maintenance of the system: 42 U.S.C. 2791, 2795, and 2796.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See prefatory CSA routine use paragraphs appearing at 40 FR 45328.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: File is retrieved by organization name of the employing grantee organization and then searched by individual name.

Safeguards: Locked metal file cabinets accessible by authorized personnel only.

Retention and disposal: Retained on-site, then disposed of or transferred to Federal Records Storage Centers as appropriate, in accordance with General Record Schedules of CSA.

System manager(s) and address: At each CSA Regional Office, the Deputy Regional Director, see address under "Geographical Guidance for Accessing Systems of Records." 40 FR 45328; CSA Headquarters, Chief, Finance and Grants Management—see system location.

Notification procedure: Information may be obtained from the Privacy Act Reviewing Officer at the appropriate address listed in Appendix A of the CSA rules and regulations published in the October 1, 1975 issue of the Federal Register.

Record access procedures: Requests and inquiries from individuals should be addressed to the system manager at the appropriate address and under the position title listed above.

Contesting record procedures: CSA's rules for access to records and for contesting content and appealing initial determinations by the individual concerned appear in the CSA rules and regulations published in the October 1, 1975 issue of the Federal Register.

Record source categories: Subject individuals and officers of the grantee organization.

[FR Doc.76-26064 Filed 8-30-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY
(FRL 610-8)

PRIVACY ACT OF 1974
Systems of Records

Pursuant to 5 U.S.C. 552a(e)(4), the U.S. Environmental Protection Agency hereby publishes the systems of records as currently maintained by the Agency. The systems were originally published at Federal Register Vol. 40, No. 224, pages 53582-53584, Wednesday, November 19, 1975. Changes not previously published in the Federal Register are itemized below.

At EPA-2, following the paragraph beginning with "The records system may include files covering employee relations . . ." and at EPA-4, following the entire text, insert the following:

"Systems exempted from certain provisions of the Act: Pursuant to 5 U.S.C. 522a(k)(5), all information and material in the record which meets the criteria of these subsections are or may be exempted from the notice, access, and contest requirements."

Dated: August 30, 1976.

Alvin L. Alm,
Assistant Administrator for Planning and Management.

PREFATORY STATEMENT OF GENERAL ROUTINE USES

The following routine uses apply to and are incorporated by reference into each system of records set forth below:

1. In the event that a record within this system of records maintained by the Environmental Protection Agency indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

2. A record from this system of records may be disclosed to a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, if necessary to obtain information relevant to an Agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

3. A record from this system of records may be disclosed, as a routine use, to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

4. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

5. A record from this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual when the Member of Congress informs the System Manager that the individual to whom the record pertains has authorized the Member of Congress to have access to the record.

EPA—1

System name: Payroll System (Departmental Integrated Payroll System; Payroll Accounting Master File; and Detail History File)— EPA

System location: U.S. Geological Survey Computer Facility, Reston, Virginia, 20244, HSMA Computer Facility, DHEW, Parklawn Bldg., Rockville, Maryland, 20203; Financial Management Division, EPA 401 M Street, S.W., Washington, D. C. 20460.

Categories of individuals covered by the system: EPA employees.

Categories of records in the system: Salary and related payroll cost data and reports.

Authority for maintenance of the system: 5 U.S.C. 301; 44 U.S.C. 3301; Title 6, GAO Policy and Procedures Manual, pursuant to 31 U.S.C. 66(a) and sections of 112(a) and 113 of Budget and Accounting Procedures Act of 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To conduct all necessary and appropriate intra-agency payroll activities. To furnish information U. S. Treasury requires to issue paychecks and distribute pay according to employees' directions. To report tax withholding to IRS and appropriate State and local taxing authorities; FICA deductions to SSA; dues deductions to labor unions; withholdings for health and life insurance to insurance carriers and U.S. C.S.C.; charity contribution deductions to agents of charitable institutions; annual W-2 statements to taxing authorities and the individual. Also see routine use paragraphs in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer records maintained on tape, others on paper.

Retrievability: Name and employee number.

Safeguards: Paper records in locked metal file cabinets and automated filing banks within locked room.

Retention and disposal: Retained and disposed of according to (proposed) EPA Records Control Schedules, Appendix B, Records Management Manual.

System manager(s) and address: Chief, Payroll Accounts Office, EPA, 401 M St., S.W., Washington, D. C. 20460.

Notification procedure: Inquiries may be addressed to System Manager.

Record access procedures: Requests should be addressed to System Manager.

Contesting record procedures: Requests should be addressed to System Manager.

Record source categories: Individuals, supervisors, timekeepers, official personnel records, IRS.

EPA—2

System name: General Personnel Records--EPA

System location: (a) Personnel Management Division, EPA 401 M St., S.W., Washington, D. C. 20460.

(b) EPA, Rm. 2211, John F. Kennedy Federal Bldg., Boston, MA 02203

(c) EPA, Rm. 1032, 26 Federal Plaza, New York, NY 10007

(d) EPA, Curtis Bldg., 6th and Walnut Sts., Phila., PA, 19106

(e) EPA, Suite 300, 1421 Peachtree St., N.E., Atlanta, GA, 30309

(f) EPA, 230 S. Dearborn, Chicago, IL, 60604

(g) EPA, 1600 Patterson St., Suite 1100, Dallas, TX, 75202

(h) EPA, 1735 Baltimore Ave., Kansas City, MO 64108

(i) EPA, Lincoln Tower Bldg., 1860 Lincoln St., Denver, CO, 80203

(j) EPA, 100 California St., San Francisco, CA, 94111

(k) EPA, 1200 Sixth St., Seattle, WA, 98101

(l) EPA Laboratory, P.O. Box 15027, Las Vegas, NV, 89114

(m) EPA Laboratory, 5555 Ridge Ave., Cincinnati, OH, 45268

(n) EPA, Research Triangle Park, NC 27711

(o) EPA, Office of Mobile Source Air Pollution Control, 2565 Plymouth Rd., Ann Arbor, MI, 48105

Categories of individuals covered by the system: Employees of EPA and applicants for EPA employment.

Categories of records in the system: Nonpermanent personnel records not required to be maintained by the CSC.

Authority for maintenance of the system: 5 U.S.C. 301, implemented by 5 CFR Parts 293 and 297.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information in the records are used to carry out authorized personnel programs. Routine uses include: Review of employment histories of employees and applicants. Identification of high potential employees designated under the Agency executive development program. Review of developmental needs of high potential employees and current managers GS-15 and above. Review of status of employees participating in special counseling or developmental programs. Identification of candidates for job vacancies.

The records system may include files covering employee relations, individual development plans for high potential employees, individual development plans for current managers GS-15 and above, ACCENT program, Academic Career Advancement pro-

gram, counseling programs, exit interviews, and voluntary applications. All of the above files are not maintained at each Headquarters/field location. Also see routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders and generally, in locked cabinets.

Retrievability: Indexed by name.

Safeguards: Access to and use of is limited to those persons whose official duties require such access.

Retention and disposal: Records of employees are kept manually and are generally maintained until the individual terminates his employment with EPA. Records of applicants are kept manually and are destroyed or returned after one year.

System manager(s) and address: For records at location (a)—Director, Personnel Management Division, (address as given in Systems location above). For records located at (b) to (o)—Personnel Officers (address as given in Systems location above).

Notification procedure: Inquiries may be addressed to System Manager.

Record access procedures: Requests should be addressed to System Manager.

Contesting record procedures: Requests should be addressed to System Manager.

Record source categories: Information in this system comes from the individual to whom it applies or is derived from information provided by Agency officials.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 522a(k)(5), all information and material in the record which meets the criteria of these subsections are or may be exempted from the notice, access, and contest requirements.

EPA—3

System name: Health Unit and Stress Lab Medical Records—EPA

System location: EPA Health Unit, Room 3228, WSM, and EPA Stress Lab, Room 2915, WSM, 401 M Street, S. W., Washington, D. C. 20460.

Categories of individuals covered by the system: EPA employees, contract employees, and EPA visitors requiring or requesting medical attention and full-time EPA employees participating in Stress Lab.

Categories of records in the system: Medical histories and treatment records.

Authority for maintenance of the system: OMB Circular No. A-78, EPA Contract for Health Care.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To document single incidences of walk-in patients, symptoms and treatment, and to maintain a continuing history file on each patient. To document the treatment of those patients requiring the recurring administration of allergy shots and other shots, such as travel immunizations. To document physicals, complete with histories and lab reports, of those 500 employees so examined annually. (Physicals limited to those in grades 14 and above and those over age 40 in grades 11, 12, and 13.) To document requested screenings of patients for various illnesses and conditions through the use of diagnostic tools and tests. For referral of patients to private doctors for treatment, as indicated. To evaluate cardiac status of exercise program participants and the individual desirability of such a program. To detail for patient and personnel specifics and exercise treatment program.

Users of the system are restricted to contracted health personnel, patients, and, upon patient approval, to the patient's private doctor. Also see routine use paragraphs in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records, primarily handwritten or typed cards, forms, files, and EKG graphs, are stored in locked file cabinets.

Retrievability: Indexed by name.

Safeguards: Access to and use of system is limited to Health Unit and Stress Lab personnel, patients, and, upon patient approval, the patient's doctor. All materials are under lock and key. (Records relating to psychiatric matters may not be made available to a patient, if the physician deems it imprudent, but may be released upon patient approval to the patient's designated physician.)

Retention and disposal: Records maintained until employee leaves Agency, when employee may take permanent possession of same. Should employee not take possession, sealed records are sent to Personnel Office for inclusion in official personnel folder, which is sent to Federal Records Center in St. Louis for retention or to new Federal employer, as appropriate.

System manager(s) and address: Assistant Director for Operations, Personnel Management Division, EPA 401 M St., S.W., Washington, D. C. 20460.

Notification procedure: Inquiries may be addressed to System Manager.

Record access procedures: Requests should be addressed to System Manager.

Contesting record procedures: Requests should be addressed to Systems Manager.

Record source categories: Patients, patient's doctors, on approval of patient, accident/incidence of illness witnesses, family members of patients, and past Federal employer medical records.

EPA—4

System name: Inspection Branch Reports—EPA

System location: Security and Inspection Division, EPA 401 M St., S.W., Washington, D. C. 20460.

Categories of individuals covered by the system: EPA employees, or persons or firms under contract to EPA or receiving grants from EPA, suspected of having committed illegal or unethical acts.

Categories of records in the system: Contains investigative case file of any person or firm suspected of having committed illegal or unethical acts.

Authority for maintenance of the system: Title 28, U.S. Code, Section 535(b), and EPA Order 3120.1, dated September 8, 1971.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records reviewed and cases investigated within EPA for illegal or unethical acts. Also see routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In individual case files.

Retrievability: Indexed by name or type of violation.

Safeguards: Records are maintained in a vault room secured by a Class 6 manipulation proof three-way combination lock on the vault door, an ultrasonic space alarm, and contact points on the door.

Retention and disposal: Held 10 years after investigation is completed and then destroyed by fire.

System manager(s) and address: Chief, Inspection Branch, Security and Inspection Division, EPA 401 M St., S.W., Washington, D. C. 20460.

Notification procedure: Inquiries may be addressed to system manager.

Record access procedures: Requests should be addressed to system manager.

Contesting record procedures: Requests should be addressed to system manager.

Record source categories: Individual on whom the record is maintained, fellow workers, acquaintances, concerned citizens, phone calls, letters, law enforcement agencies.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 522a(k)(5), all information and material in the record which meets the criteria of these subsections are or may be exempted from the notice, access, and contest requirements.

EPA—5

System name: Personnel Security File System—EPA

System location: Security and Inspection Division, EPA, 401 M St., S.W., Washington, D.C. 20460.

Categories of individuals covered by the system: EPA employees and consultants in sensitive and nonsensitive positions and applicants for sensitive positions within EPA.

Categories of records in the system: Full field investigations, national agency checks and inquiries from prior employers, credit checks, and local police checks on the individual and any other checks necessary to further develop questionable suitability/ security information. May contain copies of the SF-85, SF-86, and the SF-171, furnished by the individual, depending on the sensitivity of the position the individual occupies or will occupy.

Authority for maintenance of the system: E.O. 10450, E.O. 11652, and Atomic Energy Act of 1954, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information used with E.O. 11652, E.O. 10450, Civil Service Regulations, and the Federal Personnel Manual to issue a security clearance and/or to make suitability determinations on hiring or retention of EPA employees. Also see routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name.

Safeguards: When not in use, within a vault room which has a three-way combination locked door with a contact alarm and an ultrasonic alarm system. Within the vault room, the files are also stored within either a key-locked or three-way combination power file or security cabinet. Access to this vault room is limited to EPA Security and Inspection Division personnel.

Retention and disposal: Procedures require a one-year retention after the employee terminates employment with EPA. Upon termination, the Civil Service Commission investigative reports are destroyed by shredding as is the remainder of the file unless the personnel security file contains derogatory information. If the file contains derogatory information, it is forwarded to the Federal Record Center for retention for 20 years.

System manager(s) and address: Director, Security and Inspection Division, EPA, 401 M St., S.W., Washington, D. C. 20460.

Notification procedure: Inquiries may be addressed to system manager.

Record access procedures: Direct written requests to the system manager. The request should include requester's full name, date and place of birth, and social security number and signature to preclude erroneous identification. A comparison of the signature of the requester and those in the record will be made to determine identity prior to any release.

Contesting record procedures: Requests should be addressed to system manager.

Record source categories: Sources vary, but normally could include information furnished by the subject, background data furnished through investigations by authorized Federal investigatory agencies; local police department checks; former employers' inquiries; credit inquiries; and educational institutions inquiries.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(l), (k)(2), and (k)(5), all information and material in the record which meets the criteria of these subsections are or may be exempted from the notice, access, and contest requirements.

EPA—6

System name: Security Computer Program System—EPA

System location: Security and Inspection Division, EPA, 401 M St., S.W., Washington, D. C. 20460.

Categories of individuals covered by the system: Security clearance status of EPA employees or consultants and terminated employees who have been processed through the Security and Inspection Division.

Categories of records in the system: Security computer programs are a subsystem of the Personnel Computer System. Security data is entered into the system as follows: social security number, type of investigation requested, position sensitivity, type security clearance requested, place of birth, type of clearance granted, date of clearance, agency conducting investigation, ERDA clearance, date of ERDA clearance and ERDA file number. Only security clearance information applicable to the individual in his EPA position is listed. Other data listed on the Personnel Computer System is retrievable under the security computer programs, such as name, date of birth, organization, geographical location, etc., and is retrievable through matching of the social security number.

Authority for maintenance of the system: E.O. 10450 and E.O. 11652.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal use is limited to exchanges between EPA offices requiring clearance data prior to release of classified information. Records of this system of records may be disclosed as 'routine use' to security representatives of Federal, State, or local agencies or to Government contractors performing classified work where security clearance information is required under a statute, or by regulation, rule or order issued pursuant thereto, to permit EPA employees access to classified national security information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Disc-pack on line with the computer contractor with a backup file stored off line.

Retrievability: By Security and Inspection Division personnel via a low-speed remote terminal utilizing IRS Wilbur computer language and is printed out on a remote printer. Access to security computer program is gained by using account names, initials, and key words known only to personnel working directly with the system.

Safeguards: Printouts obtained from the system are stored, when not in use, within a vault room which has a three-way combination locked door and an ultrasonic alarm system. Access to the printout information is limited to EPA Security and Inspection Division Personnel.

Retention and disposal: Clearance information is maintained in an active file until the employee terminates. Subsequent to the employee's termination, the clearance information is removed from the active file, placed in a terminated file, and maintained for archival purposes.

System manager(s) and address: Director, Security and Inspection Division, EPA, 401 M St., S.W., Washington, D. C. 20460.

Notification procedure: Inquiries should be addressed to system manager as above.

Record access procedures: Direct written requests to system manager. Request should include subject's full name, date and place of birth, and social security number to preclude erroneous identification. A comparison of the signature of the requester and those of record will be made to determine identity prior to any release.

Contesting record procedures: Requests should be addressed to the system manager as above.

Record source categories: Sources for this information are obtained from the Personnel Security File and the Personnel Computer System maintained on subject.

EPA—7

System name: Travel Voucher Folders, Advance Cards, and Payee Files— EPA

System location: Financial Management Division, EPA, 401 M St., S.W., Washington, D. C. 20460.

Categories of individuals covered by the system: Employees of EPA, consultants, and private citizens who travel or perform services for EPA.

Categories of records in the system: Travel vouchers with reimbursable details for specific trips. Travel advance cards with details of advances received and trip expenses applied. Payee files with itemized invoices.

Authority for maintenance of the system: Travel Expense Amendments Act of 1975 (P.L. 94-22); Budget and Accounting Act of 1921; Accounting and Auditing Act of 1950; Federal Claim Collection Act of 1966.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Subgroups of files are used to determine amounts due an individual for authorized and official travel for EPA, and conduct other payee-related activities. Transmittal to U.S. Treasury for payment. Also see routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual

Retrievability: Name

Safeguards: Voucher files are kept in locked room. Advance cards in lockable metal file cabinets. Payee files in locked cabinets.

Retention and disposal: Retained and disposed of according to (proposed) EPA Records Control Schedules, Appendix B, Records Management Manual.

System manager(s) and address: Accountant-In-Charge, Financial Management Division, EPA, 401 M St., S.W., Washington, D. C. 20460.

Notification procedure: Inquiries may be addressed to System Manager.

Record access procedures: Requests should be addressed to System Manager.

Contesting record procedures: Requests should be addressed to System Manager.

Record source categories: Individual, supervisors, and finance (or accounting) office standard references.

[FR Doc.76-25807 Filed 8-30-76;5:15 pm]

FARM CREDIT ADMINISTRATION
PRIVACY ACT OF 1974
SYSTEMS OF RECORDS

The purpose of this document is to give notice that the systems of records identified in notices published in the Federal Register at 40 FR 41731, 41732, 41733, 41734, 41735, 41736, 41737, 41738 (September 8, 1975), 40 FR 60111 (December 31, 1975), and 41 FR 24625 (June 17, 1976) continue in effect. This notice is published in compliance with the requirements of 5 U.S.C. 552a(e)(4) as added by section 3 of the Privacy Act of 1974.

W. M. Harding,
Governor, Farm Credit Administration.

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FCA—1

System name: General Personnel Records—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Categories of individuals covered by the system: Current FCA employees.

Categories of records in the system: Official Personnel Folder and employee service record card which contains a summary of all personnel actions and pay change actions during employment of the individual in FCA.

Authority for maintenance of the system: 12 U.S.C. 2249, 2252

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To furnish information (name, permanent or temporary status, how long employed, position, grade, salary) to other Government agencies, commercial or credit organizations, or verification of employment to prospective employers or personnel directors of Farm Credit Banks.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Employee service record cards are maintained in a Kardex binder. Official Personnel Folders are maintained in file folders.

Retrievability: Cards and Folders are arranged alphabetically by name.

Safeguards: Cards and Folders are kept in lockable cabinets.

Retention and disposal: Employee service record cards are retained for the life of the record. Official Personnel Folders are sent to the National Personnel Records Center within 30 days of the date of the employee's separation from the Federal service.

System manager(s) and address: Director, Personnel Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578; Director, Administrative Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578.

Notification procedure: All inquiries about this system of records shall be directed to the Director, Administrative Division at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he supplied, except information provided by agency officials.

FCA—2

System name: Former Employee Records—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578.

Categories of individuals covered by the system: Former FCA employees.

Categories of records in the system: Employee service record cards containing a summary of all personnel actions and pay change actions during FCA employment period and disposition of Official Personnel Folder. Photocopies of retirement records. Cards showing name, date of birth, social security number, and disposition of Official Personnel Folder of separated employees.

Authority for maintenance of the system: 12U.S.C. 2249, 2252

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To furnish certain information (name, permanent or temporary status, how long employeed, position, grade, salary) to other Government agencies, commercial or credit organizations, verification of employment to former employees, prospective employers, or personnel directors of Farm Credit banks.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or

retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards are maintained in a Kardex binder and in a cabinet. Photocopies of retirement records are stored in a lockable shelf cabinet.

Retrievability: Cards and photocopies are arranged alphabetically by name.

Safeguards: Records are kept in an area locked after business hours and are maintained only by FCA files employees.

Retention and disposal: Life of the record.

System manager(s) and address: Director, Personnel Div ision, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578; Director, Administrative Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578.

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578.

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division at the above address as provided in 12 CFR 603.330.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he supplied, except information provided by agency officials.

FCA—3

System name: Upward Mobility Skills Survey—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578.

Categories of individuals covered by the system: FCA employees at GS-9 level and below or equivalent.

Categories of records in the system: Records consist of personal history, interests and traits, education and work experience.

Authority for maintenance of the system: 12 U.S.C. 1981 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used for career counseling, merit promotion, manpower utilization, and upward mobility.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsiblity of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are arranged alphabetically by name.

Safeguards: Records are kept in locked file except when used by Upward Mobility Coordinator and/or Upward Mobility Selection Panel.

Retention and disposal: Records are retained until employee leaves FCA and then destroyed.

System manager(s) and address: Upward Mobility Coordinator, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578.

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578.

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: Information in this system of records is completed on a voluntary basis by the individual to whom it applies.

FCA—4

System name: Group Accident Insurance Records—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S. W., Washington, D. C. 20578

Categories of records in the system: Records consist of listings of persons who elect to participate in program and the amount of coverage selected.

Authority for maintenance of the system: 12 U. S. C. 2249, 2252

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used by agency officials to ascertain coverage, to notify carrier of participants, and to provide information to the individual.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Alphabetical listing by name.

Safeguards: Records are located in lockable file cabinets.

Retention and disposal: Records are retained until program is discontinued.

System manager(s) and address: Director, Personnel Division, Farm Credit Administration, 490 L'Enfant Plaza East, S. W., Washington, D. C. 20578.

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S. W., Washington, D. C. 20578.

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: The individual to whom the record pertains.

FCA—5

System name: Employee reports of financial interests and employment—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, SW., Washington, D.C. 20578

Categories of individuals covered by the system: FCA employees.

Categories of records in the system: "Confidential Statement of Employment and Financial Interests" required of certain employees. Contains statement of financial interests of the employee and of members of his immediate household as well as any other employment of the FCA employee.

Authority for maintenance of the system: E.O. 11222

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Uses by authorized FCA personnel for ascertaining conflicts or apparent conflicts of interest and recommending or taking appropriate action.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are maintained alphabetically by name.

Safeguards: Records are kept in a closed safe with combination lock except when being used by authorized personnel who are instructed as to their confidentiality and permitted use.

Retention and disposal: Maintained by FCA until the employee leaves the agency and then destroyed.

System manager(s) and address: Director, Personnel Division, Farm Credit Administration, 490 L'Enfant Plaza East, S. W., Washington, D. C. 20578.

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza, S. W., Washington, D. C. 20578.

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: Employee filing the report.

FCA—6

System name: Farm Credit Bank Personnel Records—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Categories of individuals covered by the system: Current employees of the Farm Credit banks who occupy senior officer positions; and former employees of such banks who occupied senior officer positions and have terminated employment within last five years.

Categories of records in the system: This system consists of copies of various records relating to personnel actions and determinations made concerning individuals occupying senior officer positions in the Farm Credit banks. The Personnel Folder contains information about the individual including date of birth, past and present salaries, position titles, personnel action forms which document actions, including but not limited to, appointment, reassignment, promotion, pay changes, separation, correspondence and justifications for salary increases, biographical data and awards. The service record card contains a chronology of the personnel actions taken, and also includes identifying data including name, date of birth, address and previous employment history.

Authority for maintenance of the system: 12 U.S.C. 2249, 2252

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used or a record may be used:

(a) by agency officials for purposes of review in connection with appointments, promotions, pay changes and other determinations requiring FCA concurrence;

(b) to provide information to Farm Credit bank directors of personnel on length of service;

(c) to provide information for agency use in preparation of statistical reports;

(d) as a data source for management information in responding to inquiries or developing statistical data for other Federal agencies.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, Kardex binders, and index file drawers.

Retrievability: Records are indexed by combination of name and date of birth.

Safeguards: Records are located in lockable metal file cabinets.

Retention and disposal: After termination, the personnel folder is retained for one year beyond separation date and then destroyed. The service record card is retained for the life of the record.

System manager(s) and address: Director, Personnel Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D. C. 20578

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he supplied, except information provided by directors of personnel of the Farm Credit banks.

FCA—7

System name: Employee attendance, leave, and payroll records—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Categories of individuals covered by the system: FCA employees.

Categories of records in the system: Records consist of manual files containing payroll-related information for FCA employees which consists of various forms containing on a biweekly, year-to-date, and in some cases an annual basis, payroll and leave data for each employee including rate and amount of pay, hours worked, tax and retirement deductions, life insurance and health insurance deductions, savings allotments, savings bond and charity deductions, other financial deductions, mailing addresses, and home addresses.

Authority for maintenance of the system: 12 U.S.C. 2249, 2252

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to prepare payroll and to meet Government payroll recordkeeping and reporting requirements, and for retrieving and supplying payroll and leave information as required for agency needs.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Information in this record system may be disclosed as a routine use to Federal, State and local taxing authorities concerning compensation to employees or contractors for personal services; to the Civil Service Commission, Department of the Treasury, Department of Labor and other Federal agencies concerning pay, benefits, and retirement of employees; to Federal employees health benefits carriers concerning health insurance of employees; to financial organizations concerning employee savings account allotments and net pay to checking accounts; to State human resource offices administering unemployment compensation programs; to educational and training organizations concerning employee qualifications and identity for specific courses; and to heirs, executors and legal representatives of beneficiaries.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file folders; on pay cards, retirement cards, and leave cards.

Retrievability: Records are filed alphabetically by name.

Safeguards: Files are kept in areas which are locked after business hours and are maintained only by authorized FCA personnel.

Retention and disposal: In accordance with GSA requirements for financial and payroll-related records.

System manager(s) and address: Director, Administrative Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578.

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578.

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: Individual on whom the record is maintained. FCA employees who approve records.

FCA—8

System name: Employee travel and vendor voucher files—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578.

Categories of individuals covered by the system: FCA employees and other individuals who provide products and services to FCA.

Categories of records in the system: Records consist of travel vouchers, vendor vouchers, and supporting documentation.

Authority for maintenance of the system: 12 U.S.C. 2249, 2252

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to provide records of reimbursement to employees for expense incurred while in official travel status and to provide reimbursement to other individuals for products and/or services received.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinanet information, such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a con-

tract or the issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Travel vouchers are filed in individual folders for each employee; vendor vouchers are filed in folders.

Retrievability: Records are filed alphabetically by name.

Safeguards: Files are kept in areas which are locked after business hours and are maintained by authorized FCA personnel.

Retention and disposal: In accordance with GSA requirements for financial records.

System manager(s) and address: Director, Administrative Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578.

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: FCA employees and other individuals executing records. FCA employees auditing and approving vouchers.

FCA—9

System name: Financial Management Records—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Categories of individuals covered by the system: FCA employees and individuals conducting business with FCA.

Categories of records in the system: Records supporting the FCA financial management system, including employee travel advance records, records of budget formulation and execution, for FCA administrative expenses, and other financial records.

Authority for maintenance of the system: 12 U.S.C. 2249, 2252

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records serve as the source for collecting and recapping financial data to provide control of collection and disbursement of revenues and reports necessary for management and other Government agencies.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders and binders stored in file cabinets.

Retrievability: Records are filed alphabetically by name where appropriate.

Safeguards: Files are kept in file cabinets in areas which are locked after business hours.

Retention and disposal: In accordance with GSA requirements for financial records.

System manager(s) and address: Director, Administrative Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: FCA employees and other individuals doing business with FCA.

FCA—10

System name: Property accountability records—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Categories of individuals covered by the system: FCA employees.

Categories of records in the system: The form executed by each employee to whom accountable property is issued for official use, containing the employee's name, serial number, and description of the property charged to him.

Authority for maintenance of the system: 12 U.S.C. 2249, 2252; 40 U.S.C. 471 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Property accountability records are used by FCA to maintain control of accountable property.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper forms filed in storage cabinet.

Retrievability: Records maintained in alphabetical order by employee name.

Safeguards: Records are maintained in an area which is locked after business hours.

Retention and disposal: Forms are maintained until the property is returned.

System manager(s) and address: Director, Administrative Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant PlazaEast, S.W., Washington, D.C. 20578

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: Individuals to whom property is issued.

FCA—11

System name: Procurement records—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Categories of individuals covered by the system: Individuals who provide or may provide supplies or services to FCA by contract or purchase order.

Categories of records in the system: Bids, offers, lease agreements, purchase orders, and requisitions as related to purchase transactions.

Authority for maintenance of the system: 12 U.S.C. 2249, 2252; 40 U.S.C. 471 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Procurement records and files are used by FCA as the bases for maintaining control of purchase transactions and to provide a minimum of opportunity for fraud as well as the maximum feasible opportunity for audit as related to the purchase of supplies and services obtained.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are maintained in numerical order by purchase order number in file folders bearing the name of the vendor.

Safeguards: Records are maintained in an area which is locked after business hours.

Retention and disposal: Each record is retained for five years for reference purposes and then destroyed.

System manager(s) and address: Director, Administrative Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: Individuals who make bids or offers to FCA or enter into lease or other agreements with FCA. FCA employees who prepare requisitions and purchase orders.

FCA—12

System name: Biographical files—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, N. W. Washington, D.C. 20578

Categories of individuals covered by the system: FCA employees, members of the Federal Farm Credit Board, Farm Credit district directors.

Categories of records in the system: Biographical sketches and photographs.

Authority for maintenance of the system: 12 U.S.C. 2249, 2252

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Distribution to Farm Credit institutions or the public in connection with Farm Credit elections, public appearances, conferences, and on request by the public.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are arranged alphabetically by name.

Safeguards: Records are maintained in an area locked after business hours.

Retention and disposal: Records are destroyed on separation or retirement.

System manager(s) and address: Director, Information Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578; Director, Administrative Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: Individual on whom the record is maintained.

FCA—13

System name: Public Information Requests File—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Categories of individuals covered by the system: Members of the public.

Categories of records in the system: Incoming letters and copies of outgoing correspondence.

Authority for maintenance of the system: 12 U.S.C. 2249, 2252

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Response to requests and reference by FCA employees in answering successive requests.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Letters are stored in file folders.

Retrievability: Letters are filed alphabetically by requester name.

Safeguards: Letters are maintained in cabinets in an area which is locked after business hours.

Retention and disposal: Letters are retained one year and then destroyed.

System manager(s) and address: Director, Information Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578.

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: Individuals making public information requests and FCA employees.

FCA—14

System name: Freedom of Information Requests—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Categories of individuals covered by the system: Individuals whose requests for records fall within the scope of the Freedom of Information Act.

Categories of records in the system: Letter requests, copies of responses, and request log.

Authority for maintenance of the system: 5 U.S.C. 552

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used for reference and reports are prepared for the Freedom of Information Act Committee, the Department of Justice, and the Office of Management and Budget.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper in notebook binders.

Retrievability: Records are arranged alphabetically by name.

Safeguards: Records are maintained in a lockable cabinet.

Retention and disposal: Life of the record.

System manager(s) and address: Director, Information Division, Farm Credit Administration 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: Requester and FCA employees.

FCA—15

System name: Congressional Correspondence File—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Categories of individuals covered by the system: U.S. Senators and Representatives.

Categories of records in the system: Copies of letters written by FCA employees to U. S. Senators and Representatives.

Authority for maintenance of the system: 12 U.S.C. 2249, 2252

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by FCA employees for reference to other files.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Letters are stored in file folders.

Retrievability: File folders are arranged alphabetically by name.

Safeguards: Files are kept in cabinets in an area which is locked after business hours and are maintained only by FCA files personnel.

Retention and disposal: In accordance with GSA requirements.

System manager(s) and address: Director, Administrative Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: FCA employees.

FCA—16

System name: Federal Land Bank Loans—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Categories of individuals covered by the system: Member-borrowers whose loan applications exceed the prior-approval limits set by FCA for each bank. Member-borrowers whose loan applications and approvals are submitted under the post-review requirements set by FCA for each bank. Member-borrowers whose loans fall within the category of loan approval requirements stipulated by FCA regulation—Loan Policies and Operations, 12 CFR Part 614, Subpart N, 4450. Individuals or member-borrowers who have communicated to a member of Congress or any Government agency in which FCA has responded to the Congressman or directly to the individual or member-borrower.

Categories of records in the system: Loan documents including name, address, loan application, type and purpose of loan, financial information submitted by the individual, analysis of financial information, security and loan agreement papers, correspondence between bank, association and FCA, loan analysis recommendation, field report and/or appraisal, tax return records if submitted by the individual, other related loan and analysis support information. Congressional and complaint letters and FCA response copies.

Authority for maintenance of the system: 12 U.S.C. 2249, 2252

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: FCA staff uses records as a basis for decision on approval or denial of loans and/or change in status of loans, to monitor bank's capabilities in credit extension, and to maintain awareness and monitor sensitive loans.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain informationrlevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are arranged by district, association, and name.

Safeguards: Records are maintained in an area locked after business hours.

Retention and disposal: Records are retained for five years and then destroyed.

System manager(s) and address: Director, Administrative Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Requests for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.330.

Record source categories: The individual member-borrower, bank and association employees, FCA employees, Congressmen, and individual complainants.

Systems exempted from certain provisions of the act: This system is subjected to a specific exemption pursuant to 5 U.S.C. 552a (k)(2) to the extent that there is included in the system investigatory material compiled for law enforcement purposes.

FCA—17

System name: Production Credit Association Loans—FCA

System location: Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Categories of individuals covered by the system: Member-borrowers whose loan applications exceed the prior-approval limits set by FCA for each bank. Member-borrwers whose loan applications and approvals are submitted under the post-review requirements set by FCA for each bank. Member-borrowers whose loans fall within the category of loan approval requirements stipulated by FCA regulation—Loan Policies and Operations, 12 CFR Part 614, Subpart N, 4450. Individuals or member-borrowers who have communicated to a member of Congress or any Government agency in which FCA has responded to the Congressman or directly to the individual or member-borrower.

Categories of records in the system: Loan documents including name, address, loan application, type and purpose of loan, financial information, security and loan agreement papers, correspondence between bank, association and FCA, loan analysis recommendation, field report and/or appraisal, tax return records if submitted by the individual, other related loan and analysis support information. Congressional and complaint letters and FCA response copies.

Authority for maintenance of the system: 12 U.S.C. 2249, 2252

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: FCA staff uses records as a basis for decision on approval or denial of loans and/or change in status of loans, to monitor bank's capabilities in credit extension, and to maintain awareness and monitor sensitive loans.

In the event that information in this record system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are arranged by district, association and name.

Safeguards: Records are maintained in an area locked after business hours.

Retention and disposal: Records are retained for five years and then destroyed.

System manager(s) and address: Director, Administrative Division, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Notification procedure: All inquiries about this system of records shall be addressed to: Director, Administrative Division, Office of Administration, Farm Credit Administration, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20578

Record access procedures: Requests for access to a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 CFR 603.310.

Contesting record procedures: Request for amendments of a record shall be directed to the Director, Administrative Division, at the above address as provided in 12 C.F.R. 603.330.

Record source categories: The individual member-borrower, bank and association employees, FCA employees, Congressmen, and individual complainants.

Systems exempted from certain provisions of the act: This system is subjected to a specific exemption pursuant to 5 U.S.C. 552a (k)(2), to the extent there is included in the system investigatory material compiled for law enforcement purposes.

[FR Doc.76-25923 Filed 8-31-76;2:30 pm]

FEDERAL RESERVE SYSTEM
PRIVACY ACT OF 1974
Systems Of Records

The purpose of this document is to give notice that the systems of records identified in notices published in the Federal Register, 40 FR 43862 (1975) and 41 FR 30574 (1976), continue in effect. This notice is published in compliance with the requirements of 5 U.S.C. Sec. 552a(e)(4) as added by Section 3 of the Privacy Act of 1974.

Board of Governors of the Federal Reserve System, August 26, 1976.

Theodore E. Allison,
Secretary of the Board.

BGFRS—1

System name: FRB—Recruiting and Placement Records

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Persons who have applied for employment with or are employed by the Federal Reserve Board.

Categories of records in the system: These records may contain information relating to the education, training, employment history and earnings, appraisal of past performance, convictions for offenses against the law; results of tests, appraisal of potential, honors, awards of fellowships; military service; veteran status, school transcripts, work samples and examples; birth date; social security number; shipping authorizations; travel vouchers, offer letters and correspondence, reference checks, and home address of persons who have applied for Board employment or are employed by the Federal Reserve Board.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

a. To refer applicants for purposes of consideration for placement in positions for which an applicant has applied and is qualified. This includes various government organizations.

b. To refer current Board employees for consideration for reassignment and promotion within the Board.

c. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research of other personnel management functions.

d. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether federal, state or local, charged with the responsibility of investigating or prosecuting such violation with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

e. To request information from a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

f. To provide information or disclose to a Federal Agency, or any other employer or prospective employer in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tapes, punched cards, microfilm, cards, lists, forms, and in folders.

Retrievability: Records are indexed by name, combination of birth date, social security account number, and identification number that is applicable.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

a. Files of eligibles Retained for a minimum of one year after date of determination that no suitable position exists currently.

b. Index cards Destroyed when no longer needed.

c. Cancelled and ineligible applications Same as "a" above.

d. Inquiries and replies regarding availability for appointment. Same as "a" above.

System manager(s) and address:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Individuals should provide name, date of birth, Social Security Number, identification number (if known), approximate date of record, and type of position with which concerned to the System Manager, address above.

Record access procedures: Individuals should provide name, date of birth, Social Security Number, identification number (if known), approximate date of record, and type of position with which concerned to the System Manager, address above.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he or she supplied, except reports from medical personnel on physical qualifications; and statements supplied by references.

Systems exempted from certain provisions of the act: Pursuant to subsections (k)(2) and (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where: (1) such portions represent investigatory material compiled for law enforcement purposes, or (2) such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—2

System name: FRB Personnel Background Investigation Reports

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Current and former applicants for employment by the Board of Governors; Federal Reserve System employees considered for access to classified information or restricted areas; and/or security determinations as contractors, employees of contractors, experts, instructors, and consultants to the Board. Individuals who are neither applicants nor employees of the Board but are or were involved in Board programs under a cooperative assignment or similar agreement; individuals who are neither applicants nor employees of the Board but are or were involved in matters related to the operation of the Board.

Categories of records in the system: These records may contain investigative information regarding an individual's character, financial responsibility, conduct, behavior; arrests and convictions for any violations against the law; reports of interviews with former supervisors, co-workers, associates, educators, etc.; reports about the qualifications of an individual for a specific position; reports of inquiries with law enforcement agencies; former employers; educational institutions attended; and other information developed from the above.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The contents of these records may be disclosed to and used as follows:

a. To assist in determining the suitability for access to classified information.

b. To designated officers and employees of other agencies and departments of the Federal Government, and the District of Columbia Government, having an interest in the individual for employment purposes, in connection with performance of a service to the Federal Government, under a contract or other agreement, including a security clearance or access determination, and a need to evaluate qualifications, suitability, and loyalty to the United States Government.

c. To the intelligence agencies of the Department of Defense, National Security Agency, Central Intelligence Agency, and the Federal Bureau of Investigation for use in intelligence activities.

d. To any source from which information is requested by the Board in the course of an investigation, to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation and to identify the type of information requested.

e. In the event of an indication of any violation or potential violation of the law, whether civil, criminal, or regulatory in nature, and whether arising by statute or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto; such referral shall also include, and be deemed to authorize any and all appropriate and necessary uses of such records in a court of law and before an administrative board or hearing.

f. As a data source for management information for production of descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personnel identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Files are maintained in folders and index cards in steel file cabinets with manipulation proof combination lock.

Retrievability: Records are indexed by name in alphabetical order.

Safeguards: Access to and use of these records are limited to those persons whose official duties require access and have appropriate security clearance.

Retention and disposal: The indexing cards are retained indefinitely, the reports of investigation are returned to the originating agency after separation of employment.

System manager(s) and address:

Assistant Director for Contingency Planning
Office of Staff Director for Management
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: An individual may inquire as to whether or not the system contains a record pertaining to him or to her by addressing a written request to:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

The request should include the full name and date and place of birth of the individual, and any available information regarding the type of record involved, and the category of individual under which the inquirer feels he or she fits.

Record access procedures: In response to a written request by an individual to determine whether or not the system contains a record pertaining to him or to her, the Director will set forth the procedure for gaining access to the record. If the individual desires to contest the contents of a record, he or she may do so by writing to the:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Record source categories: Information contained in the system is obtained from the following:

1. Applications and other personnel and security forms furnished by the individual.
2. Investigative material furnished by other Federal agencies. Notices of personnel actions furnished by other Federal agencies.
3. By personal investigation or written inquiry from sources such as:

Employers
Schools
References
Neighbors
Associates
Police Departments
Courts
Credit Bureau
Medical Records
Probation Officials
Prison Officials

4. Newspapers, magazines, periodicals, and other publications.
5. Published hearings of Congressional Committees.

Systems exempted from certain provisions of the act: Pursuant to subsections (k)(2) and (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where: (1) such portions represent investigatory material compiled for law enforcement purposes, or (2) such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

System manager(s) and address:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Individuals requesting information about this system of records should provide their full name, date of birth, social security number, name of office or division in which currently or formerly employed, and annuity account number, if any has been assigned, to the System Manager, address above.

Record access procedures: Individuals requesting information about this system of records should provide their full name, date of birth, social security number, name of office or division in which currently or formerly employed, and annuity account number, if any has been assigned, to the System Manager, address above.

Record source categories:

1. The individual to whom the record pertains.
2. Personal physicians.
3. Medical institutions.
4. Official records of other Federal agencies.
5. Federal Reserve Board Official Personnel Records.
6. Federal Reserve System Personnel Management Records Systems.

BGFRS—3

System name: FRB—Medical Records

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: 1. Applicants who have been medically examined for Board employment.

2. Applicants for disability retirement under the Civil Service Retirement Law or Federal Reserve System Retirement Plan.

3. Current and former Federal Reserve Board employees.

Categories of records in the system: 1. Information relating to an individual's medical qualifications to hold a position with the Board.

2. Medical information relating to an individual's capability (physical and mental) to satisfactorily perform the duties of the position he or she holds or held.

3. Information relating to an employee's participation in an occupational health services program.

4. Information relating to pre-employment or periodic medical examinations to assure that the incumbent is qualified (physically and mentally) to satisfactorily perform the duties of the position.

5. Information attesting to an annuitant's state of health as required for "insurable interest" survivor annuity elections.

6. Information relating to handicaps

7. Information relating to employee participation in the Federal Civilian Employee Alcoholism and Drug Abuse Programs.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1. Information in these records is used to:

a. determine veteran disability status
b. support applications for Disability Retirement
c. support "insurable interest" survivor annuity elections
d. determine suitability for employment or continued employment
e. assist in medical counseling

2. Information in these records may be provided to officials of other Federal agencies responsible for Federal benefit programs administered by:

a. Office of Workmen Compensation Programs
b. Retired Military Pay Centers
c. Veterans Administration
d. Social Security Administration
e. Specific private contractors engaged in providing benefits under Federal contracts.
f. Civil Service Commission.

3. Information in these records is used:

a. to refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, state, or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

b. to request information from a Federal, state or local agency maintaining civil, criminal or other relevant enforcement or other pertinent information, such as a license, if necessary to obtain relevant information to the Board's decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a grant or other benefit.

c. to provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract or issuance of a license, grant or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

d. as a data source for management information for production of descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are in folders.

Retrievability: Records are indexed by name, social security number, identification number, date of birth and/or claim number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Records are stored in lockable metal containers.

Retention and disposal:

a. Medical certificates and other medical records of examination used to determine an employee's fitness for a job 6 years after separation

b. Miscellaneous medical records, correspondence dispensary records and similar papers, 6 months after separation

c. Applicant's medical records, 6 years after separation

d. Disability retirement medical files, 6 years after separation

System manager(s) and address:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Individuals requesting information about this system of records should provide their full name, date of birth, social security number, name of office or division in which currently or formerly employed, and annuity account number, if any has been assigned, to the System Manager, address above.

Record access procedures: Individuals requesting information about this system of records should provide their full name, date of birth, social security number, name of office or division in which currently or formerly employed, and annuity account number, if any has been assigned, to the System Manager, address above.

Record source categories:

1. The individual to whom the record pertains.
2. Personal physicians.
3. Medical institutions.
4. Official records of other Federal agencies.
5. Federal Reserve Board Official Personnel Records.
6. Federal Reserve System Personnel Management Records Systems.

Systems exempted from certain provisions of the act: None; however, see special procedures provided at 12 CFR 261a.6.

BGFRS—4

System name: FRB—General Personnel Records

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Current and former employees of and consultants to the Federal Reserve Board and the surviving spouses, and children of former Board employees, if any.

Categories of records in the system: This system of records consists of a variety of documents relating to personnel actions of the Board and its determinations made about an individual for, and during the course of his employment by the Board. These records may contain information about employees and former employees relating to employment, placement, personnel actions, performance considerations and evaluations; training and development activities and plans, background investigations; reference checks; salary history and other personnel matters. It also includes minority group designator; records relating to benefits and designation of beneficiary; emergency contact, documentation supporting personnel actions or decisions made about an individual; awards; employee parking and other information relating to the status of the individual either while considered for employment or while employed by the Board.

Authority for maintenance of the system: Sections 10 and 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used:

a. For purposes of review in connection with appointments, transfers, promotions, reassignments, training and development needs, adverse actions, disciplinary actions, and determination of qualifications of an individual, and in assisting the individual in locating other employment.

b. For purposes of making a decision when a Board employee or former Board employee is questioning the validity of a specific document in the individual's record.

c. By the courts to render a decision.

d. To provide information to a prospective employer of a current or former Board employee.

e. To provide data for the automated Personnel records.

f. To provide information to a Federal agency, or any other employer or prospective employer, in response to its request in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

g. To request information from a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information or other pertinent information to a Board decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of contract, or the issuance of a grant or other benefit.

h. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

i. As a data source of management information for production of statistical and analytical studies and reports in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

j. Determine eligibility for coverage, benefits due, and payment of benefits under the various benefits programs available to the Board and its staff.

k. Transfer information necessary to support a claim for benefits under the various benefit programs in operation at the Federal Reserve Board.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, magnetic tape, disc, punched cards, index cards and microfilm.

Retrievability: Records are indexed by any combination of name, date of birth, Social Security Number, or identification number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require it.

Retention and disposal: The General Personnel Record is retained until five years after death or an individual achieves age 75 where he or she does not separate employment by retirement.

System manager(s) and address: For current and former Federal Reserve Board employees:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Inquiries, including name, date of birth, and Social Security Number should be addressed to the System Manager, address above.

Record access procedures: Current and former Federal Reserve Board employees who wish to gain access to or contest their records should contact the System Manager, address above. Former Board employees should direct such a request in writing, including their name, date of birth, and Social Security Number.

Record source categories: Information in this system of records comes from the individual to whom it applies or is derived from the information the individual supplied, except information provided by Board officials. Information is also obtained from the following sources for administration of the benefits portion of the system:

1. FRB General Personnel Records
2. CSC Personnel Management Records System
3. Personnel records of other Government agencies
4. Personnel Records of Federal Reserve Banks

Systems exempted from certain provisions of the act: Pursuant to subsections (k)(2) and (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where: (1) such portions represent investigatory material compiled for law enforcement purposes, or (2) such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—5

System name: FRB—EEO Discrimination Complaint File

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Applicants for Board employment, current and former Board employees, and annuitants who file a complaint of discrimination or appeal a determination made by an official of the Board relating to equal employment opportunities.

Categories of records in the system: This system of records contains information or documents relating to a complaint, the decision or determination made by the Board affecting an individual under the Board's EEO regulations and procedures. The records consist of the initial complaint or appeal letters or notices to the individual, record of hearings when conducted, materials placed into the record to support the decision or determination, affidavits or statements, testimonies of witnesses, investigative reports, instructions to the Board and/or individual about action to be taken to comply with decisions, and related correspondence, opinions and recommendations.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information in the records may be used:

a. To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance.

b. To provide information to the public on the decision of an appeal, complaint, or grievance required by the Freedom of Information Act.

c. To respond to a Court subpoena and or to refer to a District court in connection with a civil suit.

d. To adjudicate an appeal, complaint, or grievance.

e. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

f. To refer, where there is an indication of a violation or potential violation of law, whether civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

g. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, binders, and index cards.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: The records are maintained indefinitely.

System manager(s) and address:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Individuals who have filed appeals or grievances are aware of that fact and have been provided a copy of the records. They may, however, contact the System Manager, address above. Individuals should provide their name, date of birth, and the approximate date of employment or application, and the kind of action taken by the Board when making inquiries about records.

Record access procedures: Individuals who have appealed or filed a grievance about a decision or determination made by the Board or about conditions existing in the Board already have been provided a copy of the records. However, to gain access or contest the

records in this system, individuals should contact the System Manager, address above. Individuals should provide their name, date of birth, approximate date of employment or application, and the kind of action taken by the Board when requesting access to, or contest of records.

Record source categories:

a. Individual to whom the record pertains
b. Board employees
c. Affidavits or statements from employee
d. Testimonies of witnesses
e. Official document relating to the appeal, grievance, or complaints
f. Correspondence from specific organization or persons

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(2) of the Privacy Act and the Board's regulations relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled for law enforcement purposes.

BGFRS—6

System name: FRB—Adverse Information and Action, Disciplinary, Outside Business Activity and Financial Responsibility Records.

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Current and former Board employees, (including special employees) and annuitants who are involved in an Adverse Action; Board officials providing annual financial responsibility statements; employees who suffer a withholding of a Progress Step Increase; employees who file an Outside Business Activity application; and those employees who have creditors contacting the Board relative to credit problems.

Categories of records in the system: This system of records may contain information or documents relating to a determination made by the Board affecting an individual. The records consist of the letters or notices to the individual, record of hearings when conducted, materials placed into the record to support the decision or determination, affidavits or statements, testimonies of witnesses, investigative reports, and related correspondence, opinions and recommendations. Also, copies of Financial Responsibility Statements and Outside Business Interest applications filed by the employee; and letters from creditors.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information in the records may be used:

a. To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance.

b. To provide information to the public on the decision of an appeal, complaint, or grievance required by the Freedom of Information Act.

c. To respond to a court subpoena and/or to refer to a District court in connection with a civil suit.

d. To adjudicate an appeal, complaint, or grievance.

e. As a data source for management information for production of descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel management functions.

f. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

g. To request information from a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to a Board decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a grant or other benefit.

h. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

i. To identify or determine conflict of interest situations or potential conflict of interest.

j. To advise an employee of potential problems.

k. To administer various aspects of established personnel management programs.

Storage: These records are maintained in file folders, binders, index cards, magnetic tape and disk.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: The records are maintained indefinitely after cessation of employment unless deemed unnecessary, and thus destroyed.

System manager(s) and address:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Individuals should provide name, date of birth, Social Security Number, identification number (if known), approximate date of record, and type of situation with which concerned to the System Manager, address above.

Record access procedures: Individuals should provide name, date of birth, Social Security Number, identification number (if known), approximate date of record, and type of situation with which concerned to the System Manager, address above.

a. Individual to whom the record pertains
b. Board officials
c. Affidavits or statements from employees
d. Testimonies of witnesses
e. Official documents relating to an action, appeal, grievance, or complaints.
f. Correspondence from specific organizations or persons.

Systems exempted from certain provisions of the act: None.

BGFRS—7

System name: FRB—Payroll

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Past and present employees and members of the Board.

Categories of records in the system: Varied payroll records including payment vouchers, comprehensive listing of employees, requests for deductions, tax forms, W-2 forms, overtime requests, leave data, workmen's compensation data.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used in the preparation of Board payroll, as input to several management reports and, from time to time, input to other contributing programs and as input to Board studies, analyses, and reports.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: On tape, disk, punched cards, index cards, folders and document files.

Retrievability: Filed by name, social security number, employee number.

Safeguards: Access is restricted to authorized personnel only. Records in cabinets, safe, and limited access to computer records by "limited access" employees.

Retention and disposal: Various: minimum of one year from date of annual audit; maximum of indefinite.

System manager(s) and address:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Current and former employees who wish to gain access or contest their records should contact System Manager, address above. Individuals should provide name, date of birth, social security number, identification number (if known).

Record access procedures: Current and former employees who wish to gain access or contest their records should contact System Manager, address above. Individuals should provide name, date of birth, social security number, identification number (if known).

Record source categories: Internal personnel forms, Federal, state, and local tax forms, employee authorizations and directive forms, insurance forms, leave and overtime reports, Federal and state garnishment forms.

Systems exempted from certain provisions of the act: None.

BGFRS—8

System name: FRB—Leave Records

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Present employees, former employees for a period of three years following their separation from the Board.

Categories of records in the system: Contains timekeeper records, leave cards, payroll notifications, supporting memorandum, periodic leave statements, and creditable service documentation.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. sec 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and payment of leave, for production of statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions and manpower studies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Punched card, tape, disk, index card, folder, and print out.

Retrievability: Filed by date, but may be filed by name or identifying number.

Safeguards: Stored in locked metal file cabinets, other records stored in secured limited access computer facilities.

Retention and disposal: Detailed information destroyed after two years. Summary data is a part of permanent official personnel file.

System manager(s) and address:

Division of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the System Manager above. Former Board employees should direct such a request in writing, including their name, date of birth, and Social Security number.

Record access procedures: Individuals wishing to gain access or contest their records should contact the System Manager, address above. Former Board employees should direct such a request in writing, including their name, date of birth, and Social Security Number.

Record source categories: Records, files and forms of the Board, information provided by the employee and previous Federal Government employers.

Systems exempted from certain provisions of the act: None.

BGFRS—9

System name: FRB—Consultant File

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Individuals providing consulting services to the Board in accordance with a formal agreement.

Categories of records in the system: Documents, letters, memorandum of understanding relating to agreement, rates of pay, payment, records, vouchers, invoices, and selection; negotiation, implementation, scope and performance of work. Additional information may be found on reemployed annuitants in the FRB-General Personnel Records.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses include, but are not restricted to, selection, monitoring, evaluation and control, audit and analysis, routine management activity, and statistical use without individual indentification; verification and confirmation; and referral when used as a basis for prospective employment by other than the Board; to provide information or disclose to a Federal agency, or any other employer or prospective employer, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folder, punched card, tape, disk and index card.

Retrievability: File by name, and cross index by voucher number and date, or identifying number.

Safeguards: Stored in secured area.

Retention and disposal: Indefinite.

System manager(s) and address:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Individuals who have filed appeals or grievances are aware of that fact and have been provided a copy of the records. They may, however, contact the System Manager, address above. Individuals should provide their name, date of birth, and the approximate date of employment or application, and the kind of action taken by the Board when making inquiries about records.

Record access procedures: Individuals who have appealed or filed a grievance about a decision or determination made by the Board or about conditions existing in the Board already have been provided a copy of the records. However, to gain access or contest the records in this system, individuals should contact the System Manager, address above. Individuals should provide their name, date of birth, approximate date of employment or application, and the kind of action taken by the Board when requesting access to, or contest of records.

Record source categories: Information in this system of records is obtained from the individual to whom it applies or is derived from information supplied by the individual, except information provided by Board staff, and for reemployed annuitants where the inactive General Personnel File is activated.

Systems exempted from certain provisions of the act: Pursuant to subsections (k)(2) and (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where: (1) such portions represent investigatory material compiled for law enforcement purposes, or (2) such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—10

System name: FRB—General File on Board Members

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Past and present members of the Board of Governors.

Categories of records in the system: Biographies of past and present members of the Board, oaths of office, and miscellaneous correspondence relating to such Governors.

Authority for maintenance of the system: Section 10 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used for background information to determine qualifications for appointment, reappointments, for compiling information for news releases and other publications, and for recording correspondence concerning the Governors.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name.

Safeguards: Locked in diebold power file. Access limited to Board staff on a restricted basis.

Retention and disposal: Indefinite.

System manager(s) and address:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Same as System Manager, address above.

Record access procedures: Same as System Manager, address above.

Record source categories: Generated by individuals incoming correspondence and staff response thereto.

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulations relating thereto, certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—11

System name: FRB—Official General Files

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Correspondents with the Board and System Personnel.

Categories of records in the system: Incoming and outgoing correspondence concerning Board business. Records relating to System Personnel in official capacities such as instructors, consultants, and Board representatives to various committees, conferences, etc.

Authority for maintenance of the system: Sections 10 and 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used for reference purposes in preparing responses to inquiries from public and used in recording official duties of System Personnel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name.

Safeguards: Locked in diebold power file. Access limited to Board staff on a restricted basis.

Retention and disposal: Indefinite.

System manager(s) and address:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: System Manager, address above.

Record access procedures: System Manager, address above.

Record source categories: Generated by individuals incoming correspondence and staff response thereto.

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulations relating thereto, certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—12

System name: FRB—Biographical File of Federal Reserve Personnel

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Current and former Federal Reserve System officers, and their staff.

Categories of records in the system: This system consists of a variety of records relating to personnel actions and determinations made about an individual while employed in the Federal Reserve System. These records contain information about an individual relating to birth date; education; veteran status; tenure; handicap; past and present salaries, grades, and position titles; personnel actions, including but not limited to, appointment, reassignment, demotion, detail, promotion, transfer, and separation; photograph, awards; and other information relating to the status of the individual.

Authority for maintenance of the system: Sections 4, 11 and 22 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

a. By Federal Reserve System officials for purposes of review in connection with appointments, transfers, promotion, reassignments, adverse actions, disciplinary actions, and determination of qualifications of an individual.

b. By the Board of Governors for purposes of making a decision when a listed employee or former listed employee is questioning the validity of a specific document in the individual's record.

c. By the courts to render a decision when the Board has refused to release to current or former System employee a record under the Freedom of Information Act.

d. To publish name and title data for the Directory of officers of Federal Reserve Banks.

e. To provide reports to Congress, agencies, and the public on characteristics of the System work force.

f. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

g. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, magnetic tape, punched cards and disk.

Retrievability: Records are indexed by combination of name or identification number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Inquiries, including name, date of birth, and Social Security Numbers should be addressed to the System Manager, address above.

Record access procedures: Current and former System employees who wish to gain access to and contest their records, should direct such a request in writing, including their name, date of birth, and Social Security Number to the System Manager, address above.

Record source categories: Information in this system of records comes from either the individual to whom it applies, extracted from documents he supplied, or data provided by Federal Reserve System officials and employees.

Systems exempted from certain provisions of the act: None.

BGFRS—13

System name: FRB—General File of Examiners and Assistant Examiners at Federal Reserve Banks.

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Past and present examiners and assistant examiners at Federal Reserve Banks.

Categories of records in the system: Brief biographies of past and present examiners and assistant examiners, oaths of office, and miscellaneous correspondence.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as background information for determining qualifications for appointment, reappointment, etc.; for compiling information for news releases and other publications, and recording correspondence concerning such persons.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name.

Safeguards: Locked in diebold power file. Access limited to Board staff on a restricted basis.

Retention and disposal: Indefinite.

System manager(s) and address:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: System Manager, as indicated above.

Record access procedures: Same as "notification" above.

Record source categories: Individuals themselves, references such as "Who's Who" and miscellaneous correspondence from system personnel and others.

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulations relating thereto, certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—14

System name: FRB—General File of Federal Reserve Bank and Branch Directors.

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Past and present Federal Reserve Bank and Branch Directors.

Categories of records in the system: Biographies of past and present Federal Reserve Bank and Branch Directors, oaths of office, resignations, and miscellaneous correspondence.

Authority for maintenance of the system: Sections 3, 4 and 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as background information for determining qualifications for appointment, reappointment, etc.; for compiling information for news releases and other publications, and recording correspondence concerning such persons.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name.

Safeguards: Locked in diebold power file. Access limited to Board staff on a restricted basis.

Retention and disposal: Indefinite.

System manager(s) and address:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Same as System Manager, address above.

Record access procedures: Same as System Manager, address above.

Record source categories: Generated by individual's incoming correspondence and staff response thereto.

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulations relating thereto, certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—15

System name: FRB—General Files of Federal Reserve Agents, Alternates and Representatives at Federal Reserve Banks.

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Past and present Federal Reserve Agents, Alternates and Representatives at Federal Reserve Banks.

Categories of records in the system: Biographies of past and present examiners, oath of office and miscellaneous correspondence relating to such persons.

Authority for maintenance of the system: Sections 20 and 21 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as background information for determining qualifications for appointment, reappointment, etc.; for completing information for news releases and other correspondence; and recording correspondence concerning such persons.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name.

Safeguards: Locked in diebold power file. Access limited to Board staff on a restricted basis.

Retention and disposal: Indefinite.

System manager(s) and address:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Same as System Manager, address above.

Record access procedures: Same as System Manager, address above.

Record source categories: Generated by individual's incoming correspondence and staff response thereto.

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulations relating thereto, certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—16

System name: FRB—Regulation G Reports

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Individuals other than banks, brokers and dealers who extend credit in specified amounts secured by margin securities.

Categories of records in the system: Reports filed by persons registered pursuant to Regulation G.

Authority for maintenance of the system: Sections 7, 17, and 23 of the Securities Exchange Act of 1934 and Regulation G (12 CFR 207).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Aid the Federal Reserve System in securing compliance with Regulation G, assist registrants regarding interpretation, and where this system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper forms and files.

Retrievability: Indexed by name.

Safeguards: Retained in locked metal file cabinets. Access to Board staff on restricted basis.

Retention and disposal: Indefinite.

System manager(s) and address:

Director, Office of Saver and Consumer Affairs
Board of Governors
Federal Reserve System
Washington, D.C. 20551

Notification procedure:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Record access procedures: Same System Manager address above.

Record source categories: Reports and forms filed by individuals to whom records pertain.

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(2) of the Privacy Act and the Board's regulations relating thereto (12 CFR 261a) certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled for law enforcement purposes.

BGFRS—17

System name: FRB—Regulation F Ownership Reports

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Bank officers, directors and principal stockholders of state member banks registered with the Board pursuant to Regulation F and the Securities Exchange Act of 1934.

Categories of records in the system: Records of transactions by officers, directors, and principal shareholders of the bank in the banks stock.

Authority for maintenance of the system: Section 12(i) of the Securities Exchange Act of 1934 and Section 206.6 of the Board's Regulation F (12 CFR 206).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff for reconciliation of transactions in bank stock, made available for public inspection pursuant to the provisions of the Securities Exchange Act of 1934 and where this system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Index cards and paper records.

Retrievability: Indexed by name.

Safeguards: Retained in metal file cabinets.

Retention and disposal: Indefinite.

System manager(s) and address:

Director, Division of Banking Supervision and Regulation
Board of Governors
Federal Reserve System
Washington, D.C. 20551

Notification procedure:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Record access procedures: Same as "Notification" above.

Record source categories: Reports and forms filed by individuals to whom records pertain.

Systems exempted from certain provisions of the act: None.

[FR Doc.76-25611 Filed 8-30-76;8:45 am]

FEDERAL TRADE COMMISSION

PRIVACY ACT OF 1974

Notices of Systems of Records

The purpose of this document is to give notice that the systems of records identified in notices published in the Federal Register at 40 FR 39041 and 46076, and 41 FR 30069, 30085, 31618, and 33949 continue in effect, except that the routine use with respect to local Call for Comment in system notice FTC-17, Consumer Mailing List, Los Angeles Regional Office, published at 41 FR 30069, will not be effective until the Commission considers comment on this use received during the comment period ending August 20, 1976. This notice is published in compliance with the requirements of 5 U.S.C. sec. 552a(e)(4) as added by section 3 of the Privacy Act of 1974.

Charles A. Tobin,
Secretary.

FTC—1

System name: Biographies of Commissioners and Key Staff Members—FTC

Office of Public Information—Room 496
Federal Trade Commission
6th Street & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Commissioners and key Federal Trade Commission Staff members.

Categories of records in the system: Contains name, biographical data (such as education, employment, etc.), and in some cases a photograph and-or news release on the individual's appointment.

Authority for maintenance of the system: Federal Trade Commission Act

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Resource material for writing news releases and FTC publications, and for filling requests for information from members of the media; used by OPI staff members.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Written documents and glossy photographs in manila folders in lockable file cabinet.

Retrievability: Indexed by name.

Safeguards: Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Retained until individual is no longer a staff member or Commissioner, and requests for the data are no longer received. Disposed of in wastebasket.

System manager(s) and address:

Office Manager
Office of Public Information
Room 496, Federal Trade Commission
6th & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual whose biography and/or picture is contained in the system.

FTC—2

System name: Call for Comment Mailing List—FTC

System location:

Division of Consumer Education
Federal Trade Commission
633 Indiana Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Representatives of businesses and firms, trade and commercial associations, professional organizations, cooperatives and unions, mass media, educational organizations and institutions, consumer organizations, organizations not classified elsewhere and governments which receive Call for Comment.

Categories of records in the system: Contains names and organization mailing addresses.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To mail Call for Comment material. Used by Division of Consumer Education personnel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Lists maintained in 8 inch by 10 1/2 inch file folders

Retrievability: Indexed by category

Safeguards: Records are maintained in Division of Consumer Education and access is limited to agency personnel whose responsibilities require access.

Retention and disposal: Records are to be maintained and updated until such time as the Call for Comment program is dispensed with.

System manager(s) and address:

Assistant Director for Consumer Education
Federal Trade Commission
633 Indiana Avenue, N.W.
Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Lists are compiled from public documents or from requests by organizations that their membership receive Call for Comment material.

FTC—3

System name: Case/Project Tracking System—FTC

System location:

Computer Sciences Corporation
Infonet Computer Center
Chicago, Illinois

Categories of individuals covered by the system: All FTC Professional and Semi-professional Employees and some clerical employees

Categories of records in the system: Contains name, FTC ID number, organization, salary, occupation category, all cases and projects assigned history of work activity.

Authority for maintenance of the system: Federal Trade Commission Act

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Management and budgeting tool within Commission. Responses to congressional inquiries.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic disk and tape

Retrievability: By case, program, organization, individual (ID no. or name)

Safeguards: Password. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Perpetual retention

System manager(s) and address:

Executive Director
Federal Trade Commission
6th and Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual weekly activity reports.

FTC—4

System name: Claimants Under Federal Tort Claims Act and Military Personnel and Civilian Employees' Claims Act—FTC

System location:

Federal Trade Commission
Room 555
6th Street & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Individuals who have claimed reimbursement from FTC under Federal Tort Claims Act and Military Personnel and Civilian Employees' Claims Act.

Categories of records in the system: Information relating to traffic accidents and other accidents in which the FTC may be liable for property damage or loss.

Authority for maintenance of the system: Federal Tort Claims Act, 28 U.S.C. Sec. 2671 et seq. Military Personnel and Civilian Employees' Claims Act, 31 U.S.C. Sec. 241 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To determine whether the FTC should honor claims for loss or damage to property in incidents involving FTC employees. Referral to Department of Justice, GSA, or other federal agency when the matter comes within the jurisdiction of such agency. Used by Tort Claims Officer, other FTC personnel reviewing claim, and personnel of other agencies to whom a matter is referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in manila file folders in file cabinet.

Retrievability: The system is filed alphabetically by name of the FTC employee involved in each accident.

Safeguards: The files are stored in an unlocked file cabinet in the Office of the Tort Claims Officer. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: The records are stored for 10 years and then deposited in a wastebasket.

System manager(s) and address:

Executive Director
Federal Trade Commission
Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information is obtained from claimant, FTC employee involved in incident, official police report (if any), witnesses, and insurance company representing claimant (if any).

FTC—5

System name: Commission Minutes—FTC

System location:

Federal Trade Commission
6th Street & Pennsylvania Avenue, N.W.
Room 174
Washington, D.C. 20580

Categories of individuals covered by the system: Individual respondents and proposed respondents in Commission proceedings and investigations, individuals requesting advisory opinions, and those subject to Commission disciplinary proceedings and Commission orders.

Categories of records in the system: Information on individuals generally concerns relations or transactions with or knowledge about respondents, or general business and isolated personal information on individual respondents, and other items of information relating to the individual's involvement in the matter in question.

Authority for maintenance of the system: Federal Trade Commission Act

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use by the Commissioners and their staff, staff of the Secretary's Office, and the staff of the General Counsel's Office, as history and record of Commission actions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Bound volumes

Retrievability: Indexed by respondents' names

Safeguards: Kept in locked safe. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Permanent retention

System manager(s) and address:

Secretary
Room 174
Federal Trade Commission
6th Street & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Commission records

FTC—6

System name: Complaint Cards, Dallas Regional Office—FTC

System location:

Federal Trade Commission
500 S. Ervay Street
Room 452-B
Dallas, Texas 75201

Categories of individuals covered by the system: Individuals who have filed complaints or requested information

Categories of records in the system: Contains name and location of company complained about, violation, date complaint was received, correspondence number, preliminary investigation file number and 7-digit file number, and information about individual proprietor when proprietorship is involved.

Authority for maintenance of the system: Federal Trade Commission Act; FTC Administrative Manual, 1-201.1; Federal Records Act, Sec. 506(a); GSA Regulation (Sec. 101-11.209-3)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This card is used by Dallas Regional Office personnel to identify companies complained about, number of complaints received on a company and to identify problems in a particular industry.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on cards

Retrievability: Indexed by name of proposed respondent, either company or individual

Safeguards: Records are maintained in a card file box at receptionist's desk. Access restricted to those agency personnel whose responsibilities require access.

System manager(s) and address:

Regional Director
Federal Trade Commission
500 S. Ervay Street
Room 452-B
Dallas, Texas 75201

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual filing complaint.

FTC-7

System name: Congressional Correspondence, Office of General Counsel—FTC

System location: Congressional Liaison
Room 585
Office of General Counsel
Federal Trade Commission
Washington, D.C. 20580

Categories of individuals covered by the system: Members of Congress, congressional committees, and constituents.

Categories of records in the system: Letters and constituent referrals from members of Congress and responses relating to the FTC or matters within the FTC's authority.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to correspondence. To determine whether any law enforcement or other action by FTC may be warranted. Referral to other federal, state, or local government agencies for appropriate action when matter complained of or inquired about comes within the jurisdiction of such agency. Used by FTC employees and by personnel of any agency to which the matter is referred.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manila folders in lockable room.

Retrievability: Indexed by name of congressman.

Safeguards: Stored in metal cabinets. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Transferred to Federal Records Center at end of each Congress.

System manager(s) and address: Congressional Liaison
Office of General Counsel
Federal Trade Commission
Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual name, return address, and signature, addressed as follows: privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Congressmen and constituents.

System name: Congressional Inquiry Files, Dallas Regional Office—FTC

System location:
Dallas Regional Office
500 S. Ervay Street
Room 452-B
Dallas, Texas 75201

Categories of individuals covered by the system: Constitutents who have written their congressional representative for aid in resolving consumer problems and members of Congress

Categories of records in the system: Contains consumer letter, letter from member of Congress transmitting the complaint, FTC's acknowledgement of the complaint, and the FTC's reply to the congressional representative

Authority for maintenance of the system: FTC Administrative Manual, 1-201.1; Federal Records Act, Section 506(a); GSA Regulations (Sec.101-11.209-3). Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to correspondence. To determine whether any law enforcement or other action by FTC may be warranted. Referral to other federal, state, or local governmental agencies for appropriate action when matter complained of or inquired about comes within the jurisdiction of such agency. Used by FTC employees and by personnel of any agency to which the matter is referred.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained generally on letterhead forms

Retrievability: Indexed by name of member of Congress

Safeguards: Records are maintained in a file cabinet locked by key. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Records are retained indefinitely

System manager(s) and address:
Regional Director
Federal Trade Commission
Dallas Regional Office
500 S. Ervay Street
Room 452-B
Dallas, Texas 75201

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom record is maintained, members of Congress.

FTC—9

System name: Consultant Files, Division of National Advertising; Bureau of Consumer Protection—FTC

System location:
Division of National Advertising
Federal Trade Commission
Star Building
1101 Pennsylvania Avenue, N.W.
Washington, D.C.

Categories of individuals covered by the system: Consultants consisting of experts in various fields including medical and scientific.

Categories of records in the system: Contains name, curriculum vitae, resume of employment, lists of publications in field, copies of application forms submitted to FTC.

Authority for maintenance of the system: Federal Trade Commission Act

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Identification of medical doctors, scientists and other experts who are available on a consultant basis to advise professional staff members of Division of National Advertising, FTC. Used by staff members of the Division.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Letter size files in regulation cabinet

Retrievability: Indexed by name

Safeguards: Secured as are other files by locking of office door at night. Building guard stationed at building entrance. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Maintained indefinitely for future reference

System manager(s) and address:
Assistant Director
Division of National Advertising
Federal Trade Commission
Room 6124

Star Building
1101 Pennsylvania Avenue, N.W.
Washington, D.C.

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom record is maintained.

FTC—10

System name: Consumer and Industry Correspondence Files, Division of Special Statutes; Bureau of Consumer Protection—FTC

System location:

Division of Special Statutes
633 Indiana Avenue, N.W.
Washington, D.C.

Categories of individuals covered by the system: Consumer and Industry Correspondents

Categories of records in the system: Correspondence

Authority for maintenance of the system: Federal Trade Commission Act, Truth in Lending Act, Fair Credit Reporting Act, Hobby Protection Act, Textile, Wool & Fibers Act, Fair Packaging and Labeling Act, Equal Credit Opportunity Act, Fair Credit Billing Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to correspondence. To determine whether any law enforcement or other action by FTC may be warranted. Referral to other federal, state, or local governmental agencies for appropriate action when matter complained of or inquired about comes within the jurisdiction of such agency. Used by FTC employees and by personnel of any agency to which the matter is referred.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in folders

Retrievability: Indexed by name—usually corporate name

Safeguards: Maintained in file cabinets. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Retained indefinitely

System manager(s) and address:

Assistant Director for Special Statutes
Bureau of Consumer Protection
633 Indiana Avenue, N.W.
Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual

FTC—11

System name: Consumer Complaint Files, Atlanta Regional Office—FTC

System location:

Atlanta Regional Office
730 Peachtree Street, N.E., Room 800
Atlanta, Georgia 30308

Categories of individuals covered by the system: Members of the general public.

Categories of records in the system: Consists of letters from individuals filing complaints as to unsatisfactory commercial transactions and practices of various firms, businesses and individuals. System also includes a complaint log identifying individual complainants and a card file naming individual complainants.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to correspondence. To determine whether any law enforcement or other action by FTC may be warranted. Referral to other federal, state, or local governmental agencies for appropriate action when matter complained of or inquired about comes within the jurisdiction of such agency. Used by FTC employees and by personnel of any agency to which the matter is referred.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in letter size file folders and 3 inch by 5 inch index cards

Retrievability: Filed alphabetically by name

Safeguards: Filed in metal file cabinet. Office locked when unattended. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Retained for a minimum of one year and destroyed by delivering to and placing the material in local government operated incinerator

System manager(s) and address:

Regional Director
Atlanta Regional Office
730 Peachtree Street, N.E., Room 800
Atlanta, Georgia 30308

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: From individual members of the public and occasionally from other federal agencies.

FTC—12

System name: Consumer Complaint Files, Cleveland Regional Office—FTC

System location:

Cleveland Regional Office
1339 A. J. Celebrezze Federal Office Building
1240 East 9th Street
Cleveland, Ohio 44199

Categories of individuals covered by the system: Individual consumers who filed a complaint.

Categories of records in the system: Contains name of complainant, nature of complaint, identifies respondent and product.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to correspondence. To determine whether any law enforcement or other action by FTC may be warranted. Referral to other federal, state, or local governmental agencies for appropriate action when matter complained of or inquired about comes within the jurisdiction of such agency. Used by FTC employees and by personnel of any agency to which the matter is referred.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 9 inch by 12 inch file folders

Retrievability: Filed by name of complainant and name of respondent

Safeguards: Filed in steel file drawers. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Retained for one year, disposed by incinerator

System manager(s) and address:

Regional Director
Cleveland Regional Office
1339 A. J. Celebrezze Federal Office Building
Cleveland, Ohio 44199

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individuals who file complaints.

FTC—13

System name: Consumer Complaint Files, Division of Marketing Practices; Bureau of Consumer Protection—FTC

System location:

Division of Marketing Practices
Bureau of Consumer Protection
Federal Trade Commission
Washington, D.C. 20580

Categories of individuals covered by the system: Individuals filing complaints or requesting information

Categories of records in the system: Name; address; transaction history with persons, partnerships or corporations

Authority for maintenance of the system: Section 5 of the Federal Trade Commission Act

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to correspondence. To determine whether any law enforcement or other action by FTC may be warranted. Referral to other federal, state, or local governmental agencies for appropriate action when matter complained of or inquired about comes within the jurisdiction of such agency. Used by FTC employees and by personnel of any agency to which the matter is referred.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Varied size documents

Retrievability: Name, company involved, or alleged practice

Safeguards: Filing cabinets in secure buildings. Access restricted to those agency personnel whose responsibilities require access

Retention and disposal: Records maintained until enforcement action is final and then removed to General Service Administration for permanent storage

System manager(s) and address:

Assistant Director for Marketing Practices
Bureau of Consumer Protection
Federal Trade Commission
Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above

Contesting record procedures: Same as above

Record source categories: Consumer; federal, state or local enforcement agencies; private organizations (e.g., Better Business Bureaus, consumer hot lines) that receive consumer complaint letters

FTC—14

System name: Consumer Complaint Files, Los Angeles Regional Office— FTC

System location:

Federal Trade Commission
11000 Wilshire Boulevard, Room 13209
Los Angeles, California 90024

Categories of individuals covered by the system: Consumer complaint letters and forms relating to companies, practices, individuals in the Los Angeles Office area.

Categories of records in the system: Contains information about the practices, activities, policies of organizations or individuals submitted by various complainants.

Authority for maintenance of the system: Federal Trade Commission Act

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to correspondence. To determine whether any law enforcement or other action by FTC may be warranted. Referral to other federal, state, or local governmental agencies for appropriate action when matter complained of or inquired about comes within the jurisdiction of such agency. Used by FTC employees and by personnel of any agency to which the matter is referred.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders

Retrievability: Indexed in log book by name of complainant.

Safeguards: Stored in file cabinets. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Retained for one year, then disposed of in wastepaper basket.

System manager(s) and address:

Assistant Regional Director
Federal Trade Commission
11000 Wilshire Boulevard, Room 13209
Los Angeles, California 90024.

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above

Contesting record procedures: Same as above

Record source categories: Consumers and business complainants.

FTC—15

System name: Consumer Complaint Files, New Orleans Regional Office— FTC

System location:

New Orleans Regional Office
Federal Trade Commission
333 St. Charles Street
1000 Masonic Temple Building
New Orleans, Louisiana 70130

Categories of individuals covered by the system: Complainant.

Categories of records in the system: Contains name and address of complainant, nature of complaint, name of party complained about

Authority for maintenance of the system: Federal Trade Commission Act

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to correspon-

dence. To determine whether any law enforcement or other action by FTC may be warranted. Referral to other federal, state, or local governmental agencies for appropriate action when matter complained of or inquired about comes within the jurisdiction of such agency. Used by FTC employees and by personnel of any agency to which the matter is referred.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on sheets submitted by complaint

Retrievability: Indexed by name of party complained about

Safeguards: Maintained in file cabinet containing a lock. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Records maintained until referred to another agency. Records kept for 1 year if not referred and then destroyed.

System manager(s) and address: Director, New Orleans Regional Office.

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Complaining party.

FTC—16

System name: Consumer Complaint Letters, Seattle Regional Office—FTC

System location: Seattle Regional Office, Federal Trade Commission, 2840 Federal Building, 915 Second Avenue, Seattle, Washington 98174

Categories of individuals covered by the system: Those persons who direct a consumer complaint or request for assistance or information to the Seattle Regional Office, FTC, or those forwarding a complaint from a consumer such as a member of the media or another federal, state or local agency.

Categories of records in the system: The nature of the consumer's complaint, the name and location of the party complained of, and the supporting documents where provided.

Authority for maintenance of the system: Federal Trade Commission Act; FTC Operating Manual provides for processing of consumer complaints.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to correspondence. To determine whether any law enforcement or other action by FTC may be warranted. Referral to other federal, state, or local governmental agencies for appropriate action when matter complained of or inquired about comes within the jurisdiction of such agency. Used by FTC employees and by personnel of any agency to which the matter is referred.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained alphabetically in file cabinet

Retrievability: Alphabetical by name

Safeguards: Files are maintained in folders in a file cabinet; responsibility of file clerk. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Held two years and then destroyed

System manager(s) and address: Regional Director, Seattle Regional Office, 2840 Federal Building, 915 Second Avenue, Seattle, Washington 98174.

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Those consumers who have submitted a complaint or a request for assistance or information.

FTC—17

System name: Consumer Mailing List, Los Angeles Regional Office—FTC

System location:

Federal Trade Commission
11000 Wilshire Boulevard, Room 13209
Los Angeles, California 90024

Categories of individuals covered by the system: Mailing addresses of consumer organizations, legal firms, private individuals and others who have requested Los Angeles Regional Office publications, FTC publications, and who receive local call for comment.

Categories of records in the system: Name and mailing address of recipients of Los Angeles Regional Office publications.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to mail Los Angeles Regional Office publications, FTC publications, and local call for comment to listed names. Used by Regional Office personnel.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Lexitron Tape

Retrievability: By name

Safeguards: Lexitron Tape file. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: By tape erasure when consumer no longer desires publications, or local call for comment.

System manager(s) and address:

Assistant Director
Los Angeles Regional Office
Federal Trade Commission
11000 Wilshire Boulevard, Room 13209
Los Angeles, California 90024

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individuals on whom the record is maintained.

FTC—18

System name: Consumer Redress Lists, Compliance Division; Bureau of Consumer Protection—FTC

System location:

Compliance Division
Bureau of Consumer Protection
Federal Trade Commission
1726 M Street, Suite 1100
Washington, D.C. 20036

Categories of individuals covered by the system: Consumers entitled to redress pursuant to Commission or court order.

Categories of records in the system: Name, address, and other information pertinent to identifying consumers qualifying for consumer redress in specific proceedings.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To identify consumers qualifying for consumer redress pursuant to Commission or court order. Used by Compliance Division personnel, other FTC personnel, and personnel of other federal agencies participating in proceedings involving consumer redress.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manila file folders

Retrievability: Indexed by name

Safeguards: Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Records maintained until consumer redress is completed, then disposal

System manager(s) and address:

Assistant Director for Compliance
Division of Compliance
Bureau of Consumer Protection
Federal Trade Commission
1726 M Street, Suite 1100
Washington, D.C. 20036

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580. In order for personal information in this system to be retrieved, a request must specify the name of the firm or proceeding.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Affected consumers and other members of the public; persons, partnerships, or corporations subject to consumer redress orders.

FTC—19

System name: Correspondence With Compliance Division, Bureau of Consumer Protection, Concerning Parties Subject to Commission Orders—FTC

System location:

Compliance Division
Bureau of Consumer Protection
Federal Trade Commission
1726 M Street, N.W., Suite 1100
Washington, D.C. 20036

Categories of individuals covered by the system: Persons corresponding with Compliance Division concerning parties subject to Commission orders

Categories of records in the system: Correspondence

Authority for maintenance of the system: Federal Trade Commission Act

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to correspondence. To determine whether any further law enforcement or other action by FTC may be warranted. Referral to other federal, state, or local governmental agencies for appropriate action when matter complained of or inquired about comes within the jurisdiction of such agency. Used by FTC employees and by personnel of any agency to which the matter is referred.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manila file folders

Retrievability: Indexed by name of correspondent within file of each compliance matter.

Safeguards: Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Records maintained until civil penalty action or other proceedings terminated, then shipped to Legal and Public Records Division of FTC

System manager(s) and address:

Assistant Director of Compliance
(address same as System Location)

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580. In order for personal information in this system to be obtained, a request must specify the name of the firm or proceeding.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individuals corresponding with Compliance Division.

FTC—20

System name: Correspondence With Members of Congress and Agency Officials—FTC

System location:

Division of Legal and Public Records
Office of the Secretary
Federal Trade Commission
6th & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Congressmen and officials of executive and independent regulatory agencies.

Categories of records in the system: Correspondence concerning FTC matters and inquiries directed to the FTC; internal memoranda expressing recommendations.

Authority for maintenance of the system: Federal Trade Commission Act; Executive Order No. 10450 dated 8-5-54

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to correspondence. To determine whether any law enforcement or other action by FTC may be warranted. Referral to other federal, state, or local governmental agencies for appropriate action when matter complained of or inquired about comes within the jurisdiction of such agency. Used by FTC employees and by personnel of any agency to which the matter is referred.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in standard letter size file cabinets, in Record Center Storage Containers, on microfilm or microfiche.

Retrievability: Indexed by subject matter, and in some instances by individual's name.

Safeguards: Unlocked file cabinets and normal building security, record center storage and security. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Destroyed after five years, historical records transferred to National Archives.

System manager(s) and address:

Secretary, Federal Trade Commission
(address same as System Location)

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FTC—21

System name: Counseling Records—FTC

System location:

Division of Personnel
Federal Trade Commission
Washington, D.C. 20580

Categories of individuals covered by the system: Current employees of the Federal Trade Commission

Categories of records in the system:

a. Upward Mobility: Individual Development Plan and counseling notes.
b. Professional Training: Individual Development Plan and counseling notes.
c. Executive Development: Individual Development Plan and counseling notes.
d. Employee Relations: Counseling notes, unofficial memoranda about or given to employee concerning problem(s) which arise.
e. Debt Letters: Letters from creditors about debts owed by current employees and copies of employee responses.

Authority for maintenance of the system: 5 U.S.C. Chapter 41; Executive Order 11348; EEO Act 1972; Executive Order 11478; Title 5 U.S.C. 735.207; Executive Order 9830; 5 U.S.C. Sec. 230.101; Federal Personnel Manual Chapter 250.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Upward Mobility, Professional Training and Executive Development—Used by program director or others whose official duties require such information to provide a record of employee goals and objectives and classes needed to obtain those objectives and to maintain a record of courses taken.

Employee Relations and Debt—Used by Employee Relation Specialist or others whose official duties require such information. Information provides a record of counseling provided and resolution of problem(s). If problem results in a disciplinary action, information in file may become part of an official record.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in manila folders.

Retrievability: Records are indexed by name.

Safeguards: Records are stored in lockable metal filing cabinets. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Destroyed upon completion of the program (Upward Mobility, Professional and Executive Development Programs) or upon employee's separation from the agency (Employee Relations and Debt Counseling).

System manager(s) and address:

Director of Personnel
Federal Trade Commission
Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual to whom records pertain, supervisor, program manager, counselor.

FTC—22

System name: Disciplinary Action Investigatory Files—FTC

System location:

Division of Legal and Public Records
Office of the Secretary
Federal Trade Commission
6th & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: FTC personnel, counsel for parties under investigatory or adjudicatory proceedings, and others participating in FTC matters, subject to investigation for possible improper or unethical conduct.

Categories of records in the system: Name, address, current employment status, subject matter of investigation.

Authority for maintenance of the system: Federal Trade Commission Act (15 U.S.C. 41) dated 9-26-14; Executive Order No. 10450 dated 8-5-54.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Determination of whether disciplinary action, including suspension or disbarment from practice before Commission, is warranted; could include transfer of information to Civil Service Commission, to a court, or to a Bar Association. Used by agency personnel assigned to investigate and handle matter and by personnel of other agencies, court, or Bar Association to whom matter is referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in standard letter size file cabinets, in Record Center Storage Containers, on microfilm or microfiche.

Retrievability: Indexed by individual name, company name, industry investigation title, file or docket number.

Safeguards: Unlocked file cabinets with normal building security, record center storage and security. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Closed investigatory matters retained five years and then history portion transferred to National Archives; remainder destroyed by shredding or burning. Docketed records retained five years and then transferred to National Archives.

System manager(s) and address: Secretary, Federal Trade Commission (same address as in System Location)

Notification procedure: Records in this system are generally exempt from mandatory disclosure under 5 U.S.C. Sec. 552a(k)(2). However, some individual records may be disclosable, and access to them may be requested by mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained, complainants, informants, witnesses, and Commission personnel having knowledge or providing analysis of matter.

FTC—23

System name: Financial Management System—FTC

System location:

Division of Budget and Finance
Federal Trade Commission
6th & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: FTC personnel who travel or otherwise might be involved in reimbursement of expenses situations.

Categories of records in the system: Contains name and employee number of person involved in travel or otherwise reimbursed for expenses conducted in performance of official duties of FTC. Information relating to travel expenses.

Authority for maintenance of the system: Standard Government Travel Regulations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Identification and retrieval for use in financial reports of FTC. Recording information relating to expenses incurred by FTC personnel in performance of official duties.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Used by personnel of Division of Budget and Finance.

Storage: Computer hardcopy listing; computerized taped vendor file.

Retrievability: Indexed by name and employee number.

Safeguards: Records are maintained in division files and computer file; access limited to Budget and Finance personnel.

Retention and disposal: Retained per GSA retention schedules, generally 3 years; then destroyed.

System manager(s) and address: Chief, Division of Budget and Finance (same address as System Location)

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom record is maintained; personnel system.

FTC—24

System name: Financial Statements of Commissioners-elect—FTC

System location:

Office of General Counsel, Rm. 568
Federal Trade Commission
Washington, D.C. 20580

Categories of individuals covered by the system: FTC Commissioners-elect.

Categories of records in the system: Financial statements of Commissioners-elect—list of personal property, stocks, bonds, indebtedness, etc.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reviewed for adequacy of disclosure and potential conflict of interest purposes when a new Commissioner-elect requests assistance with his financial statements. Used by General Counsel and staff.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in a legal size accordion folder.

Retrievability: Indexed by name.

Safeguards: Maintained in a wooden locked cabinet in GC's Secretary's Office. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Held since 1970. Retention indefinite.

System manager(s) and address:

General Counsel
Federal Trade Commission
Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th and Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FTC—25

System name: General Correspondence Records—FTC

System location:

Federal Trade Commission
Room 701
6th & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Consumers, individuals, public officials, company and corporation officers, attorneys, members of consumer groups, student groups and committees.

Categories of records in the system: Letters of complaint, inquiry, comment, petition, and/or communications concerning FTC actions and activities.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to correspondence. To determine whether any law enforcement or other action by FTC may be warranted. Referral to other federal, state, or local governmental agencies for appropriate action when matter complained of or inquired about comes within the jurisdiction of such agency. Used by FTC employees and by personnel of any agency to which the matter is referred.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Legal-size standard file cabinets; conserva files, regular size, and 3 inch by 5 inch drawers.

Retrievability: Indexed by correspondent's name, subject, and name of proposed respondent.

Safeguards: Unlocked file cabinets. Office security: blue seal locked doors. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Copies of correspondence and indices by correspondent and subject retained 1 year. Index of proposed respondent retained 2 years.

System manager(s) and address: Chief, Correspondence Section, Office of the Secretary, Federal Trade Commission, Washington, D.C. 20580.

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom record is maintained.

FTC—26

System name: General Personnel Records (Official Personnel Folder and records related thereto): Duplicate Personnel files and Automated Records—FTC.

System location:

Automated Records
Division of Personnel
Federal Trade Commission
Washington, D.C.
Duplicate Records
Federal Trade Commission
6th & Pennsylvania Avenue, N.W.
Washington, D.C. 20580
Atlanta Regional Office
730 Peachtree Street, N.E.
Atlanta, Georgia 30308
Boston Regional Office
150 Causeway Street
Boston, Massachusetts 02144
Chicago Regional Office
55 East Monroe Street
Chicago, Illinois 60603
Cleveland Regional Office
1339 Federal Office Building
1240 East 9th Street
Cleveland, Ohio 44199
Dallas Regional Office
500 South Ervay Street
Dallas, Texas 75201
Kansas City Regional Office
2806 Federal Office Building
911 Walnut Street

Kansas City, Missouri 64106
Los Angeles Regional Office
13209 Federal Building
11000 Wilshire Boulevard
Los Angeles, California 90024
New Orleans Regional Office
1000 Masonic Temple Building
333 St. Charles Street
New Orleans, Louisiana 70130
New York Regional Office
2243-EB Federal Building
26 Federal Plaza
New York, New York 10007
San Francisco Regional Office
450 Golden Gate Avenue
San Francisco, California 94102
Seattle Regional Office
28th Floor Federal Building
915 Second Avenue
Seattle, Washington 98174
Washington, D.C., Regional Office
2120 L Street, N.W.
Washington, D.C. 20037

Categories of individuals covered by the system: Current Federal Trade Commission employees.

Categories of records in the system: This system consists of a variety of records relating to personnel actions and determinations made about an individual while employed in the Federal service. These records contain information about an individual relating to birth date; Social Security Number; veteran preference; tenure; handicap; past and present salaries, grades, and position titles; letter of commendation, reprimand, charges, and decision on charges; notice of reduction-in-force; locator files; personnel actions, including but not limited to, appointment, reassignment, demotion, detail, promotion, transfer, and separation; training; minority group designator; records relating to life insurance, health benefits, and designation of beneficiary; performance ratings; data documenting the reasons for personnel actions or decisions made about an individual; awards; and other information relating to the status of the individual.

Authority for maintenance of the system: Title 5 U.S.C. Sections 1302, 2951, 4118, 4308, 4506, and Executive Order 10561, September 13, 1954.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used or a record may be used:

a. By agency officials for purposes of review in connection with appointments, transfers, promotions, reassignments, adverse actions, disciplinary actions, and determination of qualifications of an individual.

b. By the Civil Service Commission for purposes of making a decision when a Federal employee or former

Federal employee is questioning the validity of a specific document in an individual's record.

c. By the district courts to render a decision when an agency has refused to release to current or former Federal employees a record under the Freedom of Information Act.

d. To provide information to a prospective employer of a Government employee or former Federal employee.

e. To provide data for the automated Center Personnel Data File (CPDF).

f. To provide data to update Federal Automated Career Systems (FACS), Executive Inventory File, and Security investigations index on new hires, adverse actions, and terminations.

g. To provide statistical reports to Congress, agencies, and the public on characteristics of the Federal work force.

h. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

i. To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information or other pertinent information to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

j. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, state or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

k. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to locate specific individuals for personnel research or other personnel management functions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, magnetic tape, and punched cards.

Retrievability: Records are indexed by any combination of name, birth date, Social Security Number, or identification number.

Safeguards: Duplicate records—Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require access. Automated files—Restricted password to access data.

Retention and disposal: Duplicate files—The Official Personnel Folder (OPF) is retained indefinitely. The OPF is sent to the National Personnel Records Center within 30 days of the date of the employee's separation from the Federal service. Some records such as letters of reprimand, indebtedness, and vouchers are maintained for two years or destroyed when an individual resigns, transfers, or is separated from the Federal service. Automated files—Files of individuals are erased after they leave the FTC; only statistical turnover information is retained.

System manager(s) and address: Duplicate file—Regional Director, Regional Office (see name and address of regional office listed in location above). Automated records—Director of Personnel, Division of Personnel, Federal Trade Commission, Washington, D.C. 20580.

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he supplied, except information provided by agency officials.

FTC—27

System name: Health Unit Records—FTC

System location:

FTC Headquarters and Washington Regional Employees:
Health Unit
Room 101
6th and Pennsylvania Ave., N.W.
Washington, D.C.
Regional Offices Employees:
Health Unit, Regional Office

Categories of individuals covered by the system: Current agency employees

Categories of records in the system: Information relating to an employee's participation in an occupational health services program.

Authority for maintenance of the system: Public Law 79-658(5 U.S.C. 7901) as further defined in OMB Circular A-72

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Medical counseling and health services provided to current employees.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in manila folder.

Retrievability: Records are indexed by name.

Safeguards: Records are stored in lockable metal filing cabinets. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Destroyed upon an employee's separation from the agency.

System manager(s) and address: Nurse or Physician in charge of Health Unit (address as in System Location)

Notification procedure: By mailing or delivering a written request bearing the individual name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual to whom record pertains; private physician

FTC-28

System name: Investigational, Legal, and Public Records—FTC

System location: Division of Legal and Public Records

Federal Trade Commission
6th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20580
(Record Center, Suitland, Maryland)

Categories of individuals covered by the system: Respondents, proposed respondents, and others in Commission investigations and law enforcement proceedings; parties requesting formal advisory opinions.

Categories of records in the system: Name and some or all of the following: address; company affiliation; age; date of birth; place of birth; employment; financial, credit, and personal history background, in the records contained in this system. This system is composed of the following files: formal investigation files; docketed and consent matters; assurances of voluntary compliance; and advisory opinions, but is limited to those files from which personal information is retrieved by the name of an individual or other identifying particular assigned to the individual.

Retrievability: Indexed by respondent or correspondent name; company name; industry investigation title; FTC internal 7-digit or 4-digit investigation number or complaint assigned number.

Safeguards: Metal legal and letter size file cabinets; official records center containers; access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Retained at FTC offices for 5 years, after which transferred to National Archives. Investigatory files, except history portion, destroyed by shredding or burning after 5 years.

System manager(s) and address: Secretary

Federal Trade Commission
6th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Notification procedure: Public records contained in this system are available upon request, as indicated below. Otherwise, records in this system generally do not contain personal information about individuals and are generally exempt from mandatory disclosure under 5 U.S.C. Sec. 552a (k)(2). However, some personal information relating to individuals may be included and, if retrievable, may be disclosable; access to such information may be requested by mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580. In order for personal information in this system to be retrieved, a request must specify the name of the party subject to the investigation or adjudicatory proceeding.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual respondent or proposed respondent, company records, complainants, informants, witnesses or other third parties.

FTC—29

System name: Litigation Information Management System for Investigations, Rulemaking, Adjudicatory Proceedings—FTC

System location:

Suite 452
13th & Pennsylvania Avenue, N.W.
Washington, D.C.

Categories of individuals covered by the system: Individual respondents, witnesses, informants, and interested parties in certain selected, complex investigations, or rulemaking or adjudicatory proceedings; individuals submitting comments or named in records obtained in the course of such investigations or proceedings.

Categories of records in the system: Information on individuals generally concerns relations or transactions with or knowledge about respondents, or general business and isolated personal information on individual respondents, and other items of information relating to the individual's involvement in the matter in question.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This computer system is only utilized in certain select, complex matters where data storage, retrieval, and manipulation requires such use. It is used for general law enforcement purposes (including investigation, litigation, and rulemaking) by Commission employees; used by management in allocating resources and in assessing progress of programs; used to provide information to Congress; used by consultants and contractors to create data bases and to perform calculations and interpret data for FTC attorneys; used to refer matters to federal, state, or local enforcement authorities for investigation and possible criminal prosecution, civil court action, or regulatory order.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in original, microform and computer data bases.

Retrievability: Retrieved by name, title, date, company concerned, or any fact entered on data entry form (document control form).

Safeguards: Access to records only to those working on the particular matter and only within their particular function. Security and confidentiality controls prevent unauthorized access to original records and computerized records.

Retention and disposal: Retained for life of program plus any additional retention period specified by Commission. Disposal is by shredding, burning, or other physical destruction.

System manager(s) and address:

Manager, Litigation Support Division
Room 452
13th & Pennsylvania Avenue, N.W.
Washington, D.C.

Notification procedure: Records in this system generally do not contain personal information about individuals and are generally exempt from mandatory disclosure under 5 U.S.C. Sec. 552a(k)(2). However, some personal information relating to individuals may be included and may be disclosable; and access to such information may be requested by mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580. In order for personal information in this system to be retrieved, a request must specify the name of the party subject to the investigation or adjudicatory proceeding.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Public and confidential information received from industry, government, and individuals.

FTC—30

System name: Page Count Sheet Tabulation, Dallas Regional Office—FTC

System location:

Federal Trade Commission
Dallas Regional Office

500 S. Ervay Street, Room 452-B
Dallas, Texas 75201

Categories of individuals covered by the system: The members of the Word Processing Center who operate the Wang automatic typewriters and take the dictation from the Professional Staff.

Categories of records in the system: Initials of person performing work, the date in which it was received into the Word Processing Center; the time at which the work left the WPC; the name, title, number of the casework received; the type of work (ex. Interview Report, Complaint, etc.), the number of pages and the initials of the Professional member who is responsible for the work being processed.

Authority for maintenance of the system: Federal Trade Commission Act; FTC Administrative Manual 1-201.1; Federal Records Act Sec. 506(a); GSA Regulations (Secs. 101-11.209-3).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A monthly tabulation of the page count, itemized for each steno/typist/secretary is kept and used to more evenly distribute the workload as well as being used in the evaluation of that individual. Used by Dallas Regional Office personnel.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Metal secretarial desk which can be locked.

Retrievability: By monthly indexing.

Safeguards: Stored in metal secretarial desk which can be locked. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: They are retained for a period of one year and then are disposed of by burning.

System manager(s) and address:

Director
Dallas Regional Office
500 S. Ervay Street, Room 452-B
Dallas, Texas 75201

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records kept by the Supervisor of the Word Processing Center from work turned in by each individual of the Word Processing Center.

FTC—31

System name: Payroll Processing System—Federal Trade Commission

System location:

Division of Budget and Finance
Federal Trade Commission
6th Street & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: All FTC personnel.

Categories of records in the system: All payroll information on individual FTC employees including basic employment information, pay and deduction information, and leave and tax information.

Authority for maintenance of the system: Public Law 89-554, Sec. 1; 5 U.S.C. Sec. 1301; Federal Personnel Manual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Salary and wage processing in accordance with applicable laws and regulations. Used by Division of Budget and Finance personnel and by other agency personnel whose responsibilities include salary and wage processing and evaluation.

Referral of unemployment compensation information to state and local unemployment compensation boards.

Referral to the Civil Service Commission concerning pay, benefits, retirement deductions, and other information necessary for the Commission to carry out its Government-wide personnel management functions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in comprehensive computer listing and on computer tape by the Treasury Department in Philadelphia.

Retrievability: By name, social security number.

Safeguards: Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Maintained according to GSA/Archives schedules of retention and disposal.

System manager(s) and address:

Chief, Division of Budget and Finance
(address same as System Location)

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Pay forms completed by individual on whom the records are maintained; personnel system.

FTC—32

System name: Payroll—Retirement Cards—FTC

System location:

Division of Budget and Finance
Federal Trade Commission
6th Street & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: All Federal Trade Commission personnel who quality for Federal retirement benefits.

Categories of records in the system: Payroll information relating to retirement benefits.

Authority for maintenance of the system: 5 U.S.C. Secs. 5301, 5501, 6101, 6301, 8301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Calculation of retirement benefits. Referred to succeeding employer of U.S. Government Agency or otherwise to Civil Service Commission upon withdrawal or retirement from Federal Service.

Referral to the Civil Service Commission concerning pay, benefits, retirement deductions, and other information necessary for the Commission to carry out its Government-wide personnel management functions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on 8 inch by 10 1/2 inch card

Retrievability: Indexed by name

Safeguards: Locked 3-drawer file cabinet. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Held for length of service of employee while at FTC; information forwarded to next employing agency or Civil Service Commission.

System manager(s) and address:

Chief, Division of Budget and Finance
(address same as System Location)

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Payroll system; personnel system

FTC-33

System name: Preliminary Investigation Files—FTC

System location: Indiana Building
633 Indiana Avenue, N.W.
Washington, D.C.
Star Building
1101 Pennsylvania Avenue, N.W.
Washington, D.C.
Gelman Building
2120 L Street, N.W.
Washington, D.C.
Pennsylvania Building
425 13th Street, N.W.
Washington, D.C.
M Street Building
1726 M Street, N.W.
Washington, D.C.
6th Street & Pennsylvania Avenue, N.W.
Washington, D.C.
Atlanta Regional Office
730 Peachtree Street, N.W.
Atlanta, Georgia 30308
Boston Regional Office
150 Causeway Street
Boston, Massachusetts 02114
Chicago Regional Office
55 East Monroe Street
Chicago, Illinois 60603
Cleveland Regional Office
Anthony J. Celebrezze Federal Office Building
1240 East 9th Street
Cleveland, Ohio 44199
Dallas Regional Office
500 East Ervay Street
Dallas, Texas 75201
Denver Regional Office
128 U.S. Customs
721 19th Street
Denver, Colorado 80202
Los Angeles Regional Office
13209 Federal Building
11000 Wilshire Boulevard
Los Angeles, California 90024
New York Regional Office
2243-EB Federal Building
26 Federal Plaza
New York, New York 10007
San Francisco Regional Office
450 Golden Gate Avenue
San Francisco, California 94102
Seattle Regional Office
28th Floor Federal Building
915 Second Avenue
Seattle, Washington 98174
Washington, D.C., Regional Office
2120 L Street, N.W.
Washington, D.C. 20037

Categories of individuals covered by the system: Respondents and correspondents in preliminary investigations.

Categories of records in the system: Information on individuals generally concerns relations or transactions with or knowledge about respondents, or general business and isolated personal information on individual respondents, and other items of information relating to the individual's involvement in the matter in question. This system is composed of files of preliminary investigations (investigations which have not yet become formal and assigned a 7-digit number), but is limited to those files from which personal information is retrieved by the name of an individual or other identifying particular assigned to the individual.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To determine whether a formal investigation or other action is appropriate. Referral to federal, state, or local enforcement authorities for investigation and possible criminal prosecution, civil action, or regulatory order. Used by Commission staff assigned to, reviewing, or supervising matter; used by Commission personnel with recordkeeping, managerial, and budgeting responsibilities; used by personnel of other agencies to whom a matter is referred.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained in file folders.

Retrievability: Indexed by name of respondent or correspondent.

Safeguards: Access to use of these records is limited to those whose official duties require such access.

Retention and disposal: Records are transferred to Division of Legal and Public Records when preliminary investigation ends.

System manager(s) and address: investigation.

Notification procedure: Records in this system generally do not contain personal information about individuals and are generally exempt from mandatory disclosure under 5 U.S.C. Sec. 552(K)(2). However, some personal information relating to individuals may be included and, if retrievable, may be disclosable; access to such information may be requested by mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580. In order for personal information in this system to be retrieved, a request must specify the name of the party subject to the investigation or adjudicatory proceeding. The request should also specify the Bureau (and Division, if possible) or Regional Office conducting the investigation.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual respondent or proposed respondent, company records, compliance, informants, witnesses or other third parties

FTC—34

System name: Public Contact Report System, Atlanta Regional Office— FTC

System location:

Atlanta Regional Office
730 Peachtree Street, N.E., Room 800
Atlanta, Georgia 30308

Categories of individuals covered by the system: Individual members of the public who file complaints or request information either by telephone or in person concerning matters believed to be of interest or within the jurisdiction of the FTC.

Categories of records in the system: Consists of comoleted form listing the name of the individual, name of the comoany about which the individual inquires or complains and the matter complained of. System also includes an index of the individual with whom contact was made.

Authority for maintenance of the system: Federal Trade Commission Act

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Filed for future reference as to possible witnesses if company complained of should come under investigation by the FTC. Also may be used for reference to another office of the FTC or other federal agencies for law enforcement purposes when deemed approoriate. Used bv Atlanta Regional Office personnel and by oersonnel of other FTC units or other agencies to whom a matter is referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Public contact forms maintained in letter size file folders; index cards consists of 3 inch by 5 inch cards maintained in card file.

Retrievability: Contact form filed alphabetically by name of company; index card filed alphabetically by name of individual.

Safeguards: Contact forms in standard file cabinet and index cards in standard card file. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Retained for a minimum of one year and disposed of by delivery to and placing in a local government incinerator.

System manager(s) and address:

Regional Director

730 Peachtree Street, N.E., Room 800
Atlanta, Georgia 30308

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information obtained from the individual.

FTC—35

System name: Public Information Mailing List—FTC

System location:

Office of Public Information—Room 496
Federal Trade Commission
6th Street & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Individuals, businesses, and organizations which have indicated an interest in receiving FTC materials.

Categories of records in the system: Contains some or all of the following: name, title, company or organization, mailing address, occupation, and capacity/interest codes.

Authority for maintenance of the system: Federal Trade Commission Act

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1. Mailing FTC materials by Public Information Office personnel.

2. Creation of formatted statistical reports designed for use by OPI Director and Assistant Director as a management tool in assessing OPI mission performance.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer disk storage

Retrievability: System indexed by computer-assigned identification number.

Safeguards: 1. Password access to computer storage facility.

2. Access to code system available to OPI and computer support personnel only.

Retention and disposal: Records are retained until a purge action occurs or a request to delete is received. A purge action occurs when an affirmative response to a purge inquiry is not received, and each list entry receives a purge inquiry annually.

System manager(s) and address:

Director, Office of Public Information
Room 496, Federal Trade Commission
6th Street & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual who wishes to receive FTC material, and FTC material, and FTC staff referring mailing list requests.

FTC—36

System name: Public Information Mailing Lists, Boston Regional Office—FTC

System location:

Boston Regional Office
Suite 1301
150 Causeway Street
Boston, Mass. 02114

Categories of individuals covered by the system: News media personnel, heads of consumer organizations, Attorneys General and key staff, heads of business organizations, selected key individuals such as legislators, government leaders, professors, etc. concerned with consumerism.

Categories of records in the system: Contains name, title, organization and address.

Authority for maintenance of the system: Federal Trade Commission Act

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used by staff for purposes of mailing or distributing press releases and other information materials.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on a typed listing which is periodically updated.

Retrievability: Indexed by name and organization.

Safeguards: Lists are maintained in a steel file in the PIO's Office. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Lists are maintained until outdated.

System manager(s) and address:

Public Information Officer
Boston Regional Office
150 Causeway St.—Suite 1301
Boston, Mass. 02114

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Boston Regional Office staff, the media, consumer organizations, materials and information supplied by the public, directories, and government officials.

FTC—37

System name: Public Information Mailing Lists, Dallas Regional Office—FTC

System location:

Federal Trade Commission
Dallas Regional Office
500 S. Ervay; Room 452-B
Dallas, Tx. 75201

Categories of individuals covered by the system: Members of news media

Categories of records in the system: Name, title and address

Authority for maintenance of the system: Federal Trade Commission Act; FTC Administrative Manual 1-201.1, Federal Records Act Sec. 506(a); GSA Regulations (Sec. 101-11.209-3)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Identification of members of news media who are to receive courtesy copies of News Releases, etc. This material is used by members of the Word Processing Center and the Public Information Officer for mailing.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: On a Wang Cassette Taoe

Retrievability: By Tape Number and Identity on Tape Front

Safeguards: Names and Addresses are stored on Wang Cassette Tape; They are kept stored in a cassette album in the Word Processing Center. Access restricted to those agency oersonnel whose responsibilities require access.

Retention and disposal: Tape is kept until new Public Information Officer is named each Fiscal Year and then the list is updated and changed

System manager(s) and address:

Director

Dallas Regional Office
500 S. Ervay; Room 452-B
Dallas, Tx. 75201

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Reouest, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Members of news media.

FTC—38

System name: Public Information Mailing List, New Orleans Regional Office—FTC

System location:

New Orleans Regional Office, FTC
333 St. Charles St., 1000 Masonic Temple Bldg.
New Orleans, Louisiana 70130

Categories of individuals covered by the system: Persons and consumer organizations who normally receive information supplied to this office by the Division of Consumer Education

Categories of records in the system: Contains name and address of individuals and groups receiving consumer education information

Authority for maintenance of the system: Federal Trade Commission Act

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as indicated for mailing of consumer education material. Used by New Orleans Regional Office personnel.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on MT/ST tape

Retrievability: Indexed by use

Safeguards: Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Maintained until individual or group requests removal from the list, or until materials are returned by post office because of change in address

System manager(s) and address: FTC New Orleans Regional Office Director, 333 St. Charles Street, 1000 Masonic Temple Building, New Orleans, Louisiana 70130

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above

Record source categories: Individual or group on whom the record is maintained

FTC-39

System name: Staff Advisory Opinion Records—FTC

System location: Office of Assistant General Counsel

Legal Services, Room No. 576
Federal Trade Commission
6th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Applicants for advisory opinions under Sec. 1.1 of the Commission's Rules of Practice and Procedure.

Categories of records in the system: Name and address of requester; business information; proposed courses of business action.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide staff advice responsive to public request; to maintain record of advice given for use of the staff for preparation of future staff or Commission opinions and to coordinate and assure consistency of position; possible referral to other parts of the FTC or to appropriate federal or state agencies for advice or where law enforcement action may be warranted; used by staff of Office of General Counsel and other FTC personnel or agencies to whom a matter is referred.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in file folders, file cabinets.

Retrievability: Generally indexed by name of requesting party.

Safeguards: Maintained in lockable file cabinets and office. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Maintained from 6-1-62; no present disposal program.

System manager(s) and address: Assistant General Counsel for Legal Services

Room No. 576
Federal Trade Commission
6th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual proprietorship, corporation, or other business organization, or counsel representing any of them, seeking or receiving a staff advisory opinion.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual proprietorship, corporation, or other business organization, or counsel representing any of them, seeking or receiving a staff advisory opinion.

FTC—40

System name: Statement of Employment and Financial Interests—FTC

System location:

Office of the Executive Director
Federal Trade Commission
6th & Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals, covered by the system: Personnel required by FTC regulations to file statements of employment and financial interests

Categories of records in the system: Contains name, organization, statement of employment and financial interests

Authority for maintenance of the system: Executive Order No. 11222 and

5 CFR Part 735

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Review of statement of employment and financial interests to ascertain whether a conflict of interest or apparent conflict of interest exists, and if so, to insure that appropriate action is taken to remove conflict. Used by senior Commission employees and members of the General Counsel's Office.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on an 8 inch by 10 1/2 inch paper

Retrievability: Indexed by name

Safeguards: Records are maintained in a combination steel vault. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Records are maintained indefinitely

System manager(s) and address:

Executive Director
Room 426
Federal Trade Commission

Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th & Pennsylvania Avenue, N.W. Washington, D.C. 20580

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FTC—41

System name: Unofficial Personnel Records—FTC

System location:

Federal Trade Commission
6th Street & Pennsylvania Avenue, N.W.
Washington, D.C. 20580
Indiana Building
633 Indiana Avenue, N.W.
Washington, D.C.
Star Building
1101 Pennsylvania Avenue, N.W.
Washington, D.C.
Gelman Building
2120 L Street, N.W.
Washington, D.C.
Pennsylvania Building
425 13th Street, N.W.
Washington, D.C.
M Street Building
1726 M Street, N.W.
Suite 1100
Washington, D.C.
Regional Offices:
Atlanta Regional Office
730 Peachtree Street, N.E.
Atlanta, Georgia 30308
Boston Regional Office
150 Causeway Street
Boston, Massachusetts 02144
Chicago Regional Office
55 East Monroe Street
Chicago, Illinois 60603
Cleveland Regional Office
1339 Federal Office Building
1240 East 9th Street
Cleveland, Ohio 44199
Dallas Regional Office
500 South Ervay Street
Dallas, Texas 75201
Kansas City Regional Office
2806 Federal Office Building
911 Walnut Street
Kansas City, Missouri 64106
Los Angeles Regional Office
13209 Federal Building
11000 Wilshire Boulevard
Los Angeles, California 90024
New Orleans Regional Office
1000 Masonic Temple Building
333 St. Charles Street
New Orleans, Louisiana 70130
New York Regional Office
2243-EB Federal Building
26 Federal Plaza
New York, New York 10007
San Francisco Regional Office
450 Golden Gate Avenue
San Francisco, California 94102
Seattle Regional Office
28th Floor Federal Building
915 Second Avenue
Seattle, Washington 89174
Washington , D.C., Regional Office
2120 L Street, N.W.
Washington, D.C. 20037

Categories of individuals covered by the system: Current and former employees of the Federal Trade Commission.

Categories of records in the system: This system of records contains information or documents about the employment and work history of individual employees. The types of records maintained vary with each supervisor and Commission unit. Each supervisor may maintain some or all of the following records: written notes or memoranda on employee performance (i.e., Attorney Evaluation Employment Forms), leave, work assignments, disciplinary problems.

Authority for maintenance of the system: Title 5 U.S.C. Sections 4301-4308; Sections 6101-6106; Sections 6301-6326; Sections 7301-7352; Sections 7501-7533.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To be used by the employee's supervisor in evaluating performance, preparing promotion and award recommendations, preparing informal or formal disciplinary actions, approving leave, making work assignments.

Referral to the Civil Service Commission concerning pay, benefits, retirement deductions, and other information necessary for the Commission to carry out its Government-wide personnel management functions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders.

Retrievability: These records are indexed by the names of individuals on whom they are maintained.

Safeguards: Access to and use of these records are limited to those whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal: Records are destroyed when no longer relevant to the purpose for which they were compiled and maintained. Generally, records are destroyed when the employee no longer works in the Bureau or Office which compiled and maintained the information.

System manager(s) and address: Employee supervisor, Federal Trade Commission.

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual to whom record pertains; supervisors of employee.

FTC—42

System name: Basis Computerized System, Bureau of Competition—FTC

System location:

Computer Services Corporation
Infunct Center
650 N. Sepulveda Boulevard
Los Angeles, California 90245

Categories of individuals covered by the system: Professional staff of the Bureau of Competition.

Categories of records in the system: Name of professional staff member, sequence number (assigned to attorney), case assignment, deadline, expenditure of time, supervising attorney, assistant director responsible for overall case.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by supervisory personnel of Bureau of Competition for management purposes, including management of caseload and as budgeting tool.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer magnetic discs indexed by data basis.

Retrievability: By name of professional, sequence number, or other data element.

Safeguards: By password only. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Assistant Director for Evaluation
Bureau of Competition
Federal Trade Commission *

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information obtained from reports from Assistant Directors, Bureau of Competition, and from professional assigned to case.

FTC—43

System name: Internal Assignment Tracking System, Office of General Counsel—FTC.

System location:

Office of General Counsel
Room 566
Federal Trade Commission
6th Street & Pennsylvania Avenue, N.W.
Washington, D.C. 20580.

Categories of individuals covered by the system: Professional staff of the Office of General Counsel.

Categories of records in the system: Control number, subject and status of assignment, supervising attorney, date received, current deadline, original deadline, date completed, and, if Freedom of Information Act appeal, whether access granted.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by supervisory personnel of General Counsel's Office for management purposes, including controlling attorney workload, trackinq the status of assignments, and evaluating attorney performance.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in computer.

Retrievability: By name of attorney, control number, or other data element.

Safeguards: By password only. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Administrative Officer,
Office of General Counsel

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follow: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Assignments under responsibility of Office of General Counsel and instructions from staff.

FTC-44

System name: Assurances of Voluntary Compliance (AVC)—FTC

System location: Division of Legal and Public Records

Office of the Secretary
Federal Trade Commission
6th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Corporation, company, partnership, or private enterprise official(s) with matter pending before the Commission or under investigation by the Commission.

Categories of records in the system: Name, address and title of official representing the outside entity, identity of subject matter of possible violation of the law, file number, and AVC number.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Commission staff and members of the public. Used for law enforcement and management purposes by Commission staff. Available for public inspection, with no limitation or restriction on use by the public of the information contained in the assurance.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in binders in Public Reference Room.

Retrievability: Indexed by firm name and by individuals (corporate officers).

Safeguards: Maintained in lockable office. Available to the public.

Retention and disposal: No present disposal program.

System manager(s) and address: Secretary

Federal Trade Commission
(address same as System Location)

Notification procedure: By mailing or delivering written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FTC-45

System name: Automated Serials Routing System (ASRS)—FTC

System location: Library, Federal Trade Commission

6th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Readers of FTC Library periodicals wishing to be on the routing system.

Categories of records in the system: Name and location of reader, employee number, and name and number of periodical.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To manage serials routing among readers. Used by staff of FTC Library and other FTC employees with a need to use this system.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: On computer disk/tape.

Retrievability: By periodical number and employee number.

Safeguards: Access limited to authorized users by means of password.

Retention and disposal: Record maintained as long as reader wishes to be on the routing system.

System manager(s) and address: Librarian

Federal Trade Commission
(address same as System Location)

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FTC-46

System name: Clearance to participate applications and the Commission's responses thereto—FTC

System location: Division of Legal and Public Records

Office of the Secretary
Federal Trade Commission
6th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Former members or employees of the Commission requesting authorization to appear or participate in a proceeding or investigation, formal or informal, which was pending in any manner in the Commission while such former member or employee served with the Commission.

Categories of records in the system: Name, address, current employment status, nature of any connection with the proceeding or investigation during service with the Commission.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Commission staff and members of the public. Used by the staff for the purpose of making recommendations and determinations with respect to applications for clearance. No limitation on use by the public.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in binders in Public Reference Room. Available to the public.

Retrievability: Indexed by name of applicant, by name of investigation or proceeding, and by date.

Safeguards: Maintained in lockable office.

Retention and disposal: Maintained from 1-1-69; no present disposal program.

System manager(s) and address: Secretary

Federal Trade Commission
(address same as System Location)

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FTC-47

System name: Consumer Complaint/Inquiry Files, Chicago Regional Office—FTC

System location: Chicago Regional Office

Suite 1437
55 East Monroe Street
Chicago, Illinois 60603

Categories of individuals covered by the system: Consumers, individuals, public officials, company and corporation officers, attorneys, members of conswmer groups, student groups and committees.

Categories of records in the system: Letters of complaint, inquiry, comment, and/or communications concerning FTC actions and activities.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to correspondence. To determine whether any law enforcement or other action by FTC may be warranted. Referral to other federal, state or local governmental agencies for appropriate action when matter complained of or inquired about comes within the jurisdiction of such agency. Used by FTC employees and by personnel of any agency to which the matter is referred.

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cabinets.

Retrievability: Indexed in correspondence log by identifying nwmber, individual name, and company name.

Safeguards: Unlocked file cabinets - access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Retained for one year and disposed of thereafter.

System manager(s) and address: Regional Director

Federal Trade Commission
(address same as System Location)

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom record is maintained.

FTC-48

System name: Contacts by Persons Outside the Commission Relating to Investigations or Cases—FTC

System location: Division of Legal and Public Records

Office of the Secretary
Federal Trade Commission
6th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Persons outside the Commission making an oral communication to a Commission employee concerning an investigation or case pending within the Commission, with whom contact would not normally be made in the routine handling of the investigation or case. This includes, but is not limited to, a member of Congress or his staff, an official of another government agency or of the executive branch, or other person in public or private life not directly involved in the matter.

Categories of records in the system: Name and title of outside person who made contact, identity of pending Commission investigation or case, file or docket number, name and position of Commission employee contacted, date and time of contact, brief description of subject(s) discussed.

Authority for maintenance of the system: Federal Trade Commission Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Commission staff and members of the public to determine who has contacted Commission employees about an investigation or case, who has been contacted, and a description of the subject(s) discussed.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in files in Public Reference Room.

Retrievability: Indexed alphabetically by name of outside contact.

Safeguards: Maintained in lockable office. Available to the public.

Retention and disposal: Maintained from 3-26-74; no present disposal program.

System manager(s) and address: Secretary

Federal Trade Commission
(address same as System Location)

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FTC-49

System name: Freedom of Information Act Requests and Appeal from Other Than Governmental Agencies and the Commission's Responses Thereto—FTC

System location: Division of Legal and Public Records

Office of the Secretary
Federal Trade Commission
6th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Persons filing requests for access to information under the Freedom of Information Act.

Categories of records in the system: Name, address, sometimes purpose of request, and intended use of information, and agreement to pay fees, if any.

Authority for maintenance of the system: Federal Trade Commission Act; Freedom of Information Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff of the Secretary's Office, General Counsel's Office, enforcement Bureaus with respect to active or pending investigations or proceedings, and of the Commissioners, to make recommendations and determinations in response to Freedom of Information Act requests and appeals. Referral to the Office of Management and Budget and to the Congress for annual reports required by the Freedom of Information Act. Referral to federal enforcement authorities to assist with administrative processing and litigation.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Stored in binders in Public Reference Room. Available to the public.

Retrievability: Generally indexed by name of requesting party and by subject matter of request.

Safeguards: Maintained in lockable office.

Retention and disposal: Maintained from 3-8-73.

System manager(s) and address: Secretary

Federal Trade Commission
(address same as System Location)

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FTC-50

System name: Holders of Registered Identification Numbers—FTC

System location: Division of Special Statutes

Federal Trade Commission
633 Indiana Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Persons marketing wool products, textile fiber products, or fur or fur products, in commerce, who have filed an application with the Secretary of the Commission for issuance of a requested identification number pursuant to the Commission's Rules of Practice, 16 C.F.R. 1.32.

Categories of records in the system: Name of applicant, address, nature of business, nature of product.

Authority for maintenance of the system: Federal Trade Commission Act, Wool Products Labeling Act of 1939, Fur Products Labeling Act, Textile Fiber Products Identification Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Applications are used by the Commission to issue registered identification numbers to qualified applicants; such numbers are for use as required identification in lieu of the name of the person to whom the number has been issued in satisfying the identification requirement for labeling under the respective Acts identified above. Used by staff of the Division of Special Statutes and available to the public.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in files. Available to the public.

Retrievability: Indexed alphabetically by name of applicant and indexed in numerical sequence.

Safeguards: Maintained in file cabinets.

Retention and disposal: Maintained from 1-1-51; no present disposal program.

System manager(s) and address: Assistant Director of Special Statutes

Bureau of Consumer Protection
Federal Trade Commission
633 Indiana Avenue, N.W.
Washington, D.C. 20580

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom record is maintained.

FTC-51

System name: Privacy Act Requests and Appeal—FTC

System location: Division of Legal and Public Records

Office of the Secretary
Federal Trade Commission
6th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Categories of individuals covered by the system: Persons filing requests for access to, correction of, or an accounting of disclosures of personal information contained in system of records maintained by the Commission, pursuant to the Privacy Act of 1974.

Categories of records in the system: Name, address; sometimes purpose of request; intended use of information; agreement to pay fees, if any, and nature of correction of information requested.

Authority for maintenance of the system: Federal Trade Commission Act; Privacy Act of 1974.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff of the Secretary's Office, General Counsel's Office, and Commissioners, to make recommendations and determinations in response to Privacy Act requests and appeals. Referral to the Office of Management and Budget and to the Congress for annual reports required by the Privacy Act. Referral to federal enforcement authorities to assist with administrative processing and litigation.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Initial requests stored in lockable files in Secretary's Office. Appeals stored in lockable files in General Counsel's Office.

Retrievability: Indexed by request index number, date of request, and name of requester or appellant.

Safeguards: Maintained in lockable offices. Access restricted to those agency personnel whose responsibilities require access.

Retention and disposal: Maintained from 9-27-75.

System manager(s) and address: Secretary

Federal Trade Commission
(address same as System Location)

Notification procedure: By mailing or delivering a written request bearing the individual's name, return address, and signature, addressed as follows: Privacy Act Request, Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom record is maintained.

ROUTINE USES OF SYSTEMS OF RECORDS

The Commission proposes to adopt additional routine uses of systems of records maintained by the Commission and subject to the Privacy Act. These proposed routine uses would apply to the systems of records designated with each proposed routine use. The reason for adopting each of these routine uses is explained with each proposed routine use.

In accordance with Sections 552a(e)(4)(D) and (e) (11) of the Privacy Act, interested persons may submit written data, views, or arguments pertaining to these proposed additional uses. Comments on these routine uses received by the Commission within 30 days of publication will be considered by the Commission before taking final action on these notices of routine uses. Comments should be addressed to the Secretary, Federal Trade Commission, Washington, D.C. 20580.

1. (a) Proposed addition: Add the following to the routine use section of every notice of system of records maintained by the Commission.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(b) Systems affected: Every system of records maintained by the Commission, published thus far at 40 F.R. 39041-56, 40 F.R. 46076-77, and above.

(c) Reason: To assure that Commission implementation of the Privacy Act does not have the unintended effect of denying individuals the benefit of congressional assistance which they request. This would eliminate any need to obtain the written consent of the individual in any case where the congressional inquiry indicates that the request is being made on behalf of the individual whose record is to be disclosed.

2. (a) Proposed addition: Add the following to the routine use section of every correspondence system maintained by the Commission:

Referral to person, partnership, or corporation complained about, when considered appropriate by Commission staff or by another federal, state, or local governmental agency to whom matter has been referred.

(b) Systems affected:

FTC-6 Complaint Cards, Dallas Regional Office (40 F.R. 39041).
FTC-7 Congressional Correspondence, Office of General Counsel (40 F.R. 39041).
FTC-8 Congressional Inquiry Files, Dallas Regional Office (40 F.R. 39041).
FTC-10 Consumer and Industry Correspondence Files, Division of Special Statutes; Bureau of Consumer Protection (40 F.R. 39041).
FTC-11 Consumer Complaint Files, Atlanta Regional Office (40 F.R. 39041).
FTC-12 Consumer Complaint Files, Cleveland Regional Office (40 F.R. 39041).
FTC-13 Consumer Complaint Files, Division of Marketing Practices; Bureau of Consumer Protection (40 F.R. 39041).
FTC-14 Consumer Complaint Files, Los Angeles Regional Office (40 F.R. 39041).
FTC-15 Consumer Complaint Files, New Orleans Regional Office (40 F.R. 39041).
FTC-16 Consumer Complaint Letters, Seattle Regional Office (40 F.R. 39041).
FTC-19 Correspondence With Compliance Division, Bureau of Consumer Protection, Concerning Parties Subject to Commission Orders (40 F.R. 39041).
FTC-20 Correspondence With Members of Congress and Agency Officials (40 F.R. 39041).
FTC-25 General Correspondence Records (40 F.R. 39041).
FTC-47 Consumer Complaint/Inquiry Files, Chicago Regional Office (published above).

(c) Reason: To facilitate resolution of a consumer's complaint by means of referral to the person, partnership, or corporation complained about, in appropriate instances.

3. (a) Proposed addition: Add the following to the routine use section of every investigational records system maintained by the Commission:

Referral to experts, when considered appropriate by Commission staff.

(b) Systems affected:

FTC-28 Investigational, Legal, and Public Records (40 F.R. 39041).
FTC-33 Preliminary Investigation Files (40 F.R. 39041).

(c) Reason: To allow experts consulted by Commission staff to assist in evaluating data and other information in records incorporated into these systems.

4. (a) Proposed addition: Add the following to the routine use section of the payroll processing system:

Referral of unemployment compensation information to state and local unemployment compensation boards.

(b) System affected:

FTC-31 Payroll Processing System (40 F.R. 39041).

(c) Reason: Referral of information concerning salary wages paid to Commission employees to unemployment compensation boards, upon request, is essential in the payment of unemployment claims made by the individuals involved.

5. (a) Proposed addition: Add the following to the routine use section of every personnel system of the Federal Trade Commission which is not a Government-wide personnel system maintained by the Civil Service Commission:

Referral to the Civil Service Commission concerning pay, benefits, retirement deductions, and other information necessary for the Commission to carry out its Government-wide personnel management functions.

(b) Systems affected:

FTC-21 Counselling Records (40 F.R. 39041).
FTC-27 Health Unit Records (40 F.R. 39041).
FTC-31 Payroll Processing System (40 F.R. 39041).
FTC-32 Payroll-Retirement Cards (40 F.R. 39041).
FTC-41 Unofficial Personnel Records (40 F.R. 39041).

(c) Reason: To provide information contained in FTC personnel records systems to the Civil Service Commission necessary for it to fulfill its personnel management evaluation and improvement program responsibilities.

[FR Doc.76-25544 Filed 8-30-76;8:45 am]

MARINE MAMMAL COMMISSION

PRIVACY ACT OF 1974

Systems of Records

The purpose of this document is to give notice that the systems of records identified in notices published in the Federal Register at 40 FR 49283, as amended by a notice published at 41 FR 21412, continue in effect. This notice is published in accordance with Section 3 of the Privacy Act of 1974, 5 U.S.C. Section 552a(e)(4).

Dated: August 16, 1976.

John R. Twiss, Jr.
Executive Director.

MMC—1

System name: Applications for Permits to Take or Import Marine Mammals or to Import Marine Mammal Products for Purposes of Scientific Research or Public Display—MMC.

System location: Commission Offices, 1625 I Street, NW., Room 307, Washington, D.C. 20006; Commission Members' Offices, presently:

Dr. Donald B. Siniff Department of Ecology & Behavioral Biology
University of Minnesota
223 Snyder Hall
St. Paul, Minnesota 55101
Dr. Richard A. Cooley
Chairperson, Board of Environmental Studies
University of California
Sanata Cruz, California 95064; and

Committee of Scientific Advisors Members' Offices, presently:

Dr. Richard H. Backus
Woods Hole Oceanographic Institution
Woods Hole, Massachusetts 02543
Dr. Robert L. Brownell, Jr.
Division of Mammals—NHB, 398
Smithsonian Institution
Washington, D.C. 20560
Dr. Douglas G. Chapman
College of Fisheries
University of Washington
Seattle, Washington 98195
Dr. L. Lee Eberhardt
2528 W. Klamath Ave.
Kennewick, Washington 99336
Dr. Francis H. Fay
University of Alaska
Fairbanks, Alaska 99701
Mr. Ancel M. Johnson
U.S. Fish & Wildlife Service
4454 Business Park Blvd.
Anchorage, Alaska 99503
Dr. Clayton E. Ray
National Museum of Natural History
Smithsonian Institution
Washington, D.C. 20560
Dr. Sam H. Ridgway
Biomedical Division
Naval Undersea Center
San Diego, California 92132
Dr. Tim D. Smith
Department of Zoology
University of Hawaii at Manoa
Honolulu, Hawaii 96822

Categories of individuals covered by the system: Individuals who have submitted applications, as required by the Marine Mammal Protection Act of 1972 and regulations of the Departments of Interior and Commerce, for permits to take or import marine mammals or to import marine mammal products.

Categories of records in the system: Name, mailing address, telephone number, date of birth, height, weight, color of hair, color of eyes, sex, business or institutional affiliation, education and/or experience of the applicant which qualifies him/her to conduct the proposed activities.

Authority for maintenance of the system: Title II, Section 206(5) of the Marine Mammal Protection Act of 1972, 16 U.S.C. 1406(5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Information contained in permit applications is used by the Commission, its Committee of Scientific Advisors, the Executive Director and his staff for the purpose of reviewing such applications and making recommendations thereon, regarding proper disposition of the application, to the Secretaries of Commerce and Interior in order to carry out the duties assigned to the Commission by the Marine Mammal Protection Act of 1972. Subsequent to final disposition of the application, records are maintained for use in connection with the review of future applications submitted by the same individuals. The records contained in the system also are available for inspection by members of the public.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Maintained in 8 1/2 by 11 inch folders in vertical file.

Retrievability: Manual—indexed by name of applicant.

Safeguards: Records are maintained in an office which is accessible only to authorized persons.

Retention and disposal: Records will be retained in the Commission offices during the life of the Commission. Copies forwarded to the offices of individual Commissioners and Committee members are disposed of after disposition of the permit application, or at such other times as are deemed appropriate by the Commissioners and Committee members.

Method of disposal: No particular method of disposal is followed.

System manager(s) and address: Executive Director, Marine Mammal Commission, 1625 I Street, NW., Room 307, Washington, D.C. 20006.

Notification procedure: An individual may obtain notification of whether the system of records contains a record pertaining to him/her by forwarding an inquiry to the System Manager, or by appearing in person, at the above address. See Commission regulations in 50 CFR Part 501.3.

Record access procedures: See Commission access regulations in 50 CFR Parts 501.4, 501.5.

Contesting record procedures: The Commission's rules for contesting contents of records, and for appealing adverse determinations with respect thereto, are contained in 50 CFR Part 502.6 through 501.8. Assistance in obtaining access to or contesting the contents of records can be obtained from the System Manager at the above address.

Record source categories: Subject applicants.

MMC—2

System name: Personnel files on current, past and prospective employees and members of the Marine Mammal Commission and its Committee of Scientific Advisors—MMC.

System location: Commission offices, 1625 I Street, NW., Room 307, Washington, D.C. 20006.

Categories of individuals covered by the system: Present and past employees, individuals who have submitted solicited or unsolicited applications for employment, members of the Commission and Committee of Scientific Advisors, and individuals who have been invited to submit personal information for consideration as a potential member of the Committee.

Categories of records in the system: Name, address, telephone number, educational background, employment history, special employment qualifications, honors and awards, research and other activities relating to position, publications, letters of recommendation, and memoranda regarding conversations between Commission staff members and previous employers concerning quality of job performance.

Authority for maintenance of the system: Title II, Section 206(5) of the Marine Mammal Protection Act of 1972, 16 U.S.C. 1406(5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Information contained in the system is used, in conjunction with data supplied on Standard Civil Service Commission forms, for the purpose of assessing the qualification of subject individuals for appointment to the various positions described above. The Chairman of the Commission, the Executive Director, and the Administrative Officer are authorized users of the System.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in 8 1/2 by 11 inch folders in a locked vertical file.

Retrievability: Manual—indexed by name.

Safeguards: The system is maintained in a locked, metal safe, the access combination to which is known only by the Executive Director, his Administrative Officer, and one member of his support staff. Other members of the staff have been instructed that they are under no circumstances to make any use of the system except in accordance with procedures promulgated by the agency pursuant to Subsection 552a(f)(3) of the Privacy Act.

Retention and disposal: Records in the system will be retained during the life of the Commission.

Method of disposal: No particular method of disposal is followed.

System manager(s) and address: Executive Director, Marine Mammal Commission, 1625 I Street, NW., Room 307, Washington, D.C. 20006.

Notification procedure: An individual may obtain notification of whether the system of records contains a record pertaining to him/her by forwarding an inquiry to the System Manager, or by appearing in person, at the above address. See Commission regulations in 50 CFR Part 501.3.

Record access procedures: See Commission access regulations in 50 CFR Parts 501.4, 501.5.

Contesting record procedures: The Commission's rules for contesting contents of records, and for appealing adverse determinations with respect thereto, are contained in 50 CFR Parts 501.6 through 501.8. Assistance in obtaining access to or contesting the contents of records can be obtained from the System Manager at the above address.

Record source categories: Subject individuals; former and/or present employers of subject individuals; and others familiar with the individual and whom the individual has suggested as a reference.

MMC—3

System name: Research proposals and contracts—MMC.

System location: Commission offices, 1625 I Street, NW., Room 307, Washington, D.C. 20006; Commission Members' Offices, presently:

Dr. Donald B. Siniff Department of Ecology & Behavioral Biology
University of Minnesota
223 Snyder Hall
St. Paul, Minnesota 55101
Dr. Richard A. Cooley
Chairperson, Board of Environmental Studies
University of California
Sanata Cruz, California 95064; and

Committee of Scientific Advisors Members' Offices, presently:

Dr. Richard H. Backus
Woods Hole Oceanographic Institution
Woods Hole, Massachusetts 02543
Dr. Robert L. Brownell, Jr.
Division of Mammals—NHB, 398
Smithsonian Institution
Washington, D.C. 20560
Dr. Douglas G. Chapman
College of Fisheries
University of Washington
Seattle, Washington 98195
Dr. L. Lee Eberhardt
2528 W. Klamath Ave.
Kennewick, Washington 99336
Dr. Francis H. Fay
University of Alaska
Fairbanks, Alaska 99701
Mr. Ancel M. Johnson
U.S. Fish & Wildlife Service
4454 Business Park Blvd.
Anchorage, Alaska 99503
Dr. Clayton E. Ray
National Museum of Natural History
Smithsonian Institution
Washington, D.C. 20560
Dr. Sam H. Ridgway
Biomedical Division
Naval Undersea Center
San Diego, California 92132
Dr. Tim D. Smith
Department of Zoology
University of Hawaii at Manoa
Honolulu, Hawaii 96822

Categories of individuals covered by the system: Individuals who have submitted proposals to conduct scientific research, including those to whom research contracts have been awarded.

Categories of records in the system: Name, address, telephone number, educational background, employment history, honors and awards, part research activities, publications, records of payments made to individuals pursuant to research contracts that have been awarded.

Authority for maintenance of the system: Title II, Section 206(5) of the Marine Mammal Protection Act of 1972, 16 USC 1406(5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Research proposals, containing personal qualifications information, are utilized by the Scientific Program Director and other members of the Commission staff, outside consultants, and Members of the Commission and the Committee for the purpose of determining the merit of such proposals. Records of contract payments are utilized by the Scientific Program Director, the Executive Director and his staff, and members of the Commission and Committee for purposes of budgeting, contract review, and evaluation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in 8 1/2 by 11 inch folders in a vertical file.

Retrievability: Manual—indexed by name.

Safeguards: Records are maintained in an office which is accessible only to authorized persons.

Retention and disposal: Records in the system will be retained during the life of the Commission

Method of disposal: None

System manager(s) and address: Executive Director, Marine Mammal Commission, 1625 I Street, NW., Room 307, Washington, D.C. 20006.

Notification procedure: An individual may obtain notification of whether the system of records contains a record pertaining to him/her by forwarding an inquiry to the System Manager, or by appearing in person, at the above address. See Commission regulations in 50 CFR Part 501.3.

Record access procedures: See Commission access regulations in 50 CFR Parts 501.4, 501.5.

Contesting record procedures: The Commission's rules for contesting contents of records, and for appealing adverse determinations with respect thereto, are contained in 50 CFR Parts 501.6 through 501.8. Assistance in obtaining access to or contesting the contents of records can be obtained from the System Manager at the above address.

Record source categories: Subject individuals, Research Program Director, and othe Commission personnel administering contract payments.

MMC—4

System name: General Financial Records—MMC

System location: General Services Administration, Central Office; copies held by the Commission. (GSA holds records for Commission under contract.)

Categories of individuals covered by the system: Commission employees.

Categories of records in the system: SF 1038, Application and account for advance of funds; Vendor register and vendor payment tape. Information is used by accounting technicians to maintain adequate financial information and by other officers and employees of GSA and the Commission who have a ned for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally; Section 206(5) of the Marine Mammal Protection Act of 1972, 16 U.S.C. 1406(5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix. Records also are released to GAO for audits; to the IRS for investigation; and to private attorneys, pursuant to a power of attorney.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and tape.

Retrievability: Manual and automated by name.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintnance and Disposition System (OAD P 1820.2)/

System manager(s) and address: Executive Director, Marine Mammal Commisson, 1625 I Street, NW., Washington, D.C. 20006, Room 307.

Notification procedure: See Commission access regulations in 50 CFR Part 501.3.

Record access procedures: See Commission access regulations in 50 CFR Parts 501.4, 501.5.

Contesting record procedures: See Commission regulations in 50 CFR Part 501.6 through 501.8.

Record source categories: The subject individual; the Commission.

MMC—5

System name: Payroll records;—MMC

System location: General Services Administration, Region 3 Office; copies held by the Commission (GSA holds for Commission under contract.)

Categories of individuals covered by the system: Past and present Commission employees.96

Varied payroll records, including, among other documents, time and attendance cards; payment vouchers; comprehensive listing of employees; health benefits records; requests for deductions, tax forms; W2 forms; overtime requests; leave data; retirement records. Records are used by Commission and GSA employees to maintain adequate payroll information for Commission employees and otherwise by Commission and GSA employees who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix. Records also are released to GAO for audits; to the Internal Revenue Service for investigation; and to private attorneys, pursuant to a power of attorney.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.

Retrievability: Social Security Number.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with HB GSA Records Maintenance and Disposition System (OAD P 1820.2)/

System manager(s) and address: Executive Director, Marine Mammal Commission, 1625 I Street, NW., Washington, D.C. 20006.

Notification procedure: See Commission access regulations in 50 CFR Part 501.3.

Record access procedures: See Commission access regulations in 50 CFR Parts 501.4, 501.5.

Contesting record procedures: See Commission regulations in 50 CFR Parts 501.6 through 501.8.

Record source categories: The subject individual; the Commission.

APPENDIX MMC

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a license grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee.

A record from this system of records may be disclosed to the United States CivilService Commission in accordance with the agency's responsibility for evaluation and oversight of Federal personnel management.

A record from this system of records may be disclosed to officers and employees of a Federal agency for purposes of audit.

Disclosure may be made, as a routine use, to a Congressional office from the record of an individual contained in any of the Commission's systems in response to an inquiry from the Congressional office made at the request of that individual.

[FR Doc.76-25543 Filed 8-30-76;8:45 am]

Just Released

CODE OF FEDERAL REGULATIONS

(Revised as of July 1, 1976)

Title 28—Judicial Administration $3.10

Title 31—Money and Finance: Treasury 5.65

Title 32—National Defense (Parts 1400–1599) 3.65

Title 32—National Defense (Parts 1600–end) 1.95

Title 32A—National Defense (Appendix) 2.90

[*A Cumulative checklist of CFR issuances for 1976 appears in the first issue of the Federal Register each month under Title 1*]

**Order from Superintendent of Documents,
United States Government Printing Office,
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